

Bastrop, TX City Council Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



February 27, 2024
Regular City Council Meeting at 6:30 PM

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE IN ATTENDANCE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT CITYOFBASTROP.ORG/CITIZENCOMMENT AT LEAST TWO HOURS BEFORE THE MEETING STARTS ON THE REQUESTED DATE. COMMENTS SUBMITTED BY THIS TIME WILL BE GIVEN TO THE CITY COUNCIL DURING THE MEETING AND INCLUDED IN THE PUBLIC RECORD, BUT NOT READ ALOUD. COMMENTS FROM EACH INDIVIDUAL IN ATTENDANCE WILL BE LIMITED TO THREE (3) MINUTES.

1. CALL TO ORDER

- 2. PLEDGE OF ALLEGIANCE** - Santiago Flores and Mason Hernandez, Bastrop Intermediate School

TEXAS PLEDGE OF ALLEGIANCE - *Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.*

- 3. INVOCATION** - Ketrich Steger, Police Chaplain

4. PRESENTATIONS

[4A.](#) Mayor's Report

[4B.](#) Council Members' Report

[4C.](#) City Manager's Report

5. WORK SESSIONS/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

[6A.](#) Receive presentation on the unaudited Monthly Financial Report for the period ending December 31, 2023.

Submitted by: Edi McIlwain, Chief Financial Officer

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform at least two hours before the meeting starts on the requested date. Comments submitted by this time will be given to the City Council during the meeting and included in the public record, but not read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Council Member or a citizen may request items be removed from the Consent Agenda for individual consideration.

[8A.](#) Consider action to approve City Council minutes from the February 7, 2024, Special meeting; February 13, 2024, Regular meeting; and February 19, 2024, Special meeting.

Submitted by: Ann Franklin, City Secretary

[8B.](#) Consider action to approve the second reading of Ordinance No. 2024-06 to adopt the 2024 Schedule of Uniform Submittal Dates for Site Development Plans, Zoning Concept Schemes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Exhibit A.

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

8C. Consider Action to approve the second reading of Ordinance No. 2024-04 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.011 titled "FM 969 speed limits." Zoning for traffic and rate of speed therein, on FM 969 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A.

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

8D. Consider action to approve Resolution No. R-2024-23 regarding a petition filed by Ventana Hills, Ltd., Back Lake Investment, Inc., and Bird Island Investments, Ltd. to remove approximately 738.229 acres of land, as described in the petition, from the City of Bastrop's extraterritorial jurisdiction pursuant to Local Government Code Chapter 42.

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

8E. Consider action to approve the second reading of Ordinance No. 2024-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Chapter 13, Article 13.04 On-site Sewage Facilities and amending the B3 Technical Manual, Chapter 3, Article 3.2 Infrastructure Requirements to align with the state requirements for septic systems on one-half acre lots; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting as shown.

Submitted by: Andres Rosales, Interim Assistant City Manager

9. ITEMS FOR INDIVIDUAL CONSIDERATION

9A. Consider action to approve the first reading of Ordinance No. 2024-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date, and move to include on the March 12, 2024, City Council consent agenda for a second reading.

Submitted by: Laura Allen, Assistant Finance Director

9B. Consider action to approve Parks Board name change.

Submitted by: Terry Moore, Parks & Recreation Director

9C. Consider and act on an application from SRE Promotions, LLC for an event known as Corvette Invasion for \$20,000 for a grant from the Hotel Occupancy Tax Fund to fund a corvette car show.

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

- 9D. Consider action authorizing the City Manager to issue a Request for Qualifications for engineering and surveying services for infrastructure projects including (but not limited to) the American Rescue Plan grant and Community Development Block Grants.

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

10. EXECUTIVE SESSION

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding regulatory, franchise and contractual issues involving ambulance services.

11. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

12. ADJOURNMENT

All items on the agenda are eligible for discussion and action unless specifically stated otherwise.

The Bastrop City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development), and §551.086 (Competitive Matters regarding Electric Utility).

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Thursday, February 22, 2024, at 5:30 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Ann Franklin
Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Mayor's Report

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Council Members' Report

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

City Manager's Report

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending December 30, 2023.

AGENDA ITEM SUBMITTED BY:

Edi McIlwain, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer, or appointed staff, provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Development Services Fund, Water-Wastewater Fund, Bastrop Power & Light and the HOT Tax Fund.

REVENUE

General Fund below the forecast by 8%.

Impact Fee Fund is now running 20.5% below forecast due to delays in receiving anticipated fees.

HOT Tax Fund is below forecast by approximately 13% due to timing of revenues.

Debt Service Funds are performing slightly lower than forecast due to timing of revenues.

Hunters Crossing PID is below forecast by approximately 29% also due to timing of revenues

NOTE: The General, Debt Service, and Hunters Crossing PID funds are all below forecast due to the timing of receipt of property taxes.

All other funds are positive to forecast.

EXPENDITURES

Vehicle and Equipment Replacement Fund running 5% over forecast due to purchasing vehicles needed by departments.

All other funds are below forecast.

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, as adopted by Resolution R-2023-123 on August 22, 2023.



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve City Council minutes from the February 7, 2024, Special meeting; February 13, 2024, Regular meeting; and February 19, 2024, Special meeting.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

N/A

FISCAL IMPACT:

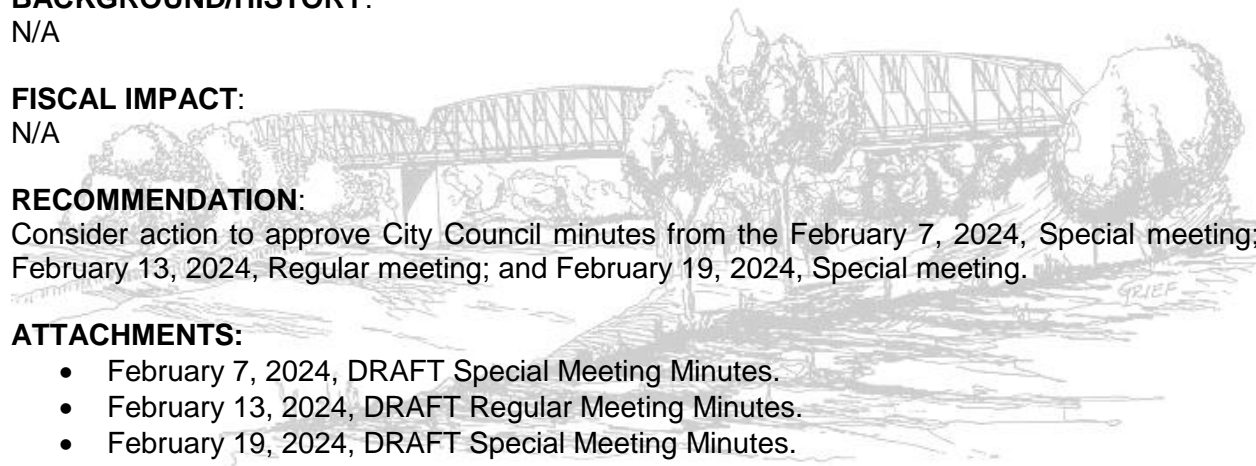
N/A

RECOMMENDATION:

Consider action to approve City Council minutes from the February 7, 2024, Special meeting; February 13, 2024, Regular meeting; and February 19, 2024, Special meeting.

ATTACHMENTS:

- February 7, 2024, DRAFT Special Meeting Minutes.
- February 13, 2024, DRAFT Regular Meeting Minutes.
- February 19, 2024, DRAFT Special Meeting Minutes.



FEBRUARY 07, 2024

The Bastrop City Council met in a regular meeting on Tuesday, February 7, 2024, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Crouch, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the meeting to order at 6:30 p.m. with a quorum present.

CITIZEN COMMENTS – NONE

EXECUTIVE SESSION

The City Council met at 6:30 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 3A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.

Mayor Nelson recessed the Executive Session at 10:35 p.m.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

- 3A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.

A motion was made by Council Member Meyer to waive the attorney client privilege regarding Sarah Glaser’s report dated December 20, 2023, effective as soon as the Board of Ethics post it’s hearing on this matter, seconded by Council Member Plunkett, motion was approved on a 4-0 vote. Council Member Crouch was off the dais.

Adjourned at 10:36 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on February 27, 2024, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.

FEBRUARY 13, 2024

The Bastrop City Council met in a regular meeting on Tuesday, February 13, 2024, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Crouch, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the meeting to order at 6:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Drew Krcmar and Michael Tuttle, Gifted and Talent Program, Mina Elementary led the pledges.

INVOCATION

Bob Long, Police Chaplain, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

4D. Proclamation of the City Council of the City of Bastrop, pledging to join the National Wildlife Foundation Mayors' Monarch Pledge, striving to make Bastrop a destination for Monarchs and other pollinators.

Proclamation was read into record by Mayor Nelson and accepted by Terry Moore, Parks & Recreation Director.

4E. Proclamation of the City Council of the City of Bastrop, welcoming the Best Warrior Competition to the City of Bastrop.

Proclamation was read into record by Mayor Nelson.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS

6A. Receive presentation on the unaudited Monthly Financial Report for the period ending November 30, 2023.

Submitted by: Laura Allen, Assistant Finance Director

Presentation was made by Laura Allen, Assistant Finance Director.

CITIZEN COMMENTS

SPEAKER(S)

**Charles Barrow
906 Pine Street
Bastrop, TX 78602
254-744-8449**

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 8A, 8B, 8C, and 8D. as listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the January 23, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary
- 8B. Consider action to approve the second reading of Ordinance No. 2024-01 of the City Council of the City of Bastrop, Texas, approving the Zoning change for 1.08 +/- acres out of farm lot 67, east of Main Street, located at the northeast corner of State Highway 95 and Farm Street, within the City limits of Bastrop, Texas from P4 Mix to P-CS Civic Space; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date.
Submitted by: Kennedy Higgins – Senior Planner, Development Services
- 8C. Consider action to approve the first reading of Ordinance No. 2024-06 of the City Council of the City of Bastrop, Texas to adopt the 2024 Schedule of Uniform Submittal Dates for Site Development Plans, Zoning Concept Schemes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Exhibit A, establishing a repealing clause, providing severability, providing an effective date, and move to include on the February 27, 2024, Consent Agenda for the second reading.
Submitted by: Kennedy Higgins, Senior Planner, Development Services
- 8D. Consider action to approve Resolution No. R-2024-21 of the City Council of the City of Bastrop, Texas accepting a donation from Mayor Pro Tem Kirkland and family for \$1,300 for the creation of a mural in Delgado Park honoring Minerva Delgado; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2024-18 of the City Council of the City of Bastrop, Texas, approving an Interlocal Agreement between the City, Bastrop County, and West Bastrop Village Municipal Utility District to support Road Maintenance for a certain development of property commonly known as Adelton and more accurately described in the Interlocal Agreement as attached in Exhibit A; authorizing the execution of all necessary documents; providing for a severability and repealing clause; and establishing an effective date.
Submitted by: Andres Rosales, Interim Assistant City Manager
Presentation was made by James Cowey, Development Services.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-18, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9B. Consider Action to approve the first reading of Ordinance No. 2024-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Chapter 13, Article 13.04 on-site sewage facilities and amending the B3 Technical Manual, Chapter 3, Article 3.2 Infrastructure requirements to align with the state requirements for septic systems on one-half acre lots; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting, and move to include on the February 27, 2024, Consent Agenda for the second reading.

Submitted by: Andres Rosales, Interim Assistant City Manager

Presentation was made by James Cowey, Development Services.

A motion was made by Council Member Lee to approve the first reading of Ordinance No. 2024-03 and include on the February 27, 2024, consent agenda for second reading, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2024-19 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Keith Ahlborn, to the Zoning Board of Adjustment Place 1, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Crouch to approve Resolution No. R-2024-19, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9D. Consider Action to approve the first reading of Ordinance No. 2024-04 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.011 titled "FM 969 speed limits." Zoning for traffic and rate of speed therein, on FM 969 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A, and move to include on the February 27, 2024 Consent Agenda for the second reading.

Submitted by: Kennedy Higgins, Senior Planner

Presentation was made by James Cowey, Development Services.

SPEAKER(S)

Skip Connett

156 Howard Lane

Bastrop, Tx 78602

512-949-9830

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2024-04 and include on the February 27, 2024, consent agenda for second reading, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2024-22 of the City Council of the City of Bastrop, Texas, appointing Mayor Lyle Nelson as the City of Bastrop's Clean Air Coalition representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws; and establishing an effective date.
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager
A motion was made by Council Member Couch to approve Resolution No. R-2024-22, seconded by Council Member Lee, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:30 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding an amendment to the XS Ranch Consent Agreement.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.072 to seek the advice of legal counsel and discuss the potential acquisition of real estate relating to the Transfer Lift Station and Force Main project.

Mayor Nelson recessed the Executive Session at 8:13 p.m.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding an amendment to the XS Ranch Consent Agreement.
A motion was made by Council Member Plunkett to approve the amendment to the XS Ranch consent agreement and authorize the City Manager to execute on the City's behalf, seconded by Council Member Crouch, motion was approved on a 5-0 vote.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.072 to seek the advice of legal counsel and discuss the potential acquisition of real estate relating to the Transfer Lift Station and Force Main project.
A motion was made by Council Member Lee to accept the owner's counter- offer and authorize the City Manager to execute agreements authorizing acquisition of temporary and permanent easements in a form approved by the City Attorney, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

Adjourned at 8:15 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on February 27, 2024, by Council Member **Name**'s motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.

FEBRUARY 19, 2024

The Bastrop City Council met in a special meeting on Monday, February 19, 2024, at 6:00 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Crouch, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the meeting to order at 6:00 p.m. with a quorum present.

CITIZEN COMMENTS - NONE

EXECUTIVE SESSION

The City Council met at 6:01 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 3A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.

Mayor Nelson recessed the Executive Session at 7:56 p.m.

TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION.

- 3A. City Council shall convene into closed executive session pursuant to Texas Government Code section(s) 551.071 and 551.074 to seek the advice of legal counsel regarding the Visit Bastrop investigation and the ethics complaint filed January 18, 2024.

A motion was made by Council Member Crouch to waive the Attorney-Client Privilege and Attorney Work Product Privilege as applied to the transcript and recording of attorney Sarah Glaser’s interview with Lyle Nelson on December 22, 2023; and the preservation of records email from attorney Alan Bojorquez to Lyle Nelson dated August 7, 2023, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

Adjourned at 8:00 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on February 27, 2024, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve the second reading of Ordinance No. 2024-06 to adopt the 2024 Schedule of Uniform Submittal Dates for Site Development Plans, Zoning Concept Schemes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Exhibit A.

STAFF REPRESENTATIVE:

Kennedy Higgins, Senior Planner

BACKGROUND/HISTORY:

House Bill 3167 of the 86th Session of the Texas Legislature, subsequently codified in Texas Local Government Code Chapter 212, requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by Staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:

Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002 Rules, grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

To ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedules of Uniform Submittal Dates for Zoning Concept Scheme applications, Public Improvement Plan applications, Plat applications, and Site Plan applications. The Schedules of Uniform Submittal Dates will include dates applications will be accepted, when submittals will be checked for all items required for review, when recommendations or approvals are made, and dates of any required Planning & Zoning Commission and/or City Council meetings.

Holiday considerations include moving submittal dates to Tuesdays when Monday is a City holiday, moving the Planning & Zoning Commission meeting to the week ahead of the Thanksgiving and Christmas holidays, and adjusting submittal checks around any Tuesday holidays. Adjustments from the regularly scheduled days are in bold and italics on the schedules.

RECOMMENDATION:

Consider action to approve the second reading of Ordinance No. 2024-06 to adopt the 2024 Schedule of Uniform Submittal Dates for Site Development Plans, Zoning Concept Schemes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Exhibit A.

ATTACHMENTS:

- Attachment 1 - Memo from Planning and Zoning Commission 1/25/2024
- Attachment 2 - Exhibit A – Ordinance No. 2024-06



To: Sylvia Carrillo, City Manager

From: Planning & Development

Date: January 25, 2023

Subject: Schedule of Uniform Submittal Dates



BACKGROUND/HISTORY:

House Bill 3167 of the 86th Session of the Texas Legislature, subsequently codified in Texas Local Government Code Chapter 212, requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by Staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction.

POLICY EXPLANATION:

Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002 Rules, grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

To ensure compliance with Texas Local Government Code Chapters 211 and 212, City Council will annually adopt Schedules of Uniform Submittal Dates for Zoning Concept Scheme applications, Public Improvement Plan applications, Plat applications, and Site Plan applications. The Schedules of Uniform Submittal Dates will include dates applications will be accepted, when submittals will be checked for all items required for review, when recommendations or approvals are made, and dates of any required Planning & Zoning Commission and/or City Council meetings.

Holiday considerations include moving submittal dates to Tuesdays when Monday is a City holiday, moving the Planning & Zoning Commission meeting to the week ahead of the Thanksgiving and Christmas holidays, and adjusting submittal checks around any Tuesday holidays. Adjustments from the regularly scheduled days are in bold and italics on the schedules.

RECOMMENDATION:

Public hearing and consider action to recommend approval to adopt the 2024 Schedule of Uniform Submittal Dates for Site Development Plans, Zoning Concept Schemes, Plats, Public Improvement Plans, and Neighborhood Regulating Plans in accordance with the Bastrop Building Block (B³) Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates, and the Bastrop Building Block (B³) Technical Manual Section 1.2.002 Uniform Submittal Dates, as shown in Exhibit A, and forward to the February 13, 2024 City Council meeting.

ATTACHMENTS:

- Exhibit A – 2024 Schedule of Uniform Submittal Dates



ORDINANCE NO. 2024-06

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS TO ADOPT THE 2024 SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE DEVELOPMENT PLANS, ZONING CONCEPT SCHEMES, PLATS, PUBLIC IMPROVEMENT PLANS, AND NEIGHBORHOOD REGULATING PLANS IN ACCORDANCE WITH THE BASTROP BUILDING BLOCK (B³) CODE SECTION 2.3.004 ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES, AND THE BASTROP BUILDING BLOCK (B³) TECHNICAL MANUAL SECTION 1.2.002 UNIFORM SUBMITTAL DATES, AS SHOWN IN EXHIBIT A, ESTABLISHING A REPEALING CLAUSE, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction which was amended by House Bill 3699 of the 88th Session of the Texas Legislature to exempt plans from this requirement; and

WHEREAS, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules, grants authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, City Council will annually adopt a Schedule of Uniform Submittal Dates to comply with Texas Local Government Code Chapters 211 and 212 for Zoning Concept Scheme applications, Public Improvement Plan applications, Plat applications, and Site Plan applications. The Schedules of Uniform Submittal Dates will include dates applications will be accepted, when review for completeness checks will occur, when recommendations or approvals are made, and dates of any required Planning & Zoning Commission and/or City Council meetings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: The City Council hereby adopts the 2024 Schedule of Uniform Submittal Dates, in accordance with B³ Code Section 2.3.004 Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, and Place Type Zoning Changes and B³ Technical Manual Section 1.2.002 Uniform Submittal Dates, as attached in Exhibit A.

Section 2: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 3: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

Section 4: This Ordinance shall take effect immediately upon passage.

READ and APPROVED on First Reading on the 13th day of February, 2024.

READ and ADOPTED on Second Reading on the 27th day of February, 2024.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

2024 Schedule of Uniform Submittal Dates

Plats Requiring Planning & Zoning Commission Approval



Preliminary, Final, Residential Replat

Submittal Dates	Submittal Check Date	Comments Issued Date	Planning & Zoning Commission Meeting Date	Resubmittal Date	Plat Recommendation	Planning & Zoning Commission Packet Published	Planning & Zoning Commission Meeting Date
Must be received by 4:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	Approved, Approved with Conditions, or Denied (Thursday)		For projects that were Approved with Conditions (Monday)		(Friday)	(Thursday)
1/2/2024	1/2/2024	1/11/2024	1/25/2024	2/5/2024	2/15/2024	2/23/2024	2/29/2024
2/5/2024	2/6/2024	2/15/2024	2/29/2024	3/11/2024	3/21/2024	3/22/2024	3/28/2024
3/4/2024	3/5/2024	3/14/2024	3/28/2024	4/8/2024	4/18/2024	4/19/2024	4/25/2024
4/1/2024	4/2/2024	4/11/2024	4/25/2024	5/13/2024	5/23/2024	5/24/2024	5/30/2024
5/6/2024	5/7/2024	5/16/2024	5/30/2024	6/10/2024	6/20/2024	6/21/2024	6/27/2024
6/3/2024	6/4/2024	6/13/2024	6/27/2024	7/15/2024	7/25/2024	7/19/2024	7/25/2024
7/1/2024	7/2/2024	7/11/2024	7/25/2024	8/12/2024	8/22/2024	8/23/2024	8/29/2024
8/5/2024	8/6/2024	8/15/2024	8/29/2024	9/16/2024	9/12/2024	9/20/2024	9/26/2024
9/3/2024	9/3/2024	9/12/2024	9/26/2024	10/14/2024	10/24/2024	10/18/2024	10/24/2024
10/7/2024	10/8/2024	10/17/2024	10/24/2024	11/11/2024	11/21/2024	12/13/2024	12/19/2024
11/4/2024	11/5/2024	11/14/2024	11/21/2024	12/9/2024	12/19/2024	1/24/2025	1/30/2025
12/2/2024	12/3/2024	12/12/2024	12/19/2024	1/13/2025	1/23/2025	1/24/2025	1/30/2025
1/6/2025	1/7/2025	1/16/2025	1/30/2025	2/10/2025	2/20/2025	2/21/2025	2/27/2025

2024 Schedule of Uniform Submittal Dates

Plats Administratively Approved



Amending, Minor, Non-Residential Replat

Submittal Dates	Submittal Check Date	First Administrative Decision Date	Resubmittal Date	Final Administrative Decision Date
Must be received by 4:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	Approved, Approved with Conditions, Denied (Thursday)	For projects that were Approved with Conditions (Monday unless City holiday)	Verify conditions have been met for Approved with Conditions projects
1/2/2024	1/2/2024	1/11/2024	1/16/2024	1/25/2024
2/5/2024	2/6/2024	2/15/2024	2/19/2024	2/29/2024
3/4/2024	3/5/2024	3/14/2024	3/18/2024	3/28/2024
4/1/2024	4/2/2024	4/11/2024	4/15/2024	4/25/2024
5/6/2024	5/7/2024	5/16/2024	5/20/2024	5/30/2024
6/3/2024	6/4/2024	6/13/2024	6/17/2024	6/27/2024
7/1/2024	7/2/2024	7/11/2024	7/15/2024	7/25/2024
8/5/2024	8/6/2024	8/15/2024	8/19/2024	8/29/2024
9/3/2024	9/3/2024	9/12/2024	9/16/2024	9/26/2024
10/7/2024	10/8/2024	10/17/2024	10/21/2024	10/31/2024
11/4/2024	11/5/2024	11/14/2024	11/18/2024	12/5/2024
12/2/2024	12/3/2024	12/12/2024	12/16/2024	1/2/2025
1/6/2025	1/7/2025	1/16/2025	1/21/2025	1/30/2025

2024 Schedule of Uniform Submittal Dates

Zoning Concept Schemes and Neighborhood Regulating Plans



Submittal/Resubmittal Dates	Submittal Check Date	Planning Director Recommendation	Planning & Zoning Commission Meeting Date	City Council Meeting Date	City Council Meeting Date
Must be received by 4:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	(Thursday)	Public Hearing (Thursday)	Public Hearing First Reading (Tuesday)	Second Reading (Tuesday)
1/8/2024	1/9/2024	1/18/2024	2/29/2024	3/26/2024	4/9/2024
2/12/2024	2/13/2024	2/22/2024	3/28/2024	4/23/2024	5/14/2024
3/11/2024	3/12/2024	3/21/2024	4/25/2024	5/28/2024	6/11/2024
4/8/2024	4/9/2024	4/18/2024	5/30/2024	6/25/2024	7/9/2024
5/13/2024	5/14/2024	5/23/2024	6/27/2024	7/23/2024	8/13/2024
6/10/2024	6/11/2024	6/20/2024	7/25/2024	8/27/2024	9/10/2024
7/8/2024	7/9/2024	7/18/2024	8/29/2024	9/17/2024	10/1/2024
8/12/2024	8/13/2024	8/22/2024	9/26/2024	10/22/2024	11/12/2024
9/9/2024	9/10/2024	9/19/2024	10/24/2024	11/12/2024	12/10/2024
10/14/2024	10/15/2024	10/24/2024	11/21/2024	12/10/2024	1/14/2025
11/12/2024	11/13/2024	11/21/2024	12/19/2024	1/14/2025	1/28/2025
12/9/2024	12/10/2024	12/19/2024	1/30/2025	2/25/2025	3/11/2024
1/13/2025	1/14/2025	1/23/2025	2/27/2025	3/25/2025	4/8/2025

2024 Schedule of Uniform Submittal Dates

Site Development Plans & Public Improvement Plans (PIPs)



Submittal Dates	Submittal Check Date	First Administrative Decision Date	Resubmittal Date	Final Administrative Decision Date
Must be received by 4:00 pm CDT (Monday unless City holiday)	All submissions must have all required items to enter review	Approved, Approved with Conditions, Denied (Thursday)	For projects that were Approved with Conditions (Monday unless City holiday)	Verify conditions have been met for Approved with Conditions projects
1/16/2024	1/16/2024	1/25/2024	1/29/2024	2/8/2024
2/19/2024	2/20/2024	2/29/2024	3/4/2024	3/14/2024
3/18/2024	3/19/2024	3/28/2024	4/1/2024	4/11/2024
4/15/2024	4/16/2024	4/25/2024	4/29/2024	5/9/2024
5/20/2024	5/21/2024	5/30/2024	6/3/2024	6/13/2024
6/17/2024	6/18/2024	6/27/2024	7/1/2024	7/11/2024
7/15/2024	7/16/2024	7/25/2024	7/29/2024	8/8/2024
8/19/2024	8/20/2024	8/29/2024	9/3/2024	9/12/2024
9/16/2024	9/17/2024	9/26/2024	9/30/2024	10/10/2024
10/21/2024	10/22/2024	10/31/2024	11/4/2024	11/14/2024
11/18/2024	11/19/2024	12/5/2024	12/9/2024	12/19/2024
12/16/2024	12/17/2024	1/2/2025	1/6/2025	1/16/2025
1/21/2025	1/21/2025	1/30/2025	2/3/2025	2/13/2025



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider Action to approve the second reading of Ordinance No. 2024-04 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.011 titled "FM 969 speed limits." Zoning for traffic and rate of speed therein, on FM 969 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A.

AGENDA ITEM SUBMITTED BY:

Kennedy Higgins, Senior Planner

BACKGROUND/HISTORY:

On April 11th, 2023, TX DOT conducted an engineering and traffic investigation regarding the speed and number of vehicles that utilized FM 969. The recommendation from TxDot was to lower the speed limit from 65 miles per hour, to 60 miles per hour.

POLICY EXPLANATION:

Texas Transportation Code

Chapter 545, Subchapter H. Speed Restrictions, Section 545.356 Authority Of Municipality To Alter Speed Limits and section 545.351 (a) Maximum Speed Requirement

Sec. 545.356. AUTHORITY OF MUNICIPALITY TO ALTER SPEED LIMITS. (a) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation as the Texas Transportation Commission on an officially designated or marked highway of the state highway system. The governing body of a municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 75 miles per hour.

(b) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter prima facie speed limits from the results of an engineering and traffic investigation as the commission for an officially designated or marked highway of the state highway system, when the highway or part of the highway is under repair, construction, or maintenance. A municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 75 miles per hour.

Sec. 545.351. MAXIMUM SPEED REQUIREMENT. (a) An operator may not drive at a speed greater than is reasonable and prudent under the circumstances then existing.

Bastrop Code of Ordinances

Chapter 12, article 12.05 – Speed Limits, section 12.05.003 Specific speed limits

Sec. 12.05.003 - Specific speed limits.

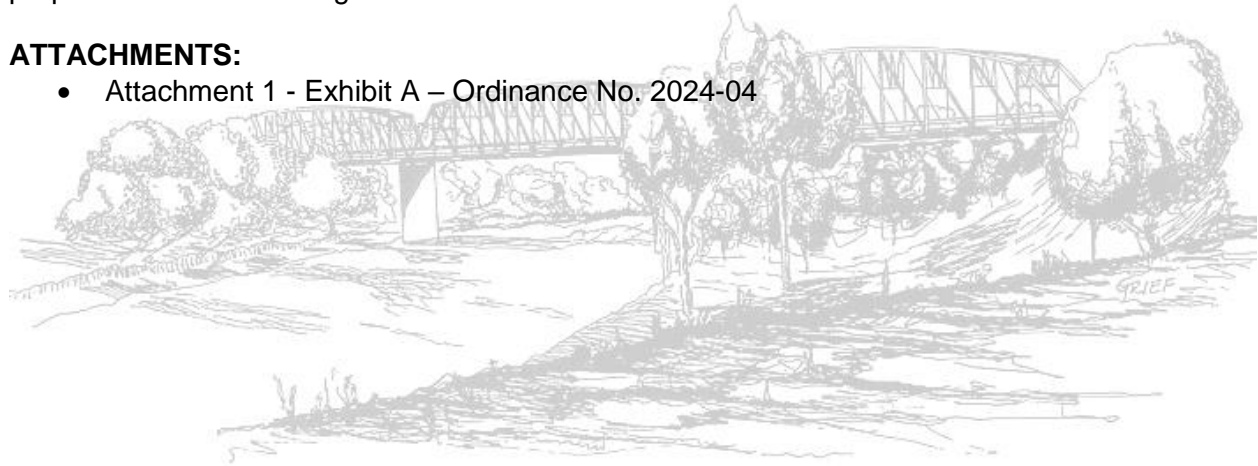
When signs are erected giving notice thereof, no person shall operate a vehicle on any road or highway within the city at a speed greater than that indicated in the schedule as maintained on file in the office of the City Secretary.

RECOMMENDATION:

Consider Action to approve the second reading of Ordinance No. 2024-04 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.011 titled "FM 969 speed limits." Zoning for traffic and rate of speed therein, on FM 969 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A.

ATTACHMENTS:

- Attachment 1 - Exhibit A – Ordinance No. 2024-04



ORDINANCE NO. 2024-04

SPEED LIMIT ON FM 969

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS; AMENDING THE CODE OF ORDINANCES, RELATED TO CHAPTER 12 TITLED "TRAFFIC AND VEHICLES", ARTICLE 12.05 TITLED "SPEED LIMITS", ADDING SECTION 12.05.011 TITLED "FM 969 SPEED LIMITS." ZONING FOR TRAFFIC AND RATE OF SPEED THEREIN, ON FM 969 IN THE CITY LIMITS OF THE CITY OF BASTROP; DEFINING SPEEDING AND FIXING A PENALTY THEREFORE; DECLARING WHAT MAY BE A SUFFICIENT COMPLAINT IN PROSECUTIONS HEREUNDER; REPEALING ALL PRIOR ORDINANCES THAT ARE IN CONFLICT HERewith; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, CODIFICATION, EFFECTIVE DATE, REPEALER, SEVERABILITY, PROPER NOTICE AND MEETING.

WHEREAS, the Texas Department of Transportation has determined upon the basis of engineering and traffic investigation that the prima facie maximum speed limit for that portion of FM 969 as shown on the attached Exhibit A, shall be as stated and described hereinafter; and

WHEREAS, the City of Bastrop desires to protect and ensure the public health, safety, and welfare of its residents and business by regulating and guiding the general traveling public; and

WHEREAS, the City Council desires to change the current prima facie speed limits on FM 969 in the city limits of the City of Bastrop, as provided herein, to 60 mph pursuant to Section 12.05.003 of the Code of Ordinances to better protect the convenience, health, safety, and welfare of the residents of the City and of the motoring public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. It is hereby determined upon the basis of an Engineering and Traffic investigation that the prima facie maximum speed limit on those portions of FM 969 routed in the City of Bastrop, is hereby stated, which prima facie maximum speed limit shall be effective at all times and signs will be erected giving notice of the prima facie maximum speed limit so declared to wit.

Speed Zone

FOR EASTBOUND TRAFFIC

Beginning at Control Section 1186-02 at milepoint 11.424 (Bastrop Northern City Limit - 755 feet South of Sam Houston Dr.) to milepoint 12.164 (SH 21-SH71), a distance of 0.740 miles, a prima facie maximum speed limit of 60 miles per hour.

FOR WESTBOUND TRAFFIC

Beginning at Control Section 1186-02 at milepoint 12.164 (SH 21-SH71) to milepoint 11.424 (Bastrop Northern City Limit - 755 feet South of Sam Houston Dr.), a distance of 0.740 miles, a prima facie maximum speed limit of 60 miles per hour.

Section 3. That all of the streets of this city, and all portions of any such streets, are hereby declared to be public streets and that the driving or operating of any motor vehicle on or along any portion of any street of this city at a rate of speed that is greater than the maximum rate of speed for said portion of said street, as fixed by this ordinance shall be guilty of a misdemeanor, which is named “ The Offense of Speeding “ and that the said offense is punishable by a fine in any sum not to exceed Two Hundred dollars (\$200.00). That the use of the word “ Speeding “ shall be sufficient to designate the said offense, and shall mean that a motor vehicle has been driven upon a public street at a greater rate of speed than fixed by City Ordinance for the street and for the zone thereof, that such motor vehicle was so being driven upon, if zoned.

That in prosecutions under this ordinance, for the offense of speeding, the complaint, if in other respects sufficient in form, shall as to the portion thereof seeking to acknowledge the offense, be sufficient if it in substance alleges that the defendant did while driving a motor vehicle in said city commit the offense of “ Speeding “.

Section 4. Amendment To City Code. The City of Bastrop Code of Ordinances shall be amended to add Chapter 12 “Traffic and Vehicles”, Article 12.05 “Speed Limits”, Section 12.05.011 “FM 969 Speed Limits.” and Section 12.05.011 “FM 969 Speed Limits.” of the Code of Ordinances shall read in accordance with Section 2 of this Ordinance.

Section 5. Codification. The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City’s Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

Section 6. Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

Section 7. Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Bastrop, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

Section 8. Effective Date. This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, Code of Ordinances, and the laws of the State of Texas.

READ & ACKNOWLEDGED on First Reading on this, the 13th day of February 2024.

READ & APPROVED on the Second Reading on this, the 27th day of February 2024.

APPROVED:

by: _____

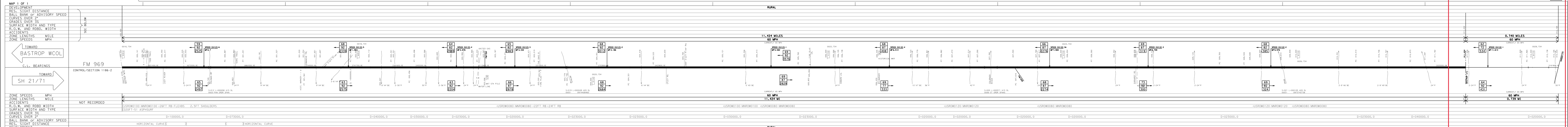
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



DIST. AUSTIN COUNTY BASTROP		MINUTE NO.	DATE	/ /
HIGHWAY FM 969 CITY UNINC./RURAL		REPLACES	110257	DATE 02/29/05
DATE OF SURVEY 04/11/23 SCALE 1" = 800'		REPLACES	106847	DATE 06/18/96
		CANCELED BY	DATE	/ /

LIMITS OF ZONE			
SECTION ONE	LENGTH	SECTION TWO	LENGTH
STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.
BEGINS	0.000	BEGINS	11.424
ENDS	11.424	ENDS	12.164

SECTION ONE	LENGTH	SECTION TWO	LENGTH
STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.
BEGINS	0.000	BEGINS	11.424
ENDS	11.424	ENDS	12.164

42	85 PERCENTILE SPEED
62	TOP SPEED MEASURED
125	NUMBER OF CARS CHECKED
●	FATAL ACCIDENT
○	PERSONAL INJURY ACCIDENT
○	PROPERTY DAMAGE ACCIDENT
—	INDICATES SECTION ZONED BY COMMISSION MINUTE

SPEED ZONE



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve Resolution No. R-2024-23 regarding a petition filed by Ventana Hills, Ltd., Back Lake Investment, Inc., and Bird Island Investments, Ltd. to remove approximately 738.229 acres of land, as described in the petition, from the City of Bastrop's extraterritorial jurisdiction pursuant to Local Government Code Chapter 42.

AGENDA ITEM SUBMITTED BY:

Sylvia Carrillo, ICMA-CM, CPM, City Manager

BACKGROUND/HISTORY:

The City Secretary received a petition for the release of a certain tract of land comprised of 738.229 acres currently situated within the ETJ of the City.

POLICY EXPLANATION:

Texas Senate Bill 2038 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election.

Pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ.

Pursuant to Texas Local Government Code Section 42.152, a resident of an area in the City's ETJ may request the City to hold an election to vote on the question of whether to release the area from the City's ETJ by filing a petition with the City Secretary

RECOMMENDATION:

Consider action to approve Resolution No. R-2024-23 regarding a petition filed by Ventana Hills, Ltd., Back Lake Investment, Inc., and Bird Island Investments, Ltd. to remove approximately 738.229 acres of land, as described in the petition, from the City of Bastrop's extraterritorial jurisdiction pursuant to Local Government Code Chapter 42.

ATTACHMENTS:

- Resolution No. R-2024-23

CITY OF BASTROP, TX
RESOLUTION NO. 2024-R-2024-23

EXTRATERRITORIAL JURISDICTION RELEASE

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS FOR
THE RELEASE OF LAND FROM THE CITY'S
EXTRATERRITORIAL JURISDICTION UPON REQUEST
AND PROVIDING FOR FINDINGS OF FACT, REPEALER,
SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE,
AND MEETING**

- WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City of Bastrop (“City”) has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and
- WHEREAS,** pursuant to Texas Senate Bill 2038 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City’s extraterritorial jurisdiction (“ETJ”) by petition of landowners or by election; and
- WHEREAS,** pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City’s ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and
- WHEREAS,** pursuant to Texas Local Government Code Section 42.152, a resident of an area in the City’s ETJ may request the City to hold an election to vote on the question of whether to release the area from the City’s ETJ by filing a petition with the City Secretary; and
- WHEREAS,** the City Council has received a petition for the release of a certain tract of land comprised of 738.229 acres currently situated within the ETJ of the City (“Property”), which Property is more accurately described in Exhibit A, which is attached hereto and incorporated herein; and,
- WHEREAS,** having received verification from the City Secretary, the City Council finds the attached ETJ Release Petition for the Property (“Petition”), which is attached here as Exhibit A and incorporated herein, is valid and this Resolution is necessary and proper for the good government, peace, or order of the City to release the Property from the City’s ETJ.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bastrop, Texas:

- Section 1. Findings of Fact:** The foregoing recitals are incorporated into this resolution (“Resolution”) by reference as findings of fact as if expressly set forth word-for-word herein.
- Section 2. Release:** The Petition is hereby considered verified; therefore, the Property as described in the Petition is hereby released from the City’s ETJ.
- Section 3. Filing:** The City Secretary is hereby directed to file a certified copy of this Resolution and an updated map of the City’s ETJ boundary with the County Clerk of Bastrop County, Texas.
- Section 4. Repealer:** To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.
- Section 5. Severability:** Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.
- Section 6. Effective Date:** This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, its Code of Ordinances, and the laws of the State of Texas.
- Section 7. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 27th day of February 2024.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit "A"

ETJ Release Petition

**REQUEST AND PETITION FOR RELEASE OF PROPERTY FROM THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF BASTROP
(738.229 ACRES)**

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF BASTROP, TEXAS:

The undersigned ("Petitioners"), acting pursuant to the provisions Sections 42.101-105 of the Texas Local Government Code, respectfully petitions the City of Bastrop (the "City") to release the land described by metes and bounds on Exhibit "A" and depicted on Exhibit "A-1" (the "Land"; Ventana Hills, Ltd., Back Lake Investments, Inc., and Bird Island Investments, Ltd. owning the portions of the Land as identified Exhibit "A-1"), from the extraterritorial jurisdiction ("ETJ") of the City. In support of this petition, Petitioners would show the following:

I.

Petitioners are the owners of all of the Land, comprised of 738.229 acres currently situated within the extraterritorial boundaries of the City in Bastrop County, Texas, and is fully described by metes and bounds on Exhibit "A", attached hereto and incorporated herein by reference. Petitioners certify that the description of the Land attached as Exhibit "A" is true and correct. A map of the Land to be released is attached hereto as Exhibit "B".

II.

The Land is vacant and there are no residents or registered voters residing on the Land. Pursuant to section 43.102(b) of the Texas Local Government Code, Petitioners certify that they are the owners of one hundred percent (100%) in value of the holders of title of the Land pursuant to the tax rolls of the Bastrop County Appraisal District as evidenced by Exhibit "C" and are, therefore, authorized to file this Petition.

III.

To the extent required by applicable law, this Petition has satisfied the signature requirements described in Sections 42.103 and 42.104(a) of the Texas Local Government Code and Chapter 277 of the Texas Election Code, not later than the 180th day after the date the first signature for the Petition is obtained.

IV.

The individuals who executed this Petition on behalf of the Petitioners are fully authorized to sign this Petition as evidenced by Exhibit "D". The signatures are hereby sufficient to effectuate the immediate release of the Land from the City's ETJ. If the City fails to take action to release the Land by the later of the 45th day after the date the City receives this Petition or the next meeting of the City's governing body that occurs after the 30th day after the date the City receives this Petition, the Land is released by operation of law.

V.

Petitioners pray that (i) this Petition be verified by the City Secretary or other person at the City responsible for verifying signatures, (ii) the Petitioners be notified of the results, and (iii) this Petition be granted, immediately releasing the Land from the City's ETJ.

Executed to be effective as of the 26th day of September, 2023.

SIGNATURE PAGE TO

REQUEST AND PETITION FOR RELEASE OF PROPERTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF BASTROP (738.229 ACRES)

PETITIONERS:

Ventana Hills, Ltd., a Texas limited partnership

By: White Bluff Development, LLC, a Texas limited liability company, its General Partner

By: [Signature] Stewart Pate, Manager

Date: 9-26-23

DOB or VRN of Signer: 12-31-58

Address of Ownership Entity:

10829 Jollyville Road Austin, TX 78759

Residence Address of Signer:

2213 Quarry Rd. Austin, TX 78703

THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this 26th day of September, 2023 by Stewart Pate, Manager of White Bluff Development, LLC, a Texas limited liability company, General Partner of Ventana Hills, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.

[Signature] Notary Public, State of Texas

(SEAL)



SIGNATURE PAGE TO

REQUEST AND PETITION FOR RELEASE OF PROPERTY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF BASTROP (738.229 ACRES)

PETITIONERS:

Back Lake Investments, Inc., a Texas corporation

By: [Signature] Stewart Pate, Manager

Date: 9-26-23

DOB or VRN of Signer: 12-31-58

Address of Ownership Entity:

10829 Jollyville Road Austin, TX 78759

Residence Address of Signer:

2213 Quarry Rd. Austin, Tx 78703

THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this 26th day of September, 2023 by Stewart Pate, Manager of Back Lake Investments, Inc., a Texas corporation, on behalf of said corporation.



(SEAL)

[Signature] Notary Public, State of Texas

**SIGNATURE PAGE TO
REQUEST AND PETITION FOR RELEASE OF PROPERTY FROM THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF BASTROP
(738.229 ACRES)**

PETITIONERS:

Bird Island Investments, Ltd.,
a Texas limited partnership

By: Ranch House Investments, LLC,
a Texas limited liability company,
its General Partner

By: *Stewart Pate*
Stewart Pate, Manager

Date: 9-26-23

DOB or VRN of Signer: 12-31-58

Address of Ownership Entity:

10829 Jollyville Road
Austin, TX 78759

Residence Address of Signer:

2213 Quarry Rd.
Austin, TX 78703

THE STATE OF TEXAS §

COUNTY OF Travis §

This instrument was acknowledged before me on this 26th day of September, 2023 by Stewart Pate, Manager of Ranch House Investments, LLC, a Texas limited liability company, General Partner of Bird Island Investments, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.



(SEAL)

Mayela G Garcia
Notary Public, State of Texas

EXHIBIT "A"
THE LAND



SPOT ON SURVEYING

Land Surveying & Mapping

EXHIBIT "A"

738.229 ACRES METES & BOUNDS

BEING 738.229 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES STUART SURVEY, ABSTRACT NO. 62, SITUATED IN BASTROP COUNTY, TEXAS, SAID 738.229 ACRES BEING ALL OF THAT 40.279 ACRE TRACT CONVEYED TO BIRD ISLAND INVESTMENTS, LTD BY WARRANTY DEED RECORDED AS DOCUMENT NO. 202111570, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS (O.P.R.B.C.TX.), ALSO BEING ALL OF THAT 370.480 ACRE REMAINDER TRACT CONVEYED TO VENTANA HILLS, LTD BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN AS DOCUMENT NO. 201512811, (O.P.R.B.C.TX.), ALSO BEING ALL OF THAT 307.360 ACRE REMAINDER TRACT CONVEYED TO VENTANA HILLS, LTD BY WARRANTY DEED WITH VENDOR'S LIEN AS DOCUMENT NO. 201908019, (O.P.R.B.C.TX.), ALSO BEING ALL OF THAT 10.037 ACRE TRACT CONVEYED TO BIRD ISLAND INVESTMENTS, LTD BY CORRECTION DEED AS DOCUMENT NO. 201917485, (O.P.R.B.C.TX.) AND ALSO BEING ALL OF THAT 10.073 ACRE TRACT CONVEYED TO BACK LAKE INVESTMENTS, INC BY CORRECTION DEED AS DOCUMENT NO. 201917484, (O.P.R.B.C.TX.), SAID 738.229 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found iron rod with cap stamped "BURRIS SURVEYING", said point being accepted as the most Easterly corner of Legend Oaks Phase One, according to the map or plat recorded in Book 3, Page 112-B, Plat Records, Bastrop County, Texas (P.R.B.C.TX.), also being accepted as a point in the Northwesterly Right of Way limits of S.H. 21 and being accepted as the most Southerly corner of said 40.279 acre tract, for the most Southerly corner hereof;

THENCE leaving the Northwesterly Right of Way limits of said S.H. 21, with the common Northeasterly limits of said Legend Oaks Phase One, the Southwesterly limits of said 40.279 acre tract and the Southwesterly limits of said 370.480 acre tract, the following three (3) courses:

1. N 46° 05' 04" W, 691.66 feet to the calculated common most Westerly corner of said 40.279 acre tract most Southerly corner of said 370.480 acre tract;
2. N 46° 05' 04" W, 1,496.14 feet to a found 1/2" iron rod;
3. N 46° 09' 02" W, 2,463.21 feet to a found 1/2" iron rod, said point being accepted as the common most Northerly corner of said Legend Oaks Phase One and the most Easterly corner of Legend Oaks Phase Two according to the map or plat recorded in Book 3, Page 161-A, (P.R.B.C.TX.);

THENCE leaving the Northwesterly limits of said Legend Oaks Phase One, with the common Northeasterly limits of said Legend Oaks Phase Two and the Southwesterly limits of said 370.480 acre tract, the following three (3) courses:

1. N 46° 06' 21" W, 418.87 feet to a found 1/2" iron rod;
2. N 46° 08' 30" W, 920.28 feet to a found 1/2" iron rod;
3. N 46° 06' 40" W, 796.25 feet to a found iron rod with cap stamped "1753 PROP COR", said point being accepted as the most Northerly corner of said Legend Oaks Phase Two, also being accepted as a point in the Southeasterly limits of El Dorado Subdivision, according to the map or plat recorded in Cabinet 6, Page 192-A, (P.R.B.C.TX.) and being accepted as the most Westerly corner of said 370.480 acre tract, for the most Westerly corner hereof;

THENCE N 42° 50' 46" E, 576.76 feet leaving the Northeasterly limits of said Legend Oaks Phase One, with the common Southeasterly limits of said El Dorado Subdivision and the Northwesterly limits of said 370.480 acre tract to a found iron rod with cap stamped "1753 PROP COR", said point being accepted as the most Easterly corner of said El Dorado Subdivision, and being accepted as the most Southerly corner of Monterrey Hills Subdivision, Section 2, according to the map or plat recorded in Cabinet 5, Page 36-B, (P.R.B.C.TX.);

THENCE leaving the Northeasterly limits of said El Dorado Subdivision, with the common Southeasterly limits of said Monterrey Hills Subdivision, Section 2, the Southeasterly limits of Monterrey Hills Subdivision, Section 3, the Northwesterly limits of said 370.480 acre tract and the Northwesterly limits of said 307.360 acre tract, the following five (5) courses:

1. N 43° 00' 25" E, 1,848.24 feet to a found iron rod with cap stamped "1753 PROP COR", said point being accepted as the common most Northerly corner of said 370.480 and the most Westerly corner of said 307.360 acre tract;
2. N 42° 56' 50" E, 1,810.15 feet to a found iron rod with cap – illegible, said point being accepted as the common most Easterly corner of said Monterrey Hills Subdivision, Section 2 and the most Southerly corner of said Monterrey Hills Subdivision, Section 3;
3. N 43° 03' 59" E, 479.18 feet to a calculated point;
4. N 42° 51' 55" E, 346.09 feet to a calculated point;
5. N 42° 23' 52" E, 205.28 feet to a found 5/8" iron rod, said point being accepted as the most Easterly corner of said Monterrey Hills Subdivision, Section 3, also being accepted as a point in the Southwesterly Right of Way limits of F.M. 812, 100.00 feet wide and being accepted as the most Northerly corner of said 307.360 acre tract, for the most Northerly corner hereof;

THENCE S 47° 04' 48" E, 5,015.71 feet leaving the common limits of said Monterrey Hills Subdivision, Section 3, with the common Southwesterly Right of Way limits of said F.M. 812 and the Northeasterly limits of said 307.360 acre tract, the Northeasterly limits of said 10.037 acre tract and the Northeasterly limits of said 10.073 acre tract to a found 5/8" iron rod, said point being accepted as the most Northerly corner of that 200.00 acre tract conveyed to Shirley Ann Cain by Independent Executor's Deed as Document No. 200102426 in Volume 1108, Page 841, Official Records, Bastrop County, Texas (O.R.B.C.TX.) and being accepted as the most Easterly corner of said 307.360 acre tract, for the most Easterly corner hereof, passing at 2,239.50 feet a found 5/8" iron rod, said point being accepted as the most Northerly corner of said 10.037 acre tract, passing at 3,064.36 feet a found 5/8" iron rod, being accepted as the common most Easterly corner of said 10.037 acre tract and the most Northerly corner of said 10.073 acre tract, passing at 3,901.86 feet a found 5/8" iron rod, being accepted as the most Easterly corner of said 10.073 acre tract;

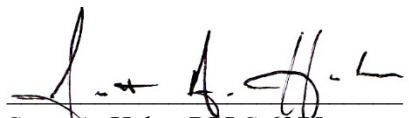
THENCE S 42° 55' 39" W, 2,850.78 feet leaving the Southwesterly Right of Way limits of said F.M. 812, with the common Northwesterly limits of said 200.00 acre tract and the Southeasterly limits of said 307.360 acre tract to a found iron rod with cap stamped "1753 PROP COR", said point being accepted as the most Westerly corner of said 200.00 acre tract, also being accepted as the most Southerly corner of said 307.360 acre tract and being accepted as a point in the Northeasterly limits of said 370.480 acre tract;

THENCE leaving the Southeasterly limits of said 307.360 acre tract, with the common Southwesterly limits of said 200.00 acre tract, the Northeasterly limits of said 370.480 acre tract and the Northeasterly limits of said 40.279 acre tract, the following three (3) courses:

1. S 46° 58' 05" E, 855.27 feet to a found railroad tie fence post;
2. S 46° 52' 58" E, 1,084.89 feet to the calculated common most Easterly corner of said 370.480 acre tract and the most Northerly corner of said 40.279 acre tract;
3. S 46° 52' 58" E, 697.27 feet to a found 1/2" iron rod, said point being accepted as a point in the Northwesterly Right of Way limits of said S.H. 21, also being accepted as the most Southerly corner of said 200.00 acre tract and being accepted as the most Easterly corner of said 40.279 acre tract;

THENCE leaving the Southwesterly limits of said 200.00 acre tract, with the common Northwesterly Right of Way limits of said S.H. 21 and the Southeasterly limits of said 40.279 acre tract, the following two (2) courses:

1. S 61° 55' 34" W, 2,549.46 feet to a found TxDOT concrete Right of Way monument, said point being the beginning of a curve concave Northwesterly, having a radius of 5,679.58 feet;
2. Southwesterly with said curve to the right through an interior angle of 01° 10' 47" an arc length of 116.94 feet, to the POINT OF BEGINNING hereof, having a chord bearing and distance of S 62° 23' 28" W, 116.94 feet to said point, containing a calculated area of 32,157,240.53 sq. ft., 738.229 acres said field notes being described in accordance with a survey made on the ground by me or under my direction. See Exhibit "B" Survey Sketch attached hereto and made a part hereof. All bearings shown are based on NAD 83 Texas State Plane Coordinate System, Central Zone. All distances shown are surface or ground distances.


 Scott A. Hahn, RPLS 6375
 Spot On Surveying, Inc.
 614 Jerrys Lane, Buda TX. 78610
 TBPLS Firm# 10193894



December 21, 2022

Date

SOS J/N: 0082-21-001

EXHIBIT "A-1"
THE LAND

EXHIBIT "B"
MAP



Boundary

EXHIBIT "C"
CERTIFICATE OF OWNERSHIP

BASTROP CENTRAL APPRAISAL DISTRICT

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

I, the undersigned, hereby certify that I have examined the appraisal rolls of Bastrop County, Texas, and find that, as of September 18, 2023, the property described and attached hereto, is assessed on the appraisal rolls of Bastrop County, Texas, for the tax year 2023 in the name(s) of:

Ventana Hills LTD

<u>OWNER/ACCOUNT</u>	<u>ACREAGE</u>	<u>VALUE</u>
27012	370.477 Acres	\$4,656,066
88049	307.4750 Acres	\$4,039,594

CERTIFIED this 18th day of September 18, 2023.

By: Faun Cullens

Name: *Faun Cullens*

Title: Chief Appraiser

BASTROP CENTRAL APPRAISAL DISTRICT

PROPERTY 27012 R
 Legal Description
 ABS A62 Stuart, James, 370.477 ACRES

OWNER ID
 772652
 OWNERSHIP
 100.00%

PROPERTY APPRAISAL INFORMATION 2023

VENTANA HILLS LTD
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entities	
CAD	100%
ESD1	100%
G01	100%
RD1	100%
S04	100%

Values

IMPROVEMENTS	
LAND MARKET	Item 8D.
MARKET VALUE	
PRODUCTIVITY LOSS	- 4,624,259
APPRAISED VALUE	= 31,807
HS CAP LOSS	- 0
ASSESSED VALUE	= 31,807

Ref ID1: 350542
 R27012

Ref ID2: R27012
 Map ID 01

ACRES: 370.4770
 EFF. ACRES:

APPR VAL METHOD: Cost

SITUS 2222 W SH 21 DALE, TX 78616

GENERAL		
UTILITIES	LAST APPR.	Adam M
TOPOGRAPHY	LAST APPR. YR	2023
ROAD ACCESS	LAST INSP. DATE	03/14/2023
ZONING	NEXT INSP. DATE	
BUILDER		
NEXT REASON		
REMARKS		

SKETCH for Improvement #2 (MISC IMP)

EXEMPTIONS

PICTURE

BUILDING PERMITS				
ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
10/01/2015		SGE PARTNERSHIP	WDVL / INSTR / 20151
09/08/2014		CAYIAS, JOHN	WDVL / 2347 / 429
08/14/2002	0	CAISTAR INC	CONV / 1253 / 890

SUBD: A62		100.00%		NBHD:NBHD0217		100.00%		IMPROVEMENT INFORMATION										
#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
1.	UTILTY PACKAGE		MH	7"	1.0	21,250.00		1995	1995	AV	21,250	23%	100%	100%	100%	100%	0.23	4,888
			STCD:	E3	1.0		Homesite: N				21,250							4,888
2.	STORAGE BUILDING	S STORAGE BUIL	T	1"	110.0	11.12		1980	1980	AV	1,223	20%	100%	100%	100%	100%	0.20	245
			STCD:	E2	110.0		Homesite: N				1,223							245

IMPROVEMENT FEATURES

SUBD: A62		100.00%		NBHD:NBHD0217		100.00%		LAND INFORMATION					IRR Wells: 0		Capacity: 0		IRR Acres: 0		Oil Wells: 0		
L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS	ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT	PRC	AG VALUE	
1.	WILDLIFE		A-T-3	D1	N	A	359.0000 AC	12,733.98	4,571,492	1.00		1.00	A	4,571,492	YES	1D1	AG-NPG		72.00	25,848	
2.	WILDLIFE		A-T-3	D1	N	A	1.0000 AC	12,733.96	12,734	1.00		1.00	A	12,734	YES	1D1	AG-NPG		72.00	72	

continued on next page

BASTROP CENTRAL APPRAISAL DISTRICT

PROPERTY 27012 R
 Legal Description
 ABS A62 Stuart, James, 370.477 ACRES

OWNER ID
 772652
 OWNERSHIP
 100.00%

PROPERTY APPRAISAL INFORMATION 2023

VENTANA HILLS LTD
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entities	
CAD	100%
ESD1	100%
G01	100%
RD1	100%
S04	100%

Values	
IMPROVEMENTS	5,433
LAND MARKET	Item 8D.
MARKET VALUE	4,624,259
PRODUCTIVITY LOSS	- 4,624,259
APPRAISED VALUE	= 31,807
HS CAP LOSS	- 0
ASSESSED VALUE	= 31,807

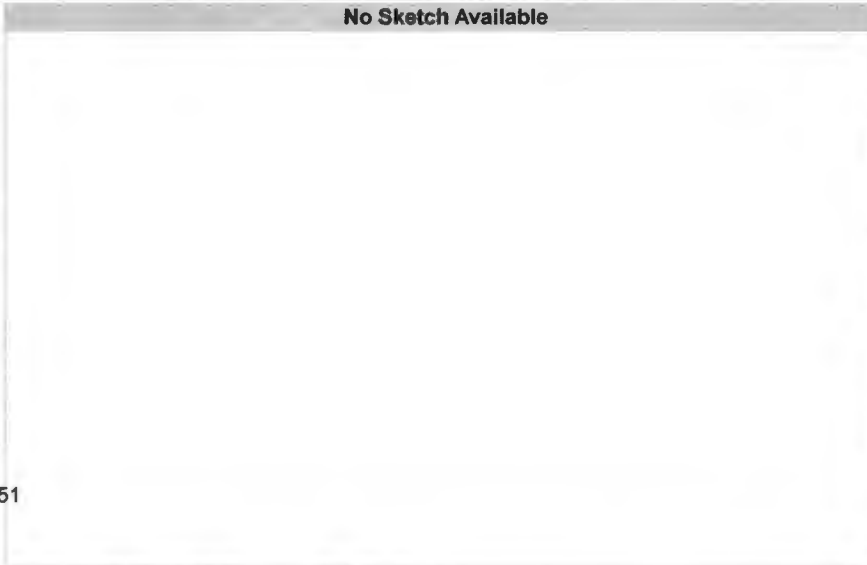
Ref ID1: 350542
 R27012
 Ref ID2: R27012
 Map ID 01

ACRES: 370.4770
 EFF. ACRES:

SITUS 2222 W SH 21 DALE, TX 78616

APPR VAL METHOD: Cost

GENERAL		
UTILITIES	LAST APPR.	Adam M
TOPOGRAPHY	LAST APPR. YR	2023
ROAD ACCESS	LAST INSP. DATE	03/14/2023
ZONING	NEXT INSP. DATE	
BUILDER		
NEXT REASON		
REMARKS		



EXEMPTIONS	



BUILDING PERMITS				
ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
10/01/2015		SGE PARTNERSHIP	WDVL / INSTR / 20151
09/08/2014		CAYIAS, JOHN	WDVL / 2347 / 429
08/14/2002	0	CAISTAR INC	CONV / 1253 / 890

SUBD: A62		100.00% NBHD:NBHD0217		100.00%		IMPROVEMENT INFORMATION												
#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE

IMPROVEMENT FEATURES											

SUBD: A62		100.00% NBHD:NBHD0217		100.00%		LAND INFORMATION															
L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS	ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT	PRC	AG VALUE	
3.	WILDLIFE	A-T-3		D1	N	A	10.4770 AC	12,733.98	133,414	0.50		1.00	A	66,707	YES	1D1	AG-NPG		72.00	754	
														4,650,933							26,674

Comment: S/F R27012. FLOOD PLAIN ADJUSTMENT.

Exhibit "A"

BASTROP CENTRAL APPRAISAL DISTRICT

PROPERTY **88049** R
 Legal Description
 ABS A62 Stuart, James, 307.4750 ACRES

OWNER ID
 772652
 OWNERSHIP
 100.00%

PROPERTY APPRAISAL INFORMATION 2023

VENTANA HILLS LTD
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entities	
CAD	100%
ESD1	100%
G01	100%
RD1	100%
S04	100%

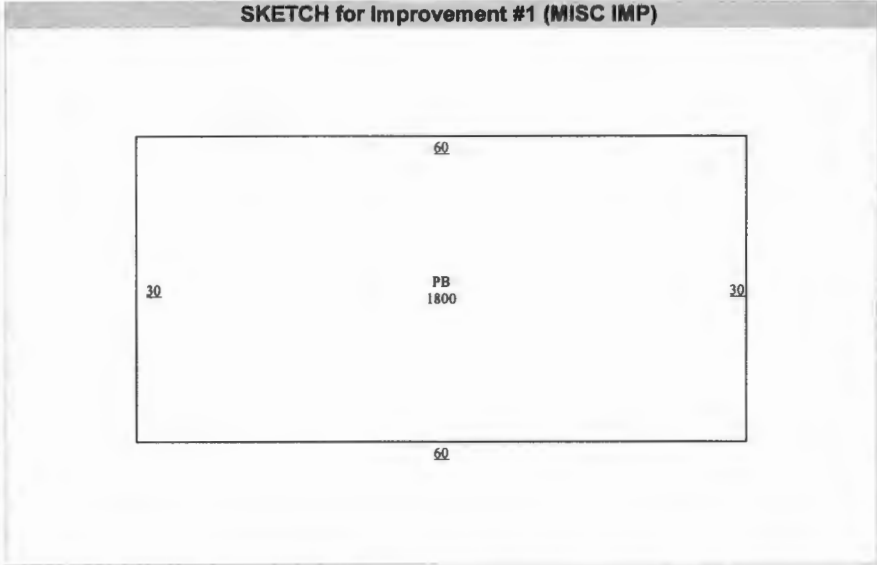
Values	
IMPROVEMENTS	14,445
LAND MARKET	Item 8D.
MARKET VALUE	4
PRODUCTIVITY LOSS	- 4,003,011
APPRAISED VALUE	= 36,583
HS CAP LOSS	- 0
ASSESSED VALUE	= 36,583

Ref ID1: 386607
 R88049
 Ref ID2: R88049
 Map ID 01

ACRES: 307.4750
 EFF. ACRES:
 APPR VAL METHOD: Cost

SITUS 2571 FM 812 DEL VALLE, TX 78617

GENERAL		
UTILITIES	LAST APPR.	Adam M
TOPOGRAPHY	LAST APPR. YR	2023
ROAD ACCESS	LAST INSP. DATE	03/14/2023
ZONING	NEXT INSP. DATE	
BUILDER		
NEXT REASON		
REMARKS		



BUILDING PERMITS				
ISSUE DT	PERMIT TYPE	PERMIT AREA	ST	PERMIT VAL

SALE DT	PRICE	GRANTOR	DEED INFO
06/03/2019		ANDERSON, CARIL	LOWDVL / / 20190
02/08/2001	0	CAIN, GLADYS B	CONV / 1105 / 386

IMPROVEMENT INFORMATION																							
SUBD: A62	100.00%	NBHD:NBHD0217	100.00%	#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE	
				1.	OUTBUILDINGS	POLE BARN	T	3/	1,800.0	10.70	1	2017	2014	AV	19,260	75%	100%	100%	100%	100%	0.75	14,445	
									1,800.0						19,260								14,445

IMPROVEMENT FEATURES									

LAND INFORMATION																										
SUBD: A62	100.00%	NBHD:NBHD0217	100.00%	IRR Wells: 0	Capacity: 0	IRR Acres: 0	Oil Wells: 0	L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT PRC	AG VALUE
								1.	WILDLIFE	A-T-3	D1	N	A		307.4750 AC	13,090.98	4,025,149	1.00	1.00	A	4,025,149	YES	1D1	AG-NPA	72.00	22,138
																										22,138
																										4,025,149

Exhibit "A"

BASTROP CENTRAL APPRAISAL DISTRICT

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

I, the undersigned, hereby certify that I have examined the appraisal rolls of Bastrop County, Texas, and find that, as of September 18, 2023, the property described and attached hereto, is assessed on the appraisal rolls of Bastrop County, Texas, for the tax year 2023 in the name(s) of:

Back Lake Investments Inc

<u>OWNER/ACCOUNT</u>	<u>ACREAGE</u>	<u>VALUE</u>
8715818	10.038 Acres	\$ 261,353

CERTIFIED this 18th day of September 18, 2023.

By: Faun Cullens

Name: *Faun Cullens*

Title: Chief Appraiser

BASTROP CENTRAL APPRAISAL DISTRICT

PROPERTY 8715818 R 01/07/2020
 Legal Description
 ABS A62 Stuart, James, 10.038 ACRES

OWNER ID
 793397
 OWNERSHIP
 100.00%

PROPERTY APPRAISAL INFORMATION 2023

BACK LAKE INVESTMENTS INC
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entities	
CAD	100%
ESD1	100%
G01	100%
RD1	100%
S04	100%

Values

IMPROVEMENTS		0
LAND MARKET		261,353
MARKET VALUE		261,353
PRODUCTIVITY LOSS	-	260,630
APPRAISED VALUE	=	723
HS CAP LOSS	-	0
ASSESSED VALUE	=	723

Item 8D.

Ref ID1: 386607
 R88049

Ref ID2: R88049
 Map ID 01

ACRES: 10.0380
 EFF. ACRES:

APPR VAL METHOD: ARB

SITUS

GENERAL

UTILITIES
 TOPOGRAPHY
 ROAD ACCESS
 ZONING
 BUILDER
 NEXT REASON ASK TO REFILE WILDLIFE APPL PER BCAD. 2N
 REMARKS

LAST APPR. Adam M
 LAST APPR. YR 2023
 LAST INSP. DATE 03/14/2023
 NEXT INSP. DATE

BUILDING PERMITS

ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL

SALE DT PRICE GRANTOR DEED INFO
 10/16/2019 VENTANA HILLS LT CORR / / 20191

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

IMPROVEMENT INFORMATION

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
---	------	-------------	------	-------------	------	------------	-------	-------	--------	-------	-------	------	------	------	------	------	-----	-----------

EXEMPTIONS

PICTURE



IMPROVEMENT FEATURES

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

LAND INFORMATION

IRR Wells: 0 Capacity: 0 IRR Acres: 0 Oil Wells: 0
 MKT VAL AG APPLY AG CLASS AG TABLE AG UNIT PRC AG VALUE
 261,353 YES 1D1 AG-NPP 72.00 723
 261,353 723

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ MASS	ADJ VAL	SRC
1.	WILDLIFE	A-T-3		D1	N	A	10.0380 AC	37,194.90	373,362	0.70	1.00	A

BASTROP CENTRAL APPRAISAL DISTRICT

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

I, the undersigned, hereby certify that I have examined the appraisal rolls of Bastrop County, Texas, and find that, as of September 18, 2023, the property described and attached hereto, is assessed on the appraisal rolls of Bastrop County, Texas, for the tax year 2023 in the name(s) of:

Bird Island Investments LTD

<u>OWNER/ACCOUNT</u>	<u>ACREAGE</u>	<u>VALUE</u>
8722494	40.317 Acres	\$ 398,438
8715817	10.071 Acres	\$ 374,108

CERTIFIED this 18th day of September 18, 2023.

By: Faun Cullens

Name: Faun Cullens

Title: Chief Appraiser

BASTROP CENTRAL APPRAISAL DISTRICT
 PROPERTY 8722494 R 07/19/2021
 Legal Description
 ABS A62 Stuart, James, 40.317 ACRES

OWNER ID
 793396
OWNERSHIP
 100.00%

PROPERTY APPRAISAL INFORMATION 2023
 BIRD ISLAND INVESTMENTS LTD
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entitles
 CAD 100%
 ESD1 100%
 G01 100%
 RD1 100%
 S04 100%

Values
 IMPROVEMENTS 2,678
 LAND MARKET 0
 MARKET VALUE 8
 PRODUCTIVITY LOSS - 392,857
 APPRAISED VALUE = 5,581
 HS CAP LOSS - 0
 ASSESSED VALUE = 5,581

Item 8D.

Ref ID1: 350542
 R27012
 Ref ID2: R27012
 Map ID 01

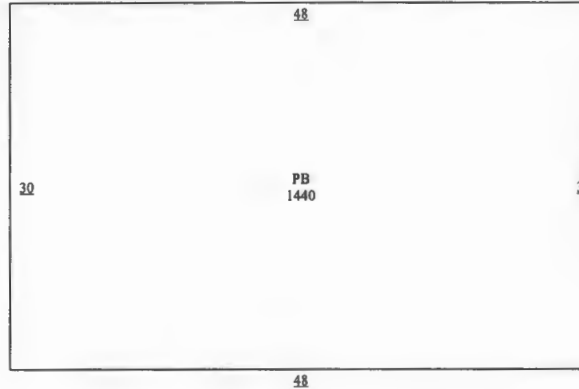
ACRES: 40.3170
EFF. ACRES:

APPR VAL METHOD: Cost

SITUS

GENERAL
 UTILITIES LAST APPR. Adam M
 TOPOGRAPHY LAST APPR. YR 2022
 ROAD ACCESS LAST INSP. DATE 03/14/2022
 ZONING NEXT INSP. DATE
 BUILDER
 NEXT REASON ASK TO REFILE WILDLIFE APPL FOR 2023 PER
 REMARKS

SKETCH for Improvement #1 (MISC IMP)



EXEMPTIONS

PICTURE



BUILDING PERMITS
 ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL

SALE DT PRICE GRANTOR DEED INFO
 05/31/2021 VENTANA HILLS LT WD / / 20211

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

IMPROVEMENT INFORMATION

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
1.	PB	POLE BARN	T	4"	1,440.0	9.30	1980	1980	AV	13,392	20%	100%	100%	100%	100%	0.20		2,678
			STCD:	E2	1,440.0					Homesite: N	13,392							2,678

IMPROVEMENT FEATURES

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

LAND INFORMATION

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT PRC	AG VALUE
1.	WILDLIFE		A-T-3	D1	N	A	40.3170 AC	19,632.39	791,519	0.50	1.00	A	395,760	YES	1D1	AG-NPG	72.00	2,903
													395,760					2,903

BASTROP CENTRAL APPRAISAL DISTRICT

PROPERTY 8715817 R 01/07/2020
 Legal Description ABS A62 Stuart, James, 10.071 ACRES
 OWNER ID 793396
 OWNERSHIP 100.00%

PROPERTY APPRAISAL INFORMATION 2023

BIRD ISLAND INVESTMENTS LTD
 10829 JOLLYVILLE RD
 AUSTIN, TX 78759

Entities	
CAD	100%
ESD1	100%
G01	100%
RD1	100%
S04	100%

Values	
IMPROVEMENTS	0
LAND MARKET	8
MARKET VALUE	87,108
PRODUCTIVITY LOSS	- 373,383
APPRAISED VALUE	= 725
HS CAP LOSS	- 0
ASSESSED VALUE	= 725

Item 8D.

Ref ID1: 386607
 R88049
 Ref ID2: R88049
 Map ID 01

ACRES: 10.0710
 EFF. ACRES:
 APPR VAL METHOD: Cost

SITUS

GENERAL

UTILITIES LAST APPR. Adam M
 TOPOGRAPHY LAST APPR. YR 2023
 ROAD ACCESS LAST INSP. DATE 03/14/2023
 ZONING NEXT INSP. DATE
 BUILDER
 NEXT REASON ASK TO REFILE WILDLIFE APPL FOR 2023 PER
 REMARKS

BUILDING PERMITS

ISSUE DT PERMIT TYPE PERMIT AREA ST PERMIT VAL

SALE DT PRICE GRANTOR DEED INFO
 10/16/2019 VENTANA HILLS LT CORR / / 20191

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

IMPROVEMENT INFORMATION

#	TYPE	DESCRIPTION	MTHD	CLASS/SUBCL	AREA	UNIT PRICE	UNITS	BUILT	EFF YR	COND.	VALUE	DEPR	PHYS	ECON	FUNC	COMP	ADJ	ADJ VALUE
---	------	-------------	------	-------------	------	------------	-------	-------	--------	-------	-------	------	------	------	------	------	-----	-----------

EXEMPTIONS

PICTURE



IMPROVEMENT FEATURES

SUBD: A62 100.00% NBHD:NBHD0217 100.00%

LAND INFORMATION

L#	DESCRIPTION	CLS	TABLE	SC	HS	METH	DIMENSIONS	UNIT PRICE	GROSS VALUE	ADJ	MASS ADJ	VAL SRC	MKT VAL	AG APPLY	AG CLASS	AG TABLE	AG UNIT	PRC	AG VALUE		
1.	WILDLIFE		A-T-3	D1	N	A	10.0710 AC	37,147.05	374,108	1.00	1.00	A	374,108	YES	1D1	AG-NPP	72.00		725		
													374,108								725

EXHIBIT "D"
SIGNATURE AUTHORITY

**UNANIMOUS WRITTEN CONSENT
OF
VENTANA HILLS, LTD.**

The undersigned, being the managers of **WHITE BLUFF DEVELOPMENT, LLC**, a Texas limited liability company, as General Partner of **VENTANA HILLS, LTD.**, a Texas limited partnership (“Company”), waives notice of the time, place and purpose of a special meeting and consents to, adopts, ratifies and approves the following resolutions and each and every action effected thereby.

RESOLVED, that White Bluff Development, LLC, as General Partner of Ventana Hills, Ltd., has full power and authority to conduct all business and enter into any and all transactions on behalf of Ventana Hills, Ltd.

RESOLVED FURTHER, that any manager of White Bluff Development, LLC shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Company to bind the Company.

RESOLVED FURTHER, that the White Bluff Development, LLC grants to **Stewart Pate** the authority to execute and deliver on behalf of the Company all documents incidental to the business purposes of and the investment in, management, maintenance, and operation of real property owned by the Company in his capacity as Manager.

RESOLVED FURTHER, that all lawful acts and deeds of the Manager of the Company or by any employees, agents or other representatives of the Company, taken prior to the date hereof to carry out the intent and accomplish the purposes of the foregoing resolutions are hereby approved, adopted, ratified and confirmed in all respects as the acts and deeds of the Company.

RESOLVED FURTHER, that this Unanimous Written Consent may be executed in counterparts, and each and every copy so executed shall, when put together with any other executed counterparts, constitute a fully executed copy hereof.

[signature on following page]

IN WITNESS WHEREOF, this Unanimous Written Consent of Managers is executed to be effective as of September 21, 2023.

MANAGERS:

DocuSigned by:
Stewart Pate
00273B2DF411400... _____
Stewart Pate

DocuSigned by:
Clay Morgan
A65FC48837EE464... _____
Clay Morgan

**UNANIMOUS WRITTEN CONSENT
OF
BIRD ISLAND INVESTMENTS, LTD.**

The undersigned, being the managers of **RANCH HOUSE INVESTMENTS, LLC**, a Texas limited liability company, as General Partner of **BIRD ISLAND INVESTMENTS, LTD.**, a Texas limited partnership (“Company”), waives notice of the time, place and purpose of a special meeting and consents to, adopts, ratifies and approves the following resolutions and each and every action effected thereby.

RESOLVED, that Ranch House Investments, LLC, as General Partner of Bird Island Investments, Ltd., has full power and authority to conduct all business and enter into any and all transactions on behalf of Bird Island Investments, Ltd.

RESOLVED FURTHER, that any manager of Ranch House Investments, LLC shall have full power and authority to authorize and enter into any and all transactions and to execute and deliver any and all instruments, documents, contracts, and agreements of every kind and nature on behalf of the Company to bind the Company.

RESOLVED FURTHER, that the Ranch House Investments, LLC grants to **Stewart Pate** the authority to execute and deliver on behalf of the Company all documents incidental to the business purposes of and the investment in, management, maintenance, and operation of real property owned by the Company in his capacity as Manager.

RESOLVED FURTHER, that all lawful acts and deeds of the Manager of the Company or by any employees, agents or other representatives of the Company, taken prior to the date hereof to carry out the intent and accomplish the purposes of the foregoing resolutions are hereby approved, adopted, ratified and confirmed in all respects as the acts and deeds of the Company.

RESOLVED FURTHER, that this Unanimous Written Consent may be executed in counterparts, and each and every copy so executed shall, when put together with any other executed counterparts, constitute a fully executed copy hereof.

[signature on following page]

IN WITNESS WHEREOF, this Unanimous Written Consent of Managers is executed to be effective as of September 21, 2023.

MANAGERS:

DocuSigned by:
Stewart Pate
00273B2DF411400... _____
Stewart Pate

DocuSigned by:
Clay Morgan
A65FC48837EE464... _____
Clay Morgan

**UNANIMOUS WRITTEN CONSENT
OF
BACK LAKE INVESTMENTS, INC.**

The undersigned, being the directors of **BACK LAKE INVESTMENTS, INC.**, a Texas corporation (“Company”), waives notice of the time, place and purpose of a special meeting and consents to, adopts, ratifies and approves the following resolutions and each and every action effected thereby.

RESOLVED, that the Company grants to **Stewart Pate** the authority to execute and deliver on behalf of the Company, all documents incidental to the business purposes of and the investment in, management, maintenance, and operation of real property owned by the Company in his capacity as Manager.

RESOLVED FURTHER, that all lawful acts and deeds of the Manager of the Company or by any employees, agents or other representatives of the Company taken prior to the date hereof to carry out the intent and accomplish the purposes of the foregoing resolutions are hereby approved, adopted, ratified and confirmed in all respects as the acts and deeds of the Company.

RESOLVED FURTHER, that this Unanimous Written Consent may be executed in counterparts, and each and every copy so executed shall, when put together with any other executed counterparts, constitute a fully executed copy hereof.

IN WITNESS WHEREOF, this Unanimous Written Consent of Directors is executed to be effective as of September 21, 2023.

DIRECTORS:

DocuSigned by:
Stewart Pate
00273B2DF411400...
Stewart Pate

DocuSigned by:
Clay Morgan
A65FC48837EE464...
Clay Morgan



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve the second reading of Ordinance No. 2024-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Chapter 13, Article 13.04 On-site Sewage Facilities and amending the B3 Technical Manual, Chapter 3, Article 3.2 Infrastructure Requirements to align with the state requirements for septic systems on one-half acre lots; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting as shown.

AGENDA ITEM SUBMITTED BY:

Submitted by: Andres Rosales, Interim Assistant City Manager

BACKGROUND/HISTORY:

Staff and the Development Review Committee (DRC) are charged with reviewing the B3 Code for amendments. There are inconsistencies between the adopted B3 Technical Manual and the State of Texas requirements for On-site Sewer Facilities (OSSF). Currently, the City code requires a one-acre lot size or greater for individual on-site sewage facility methods. The State requirements allow for a half-acre lot size or greater for the same individual on-site sewage facility methods. The codes need to be consistent and align with the state requirements.

FISCAL IMPACT:

The code amendment to align with state requirements has no fiscal impact.

RECOMMENDATION:

Recommend approving the first reading of Ordinance No. 2024-03, amending the City Code and B3 Technical Manual as submitted.

ATTACHMENTS: 2024-03

2. Exhibit A - Amendment to City Code and B3 Technical Manual

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS, AMENDING THE BASTROP CODE OF ORDINANCES, CHAPTER 13, ARTICLE 13.04 ON-SITE SEWAGE FACILITIES AND AMENDING THE B3 TECHNICAL MANUAL, CHAPTER 3, ARTICLE 3.2 INFRASTRUCTURE REQUIREMENTS TO ALIGN WITH THE STATE REQUIREMENTS FOR SEPTIC SYSTEMS ON ONE-HALF ACRE LOTS; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City Council of the City of Bastrop has general authority to adopt an ordinance or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City of Bastrop recognizes the need to stay current with state regulations to ensure the health, safety, and welfare of its residents;

WHEREAS, the Texas State requirements for septic systems on one-half acre lots have been updated to reflect advancements in technology and environmental considerations;

WHEREAS, the City Council finds it necessary to amend the existing City Code to align with the aforementioned state requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1. Findings of Fact: The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2. Amendment To City Code And B3 Technical Manual: Section 13.04.007 of the City of Bastrop Code of Ordinances and Section 3.2.005 of the B3 Technical Manual are hereby amended to replace the phrase "one acre" with "one-half acre" in all instances referring to the minimum lot size requirements for septic systems and shall read in accordance with Exhibit "A", which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the

Code and any struck-through text shall be deleted from the Code, as shown in each of the attachments.

- Section 3. Repealer:** To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated.
- Section 4. Severability:** Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.
- Section 5. Codification:** The City Secretary is hereby directed to record and publish the attached rules, regulations, and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.
- Section 6: Effective Date:** This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.
- Section 7. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

[Signatures on following page]

READ AND ACKNOWLEDGED on the First Reading by the City Council of the City of Bastrop, Texas, on this, the 13th day of February 2024.

READ AND APPROVED on the Second Reading by the City Council of the City of Bastrop, Texas, on this, the 27th day of February 2024.

APPROVED:

Lyle Nelson – Mayor

ATTEST:

Ann Franklin – City Secretary

APPROVED AS TO FORM:

Alan Bojorquez – City Attorney

EXHIBIT A

Amendment to City Code and B3 Technical Manual

City Code of Ordinances

Sec. 13.04.007 Amendments.

The city, wishing to adopt more stringent rules for its on-site sewage facility ordinance, understands that the more stringent conflicting local rule shall take precedence over the corresponding requirement of the state commission on environmental quality or any successive agency. Listed below are the more stringent rules adopted by the city:

- (1) No lot having a surface area of less than one-half (0.5) acre shall be henceforth permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this one-half (0.5) acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.
- (2) All individual surface and subsurface methods for sewage disposal (including septic systems) within the stated city jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon project completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and plans shall be satisfactory to the city's designated representative (City Engineer).

(Ord. No. 2005-43, pt. 9, 11-22-05)

B3 Technical Manual

requirements of the State regulatory agency and the City of Bastrop.

SEC. 3.2.002 WATER LINES

(a) Piping for water mains and connections shall be ductile iron, or AWWA C900 polyvinyl chloride pipe. Service piping shall be copper for all commercial services and polyethylene for all residential services as approved by the City Engineer. All pipe and fittings shall be new and unused. All pipe and fittings shall conform to the latest standards as adopted by the City in Chapter 6, Construction Standards.

(b) When recommended by the City Engineer and approved by the City Council and so noted in the preliminary plat or final plat review, larger lines shall be installed.

SEC. 3.2.003 VALVES

(a) At intersections of water distribution lines, the number of valves shall be one less than the number of radiating lines, 2 valves for tee connection, and 3 valves for cross connection). Valves shall be located at the P.C. or P.T. of the nearest property line. All valves shall conform to the latest standards of the American Water Works Association.

SEC. 3.2.004 FIRE HYDRANTS

(a) Fire hydrants will be provided at a maximum spacing and shall meet the specifications per the IFC as adopted by the City. Hydrants shall be standard three-way post-type dry barrel hydrants complying to AWWA Standards with 6 inch or larger connections to mains.

SEC. 3.2.005 ON-SITE WASTEWATER SYSTEMS

(a) Lots ~~1~~ 0.5 acre or greater outside the wastewater CCN shall be permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this ~~1~~ 0.5 acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.

(b) All individual surface and subsurface methods for sewage disposal (including septic systems) within the City jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon development completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and

Page 48 of 81

City Code of Ordinances-Clean

Sec. 13.04.007 Amendments.

The city, wishing to adopt more stringent rules for its on-site sewage facility ordinance, understands that the more stringent conflicting local rule shall take precedence over the corresponding requirement of the state commission on environmental quality or any successive agency. Listed below are the more stringent rules adopted by the city:

- (1) No lot having a surface area of less than one-half (0.5) acre shall be henceforth permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this one-half (0.5) acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.
- (2) All individual surface and subsurface methods for sewage disposal (including septic systems) within the stated city jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon project completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and plans shall be satisfactory to the city's designated representative (City Engineer).

(Ord. No. 2005-43, pt. 9, 11-22-05)

B3 Technical Manual-Clean

requirements of the State regulatory agency and the City of Bastrop.

SEC. 3.2.002 WATER LINES

- (a) Piping for water mains and connections shall be ductile iron, or AWWA C900 polyvinyl chloride pipe. Service piping shall be copper for all commercial services and polyethylene for all residential services as approved by the City Engineer. All pipe and fittings shall be new and unused. All pipe and fittings shall conform to the latest standards as adopted by the City in Chapter 6, Construction Standards.
- (b) When recommended by the City Engineer and approved by the City Council and so noted in the preliminary plat or final plat review, larger lines shall be installed.

SEC. 3.2.003 VALVES

- (a) At intersections of water distribution lines, the number of valves shall be one less than the number of radiating lines, 2 valves for tee connection, and 3 valves for cross connection). Valves shall be located at the P.C. or P.T. of the nearest property line. All valves shall conform to the latest standards of the American Water Works Association.

SEC. 3.2.004 FIRE HYDRANTS

- (a) Fire hydrants will be provided at a maximum spacing and shall meet the specifications per the IFC as adopted by the City. Hydrants shall be standard three-way post-type dry barrel hydrants complying to AWWA Standards with 6 inch or larger connections to mains.

SEC. 3.2.005 ON-SITE WASTEWATER SYSTEMS

- (a) Lots 0.5 acre or greater outside the wastewater CCN shall be permitted to utilize individual on-site sewage facility methods for sewage disposal; except that lots in subdivisions properly platted, approved, and recorded prior to April 20, 1981, shall be exempt from this 0.5 acre minimum lot size requirement, to the extent permitted by current design criteria for on-site sewage facilities and administrative rules of the state commission on environmental quality, or any successive agency.
- (b) All individual surface and subsurface methods for sewage disposal (including septic systems) within the City jurisdiction shall have a site-specific design by a registered professional engineer or a registered sanitarian; and such engineer or sanitarian shall, upon development completion, certify that the installation has been completed in accordance with that engineer's or sanitarian's approved design plans. Such certification and

Page 48 of 81



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve the first reading of Ordinance No. 2024-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date, and move to include on the March 12, 2024, City Council consent agenda for a second reading.

AGENDA ITEM SUBMITTED BY:

Laura Allen, Senior Accountant

BACKGROUND/HISTORY:

The FY2024 budget was approved by City Council on September 19, 2023. Since that approval, the City has identified minor corrections found after adoption and needs to implement various changes recommended by the City Manager.

Exhibit A to the ordinance explains in detail the nature of each of the budget amendments being requested.

The Financial Management Policy states that the level of budgetary control is at the department level in all Funds over \$25,000. If transfers are required over \$25,000 between departments, this must be approved by City Council.

The City Charter requires that when the budget is amended, that the amendment be made by Ordinance.

FISCAL IMPACT:

Various – See Ordinance Exhibit A

RECOMMENDATION:

Laura Allen, Senior Accountant, recommends approval of the first reading of Ordinance No. 2024-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date, and move to include on the March 12, 2024, City Council consent agenda for a second reading.

ATTACHMENTS:

- Ordinance 2024-05
- Exhibit A
- All Funds Summary FY2024 – updated to reflect proposed amendments.

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2024 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2024; and

WHEREAS, the Mayor and City Council have now provided for and conducted a public hearing on the budget as provided by law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2024, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted, and approved as the amended budget of said City for Fiscal Year 2024.

Section 2: If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 3: This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

READ and APPROVED on First Reading on the 27th day of February 2024.

READ and ADOPTED on Second Reading on the 12th day of March 2024.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action to approve Parks Board name change.

AGENDA ITEM SUBMITTED BY:

Terry Moore, Parks & Recreation Director

BACKGROUND/HISTORY:

With the changes in the structure of the department and the addition of recreation, at the February 1st meeting the Parks board discussed whether or not there was a need to change the official name of the advisory board as well.

At the February 1st meeting the board voted unanimously to request city council to amend the name of the Parks Board to the Parks & Recreation Board.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

N/A



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider and act on an application from SRE Promotions, LLC for an event known as Corvette Invasion for \$20,000 for a grant from the Hotel Occupancy Tax Fund to fund a corvette car show.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

BACKGROUND/HISTORY:

The annual Corvette Invasion is the largest corvette only car show in Texas. In prior years, the event has a direct economic impact of over \$150,000 (see Attachment 2).

The organization has submitted a budget that shows approximately \$20,000 of eligible expenses that can be attributed directly as eligible for HOT funds reimbursement as marketing (advertising the city).

HOT fund use

Excerpt from TML – [The Hotel Tax Two-Step](#).

“Part 1: Heads in Beds The first element of the two-part test is this: Every expenditure of hotel taxes must put “heads in beds.” What this means is that every funded project must attract overnight tourists to the city’s hotels and motels, thus promoting the city’s hotel industry. For example, how about a weekend-long arts and crafts show? There’s a very good chance that out-of-town guests might come to visit such an event, so expenditure of hotel tax money on that event would likely qualify. On the other hand, how about a quilting bee at a local nursing home? While a worthy cause, the quilting bee is unlikely to attract overnight tourists and, therefore, probably wouldn’t qualify to receive hotel tax funds.

Part 2: The Nine Categories Once a project has cleared the first part of the test, it’s time for – you guessed it – the second part of the test. Here it is: Every expenditure of hotel taxes must also fit into one of nine statutorily authorized categories. These are the nine categories: (1) convention and visitor centers; (2) convention registration; (3) advertising the city; (4) promotion of the arts; (5) historical restoration and preservation; (6) sporting events in a county under one million in population; (7) enhancing or upgrading existing sports facilities or sports fields (only in certain cities); (8) tourist transportation systems; and (9) signage directing the public to sights and attractions that are visited frequently by hotel guests in the city. Thus, even if an event puts heads in beds, it cannot receive hotel tax money unless it also fits into one of the nine categories.”

FISCAL IMPACT:

\$20,000 from the HOT fund account

As of February 22, 2024, the fund has more than \$1.9M in restricted funds (For HOT purposes)

RECOMMENDATION:

Award the \$20,000 as requested.

ATTACHMENTS:

1. HOT Application
2. 2024 Budget Outline
3. Application questions and answers
4. Economic Impact
5. HOT fund balance sheet

Application Date: 2/5/24

OFFICE USE
Received Date: 2/5/2024

Item 9C.

Organization Information

Organization Name SRE Promotions LLC
 Mailing Address P.O. Box 746
 City, State, Zip Hutto TX 78634
 Primary Contact Shawn Jones
 Phone Number 512-373-5544
 Email Sweetridesoftexas@yahoo.com
 Alternate Contact Elaine Prout
 Phone 757-327-2727
 Email eprout66@gmail.com
 Tax ID # 81-1599899
 Organization Type Private/For-Profit Non-Profit

Event Information

Event Name Corvette Invasion
 Event Date(s) From 7/19/2024 To 7/21/2024
 Location Bastrop Convention Center
 Event Website www.corvetteinvasion.com
 Expected Number of Attendees 1000
 Is this a first-time event? Yes No
 If no, did this event occur in Bastrop during the previous fiscal year? Yes No N/A
 Has your organization applied for HOT funds for this event before? Yes No N/A
 Is this event open to the general public? Yes No
 Will there be an admission charge? Yes No → charge to general public
only to registered participants
 Will you need meeting space? Yes No
 Reason for Event Annual car show

Amount of Funding Requested \$ 20,000

Does your event pass Part-One of the statutory Hotel Occupancy Tax test?

Defined specifically as directly enhancing and promoting tourism in Bastrop and directly promoting the overnight accommodation industry in Bastrop by increasing overnight stays.

- Yes
- No

Does your event pass Part-Two of the statutory test?

Defined specifically as limiting the use of Hotel Occupancy Tax funds to one or more of the following categories. If the answer does not meet one of the following categories, the event is not eligible for HOT funds and the application need not continue.

Check all that apply.

- Funding the establishment, improvement, or maintenance of a convention center or visitor information center
- Paying the administrative costs for facilitating convention registration
- Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the county or its vicinity
- Expenditures that promote the arts
- Funding historical restoration or preservation programs
- Funding certain expenses, including promotional expenses, directly related to a sporting event
- Signage directing tourists to sights and attractions frequently visited by hotel guests
- None of the above

Visitor Impact

Expected Local Attendance

700

Expected Out of Town Attendance

350

How many **nights** of hotel stays do you estimate your attendees will book?
Please include rooms that may be occupied by vendors, contestants, attendees, etc. for the duration of your event.

200+

Have you secured your room block with Visit Bastrop? Yes No

Hotel rooms must be secured through Cherry Kay Abel to receive HOT funds.
cherrykay@visitbastrop.com

Special Permits through the City of Bastrop

Will any City of Bastrop resources be required? (i.e., parks, fire, police, etc.) Yes No

If yes, have you completed a Special Event Permit Application with the city? Yes No

Please indicate all promotional efforts your organization is coordinating to alert visitors to your event.

<input type="checkbox"/> Radio	\$ _____	<input type="checkbox"/> Direct Subscribers	\$ _____
<input type="checkbox"/> Television	\$ _____	<input type="checkbox"/> Online/Digital	\$ <u>400.00</u>
<input type="checkbox"/> Brochure Distribution	\$ <u>300.00</u>	<input type="checkbox"/> Newsletter	\$ _____
<input type="checkbox"/> Social Media	\$ <u>4000.00</u>	<input type="checkbox"/> Direct Mailings	\$ _____
<input type="checkbox"/> Press Releases	\$ _____	<input type="checkbox"/> Newspaper	\$ _____

Item 9C.

List all fees associated with your event. (i.e., parking, admission, contests, etc.)

<u>Convention Center Rental Plus insurance</u>	\$ <u>7200.00</u>
<u>Event Coordinator</u>	\$ <u>3000.00</u>
<u>Security</u>	\$ <u>2000.00</u>
<u>Food & Beverage</u>	\$ <u>3500.00</u>
<u>Staff 500.00</u>	
<u>Registration Supplies 300.00</u>	
<u>Awards 1800.00</u>	
<u>Shirts 2000.00</u>	

Please attach a separate document for the following questions. **Be very specific and answer each question in full!** The more thorough your answers, the easier it will be for our team to come to a decision.

1. **DETAILED** description of your event. What is the purpose/goal? Who benefits from your success?
2. How would HOT funds be used if approved?
3. What is your current operating budget for this event?
 - a. How much of your budget is dedicated specifically to advertising/promoting your event to visitors outside of Bastrop County?
4. Of the current budget, how much does your organization contribute vs how much will be expensed using HOT funds?
5. What is your specific marketing plan? How will you promote your event and attract visitors to Bastrop? Please provide a detailed list of the media used, amount spent, type of products used.
6. Describe your attendance goals for this event and identify steps used to achieve these goals.
7. What is your detailed plan for tracking how many room nights your event brought to Bastrop?
 - a. How do you intend to advertise or promote your event to gain room night stays?
 - b. How will your event help promote the hotel industry in Bastrop?
8. How will you measure the return on investment of the requested amount of HOT funds for your event?
9. If this is an event that Visit Bastrop has funded in the past, please tell us what new marketing initiatives you will utilize to promote hotel and convention activity for this event?
10. What is the target audience for your event?

I affirm and certify that all the information and answers to questions herein are complete, true, and correct to the best of my knowledge and belief. I understand that any misrepresentation, falsification, or omission of any facts called for in the application may render this application void, whenever discovered.

Item 9C.

Please initial:

- EP I understand that submission of an application does not guarantee funding, in whole or in part.
- EP I understand that I am required to include a link to Visit Bastrop on my promotional handouts and in our website for booking hotel nights during this event.
- EP I understand that I must include the approved Visit Bastrop logo on all promotional handouts and on our website as a sponsor for this event. Furthermore, I will submit samples of our promotional handouts in our Post Report.
- EP I understand that actual receipts that total the award will be provided in the Post Report, as well as copies or screen shots of Visit Bastrop's listing as a sponsor. I understand that failure to provide all required documentation will result in becoming ineligible for future funding for the individual and/or the organization.
- EP I understand that if my event does not take place, I am required to return the full amount of funding to Visit Bastrop within 30 days of the intended day of the event.
- EP I agree to cooperate fully with Visit Bastrop, or authorized agents of Visit Bastrop, with information which reasonably relates to the payment of benefits from the HOT fund and this application.
- EP I hereby agree to indemnify and hold harmless Visit Bastrop against any and all claims, demands, or causes of action of any kind or nature resulting from or in connection with Visit Bastrop.
- EP I understand that if my application is approved, the financials of this event may be viewed at any time by Visit Bastrop prior to receiving reimbursement for the event and/or following completion of my event.
- EP I understand that I must abide by all relevant local, state, and federal laws/regulations regarding the use of Hotel Occupancy Tax.

I have read and understood the information in this application packet as well as the information provided to me on the FY 2023-2024 HOT Fund Application landing page on visitbastrop.com. I understand and will comply with all provisions therein; and I intend to use the funds awarded for my event to directly enhance and promote the tourism and hotel industry by attracting visitors from outside of Bastrop into the City of Bastrop and its ETJ to stay overnight in one of Bastrop's lodging facilities.

Elaine Probst
Applicant Printed Name

Elaine Probst
Applicant Signature

1/31/2024
Date

Should my application be approved, please make check payable to:

Name ~~Corvette~~ Corvette Invasion

Address 1000 Wallin Farms CV

City/State Hutto TX Zip 78634

All Hotel Occupancy Tax expenses must abide by Texas State Law. Providing a thorough budget will help determine the impact of your event and the amount of eligible expenses your event will have. Be advised that actual receipts will be required to determine all eligible costs.

Item 9C.

	Proposed Budget Outline	Post Budget/Expenditures
Expenses	7200.00	
Space Rental	3500.00	
Food & Beverage		
Audio/Visual		
Internet		
Security	2000.00	
Staff Costs	3500.00	
Entertainment	2500.00	
Lodging	1000.00	
City Permit	300.00	
<i>Total Expenses</i>	20,000.00	
Advertising Expenses		
Newspaper		
Radio		
TV		
Other Advertising	5500.00	
Social Media	4000.00	
Direct Mailings	500.00	
Press Releases/Media		
<i>Total Advertising</i>	9900.00	
Other expenses not listed above:		
Revenues		
Donations		
In-Kind Services		
Cash Sponsors	7500.00	
Ticket Sales	10,000.00	
Other Revenues	8750.00	
HOT Funds Awarded	20,000	
<i>Total Revenues</i>	46,250.00	

Detailed Event Description - Corvette Invasion is the largest Corvette only car Show in Texas that brings in Corvette owners and enthusiasts from all over the US, and North America.

Describe how funds will be used – Funds will be used to promote and advertise the event through as many marketing avenues as we are able to utilize. Our plan this year is to use TV, paid social media, printed media (posters, flyers, business cards, etc...) and word of mouth. As of right now we do not have the actual costs of these items.

Marketing Plan – This event will be advertised through local tv commercials and other media outreach. We will also promote the event throughout the state with attendance at local events. Some of the attended events will be in other states, so that will lengthen our reach. We will also use social media to promote the event on not just a national level, but also an international level. We will have many forms of printed media that we will use to promote not just Corvette Invasion, but also Visit Bastrop. (Posters, flyers, business cards, etc...)

We will be working with Visit Bastrop to set up room blocks and will use post event reports from the host hotels. We will also have designated questions pertaining to where people plan to stay on our attendee pre-registration form.

Our ability to measure the ROI will be as in year's past. We will work to make sure that the show is sold out and that as many people as possible are staying in the local hotels and using the many venues in Bastrop. As we are limited on the space available to us, it also limits us on growing the event.

Through tv, radio, word of mouth, event attendance, and social media advertising, which will all promote Visit Bastrop, our goal is to bring as many registered attendees to Bastrop for the entirety of the weekend, and also, bring in the general public to Bastrop for the event.

Our target audience will be every Corvette owner in North America, along with car show enthusiasts from all over. We expect to have registered attendees from not just the US, but also from Mexico and Canada.



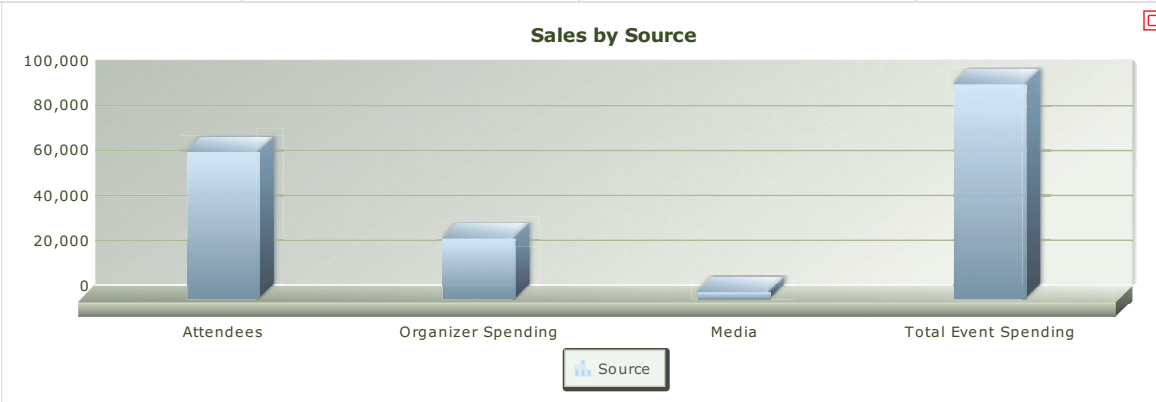
Lead: 1317
\$ Awarded: 20K

Item 9C.

EVENT IMPACT CALCULATOR DETAIL - CORVETTE INVASION 2023 - POST EIC

Event Summary			
Key Parameters		Key Results	
Event Name	Corvette Invasion 2023	Business Sales (Direct)	\$95,506.29
Organization	SRE Promotions, LLC	Business Sales (Total)	\$127,263.16
Event Type	FCE: Other cultural	Jobs Supported (Direct)	55
Start Date	07/14/2023	Jobs Supported (Total)	66
End Date	07/15/2023	Local Taxes (Total)	\$3,321.32
Overnight Attendees	165	Net Direct Local Tax ROI	(\$16,879.38)
Day Attendees	385	Est. Room Nights Demand	194

Direct Business Sales			
Sales by Source			
Attendees Spending	\$65,286.76	Exhibitor Spending	\$3,217.43
Organizer Spending	\$27,002.10	Total Event Spending	\$95,506.29



Business Sales by Sector				
Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$32,776.76	\$202.78*	\$0.00	\$32,979.54
Transportation	\$3,996.10	\$4.13*	\$14.16	\$4,014.39
Food & Beverage	\$16,213.81	\$2,500.00	\$39.94	\$18,753.75
Retail	\$6,976.72	\$0.00	\$0.00	\$6,976.72
Recreation	\$5,323.37	\$0.00	\$0.00	\$5,323.37
Space Rental	\$0.00	\$6,900.00	\$15.98	\$6,915.98
Business Services	\$0.00	\$17,395.19	\$3,147.35	\$20,542.54
Totals	\$65,286.76	\$27,002.10	\$3,217.43	\$95,506.29

* indicates that the calculator's model defaults were used



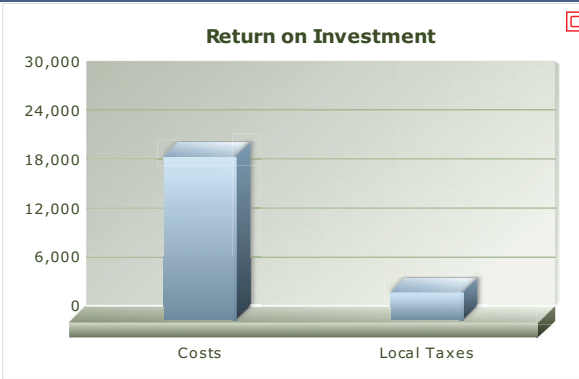
Economic Impact Details			
	Direct	Indirect/Induced	Total
Business Sales	\$95,506.29	\$31,756.88	\$127,263.16
Personal Income	\$23,700.13	\$9,312.67	\$33,012.80
Jobs Supported			
Persons	55	11	66

Item 9C.

Annual FTEs	1	0	
Taxes And Assessments			
Federal Total	\$7,696.79	\$2,722.53	\$10,419.32
State Total	\$4,392.24	\$575.17	\$4,967.41
Sales	\$2,188.15	\$496.20	\$2,684.35
Income	\$0.00	\$0.00	\$0.00
Bed	\$1,966.61		\$1,966.61
Other	\$237.49	\$78.97	\$316.45
Local Total	\$3,120.62	\$200.70	\$3,321.32
Sales	\$700.21	\$158.78	\$858.99
Income	\$0.00	\$0.00	\$0.00
Bed	\$2,294.37		\$2,294.37
Per Room Charge	\$0.00		\$0.00
Tourism District	\$0.00		\$0.00
Restaurant	\$0.00	\$0.00	\$0.00
Other	\$126.04	\$41.91	\$167.95
Property Tax	\$4,615.48	\$851.34	\$5,466.82

Event Return On Investment (ROI)

Direct Total Tax ROI	
Direct Tax Receipts	\$3,120.62
DMO Hosting Costs	\$20,000.00
Direct ROI	(\$16,879.38)
Net Present Value	(\$16,879.38)
Direct ROI (%)	-84
Total	
Total Local Tax Receipts	\$3,321.32
Total ROI	(\$16,678.68)
Net Present Value	(\$16,678.68)
Total ROI (%)	-83



Estimated Room Demand Metrics

Room Nights Sold	194	
Room Pickup (block only)	140	
Peak Room Nights	87	
Total Visitor Days	657	



City of Bastrop, TX

Item 9C.
Balance Sheet
Account Summary
 As Of 02/28/2024

Account	Name	Balance
Fund: 501 - HOTEL/MOTEL TAX FUND		
Assets		
501-1000	CLAIM ON CASH-HOTEL/MOTEL TAX	2,715,930.73
501-1006	PETTY CASH-CONV CTR	200.00
501-1025	RETURNED CHECKS	0.00
501-1225	ACCOUNTS RECEIVABLE	-474,566.15
501-1499	ACCUMULATED DEPRECIATION	0.00
501-1587	PREPAID EXPENSES	2,500.00
	Total Assets:	2,244,064.58
		<u>2,244,064.58</u>
Liability		
501-2000	ACCOUNTS PAYABLE	0.00
501-2001	ACCOUNTS PAYABLE - REGULAR	0.00
501-2020	WAGES PAYABLE	4,944.05
501-2024	SALES TAX PAYABLE	150.47
501-2025	PAYROLL TAX PAYABLE	378.22
501-2027	RETIREMENT PAYABLE	3,387.39
501-2028	OPTIONAL INSURANCE PAYABLE	133.61
501-2029	INSURANCE PAYABLE	1,547.82
501-2034	SCT 125 FLEX PLAN PAYBLE HOT	0.00
501-2230	CONV CNT EVENT DEPOSITS	42,523.38
501-2231	SPECIAL EVENT DEPOSIT	450.00
501-2357	DUE TO OTHER FUNDS	0.00
501-2377	DEFERRED INFLOW-CC RENTAL	0.00
501-2405	ENCUMBRANCE ACCOUNT	-140,185.29
501-2406	RESERVE FOR ENCUMBRANCE	140,185.29
501-2407	PRIOR YR ENCUMBRANCE ACCT	0.00
501-2408	PR YR RESERV FOR ENCUMBRANCE	0.00
	Total Liability:	53,514.94
Equity		
501-3000	RESTRICTED FUND BALANCE	1,966,384.43
501-3005	RESTRICTED FB-LT PROJ BAIPP	80,000.00
501-3020	COMMITTED FUND BALANCE	916,307.25
	Total Beginning Equity:	2,962,691.68
Total Revenue		1,127,812.06
Total Expense		1,899,954.10
Revenues Over/Under Expenses		-772,142.04
	Total Equity and Current Surplus (Deficit):	2,190,549.64
	Total Liabilities, Equity and Current Surplus (Deficit):	<u>2,244,064.58</u>



STAFF REPORT

MEETING DATE: February 27, 2024

TITLE:

Consider action authorizing the City Manager to issue a Request for Qualifications for engineering and surveying services for infrastructure projects including (but not limited to) the American Rescue Plan grant and Community Development Block Grants.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

BACKGROUND/HISTORY:

Many of the city's projects are past due and over budget. In an attempt to streamline some processes for services, it is necessary to issue a new Request for Qualifications that would allow the City Manager and staff to best select those firms who best fit the needs of the City of Bastrop.

The process is mandated by state law.

Professional or Personal Services.

- (a) **Selection of Professional.** Services within the scope of practice, as defined by state law, of accounting, architecture, landscape architecture, land surveying, medicine, optometry, professional engineering, or real estate appraising professional must be selected in accordance with the Professional Services Procurement Act, Tex. Gov't Code §2254.001 et seq. The municipality must select the professional of its choice based on demonstrated competence and qualifications. Then a contract must be negotiated at a fair and reasonable price. The contract fees may not be higher than the recommended practices and fees published by the applicable professional association, nor may they be higher than any maximum provided by law. Tex. Gov't Code §2254.003. If any service is provided by a person licensed or registered to practice one of these professions, the Professional Services Procurement Act may apply.
- (b) **Engineers, Surveyors, and Architects.** Contracts for engineering, land surveying, and architectural services have additional requirements. To procure architectural, engineering services, or land surveying, a municipality must first select the most highly qualified provider on the basis of demonstrated competence and qualifications; and then attempt to negotiate a contract for a fair and reasonable price. Tex. Gov't Code §2254.004.
- (c) **(c) Negotiations.** If negotiations for the first-choice candidate fail, the municipality must formally end negotiations and begin negotiating with its next choice. The process continues until a contract is entered into. Tex. Gov't Code §2254.004.

FISCAL IMPACT:

Unknown at this time. Professional services cannot be scored on price, and must be scored on qualifications first.

RECOMMENDATION:

Authorize the City Manager to work with legal to release an RFP for engineering and surveying services within the next 7 days.

ATTACHMENTS:

1. None