

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



June 27, 2023

Regular Council Meeting at 6:30 PM

Executive Session at 5:30 PM

Regular 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. EXECUTIVE SESSION

2A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding recently enacted state legislation, including House Bill 2127.

2B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.074 to seek the advice of legal counsel regarding the

statutory aspects of pending ordinance amendments regarding personnel and procedures of the Planning and Zoning Commission.

Submitted by: Mayor Pro-tem Kirkland and Council Member Plunkett

- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding ambulance services.

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

4. CALL TO ORDER REGULAR MEETING

- 5. PLEDGE OF ALLEGIANCE** - Paula Drake and Christina Davis, City of Bastrop Employees

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

- 6. INVOCATION** - Hardy Overton, Police Chaplain

7. PRESENTATIONS

7A. Mayor's Report

7B. Council Members' Report

7C. City Manager's Report

7D. A proclamation of the City Council of the City of Bastrop, Texas recognizing July 2023, as Parks and Recreation Month.

Submitted by: Terry Moore, Bastrop Recreation Manager

8. WORK SESSIONS/BRIEFINGS

8A. Receive presentation on proposed amendments to the Rules of Procedure for the City Council and Boards and Commissions.

Submitted by: Alan Bojorquez, City Attorney

9. STAFF AND BOARD REPORTS

9A. Receive presentation on the unaudited Monthly Financial Report for the period ending May 31, 2023.

Submitted by: Tracy Waldron, Chief Financial Officer

9B. Receive presentation completed by Intelligent Consulting, LLC regarding the findings of the Development Services Department Assessment.

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

10. 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.

11. 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.

11A. Consider action to approve City Council minutes from the June 13, 2023, Regular meeting; June 15, 2023, Town Hall meeting; and June 20, 2023, Canvassing.

Submitted by: Ann Franklin, City Secretary

11B. Consider action of the City Council to award the contract to Vortex Lining Systems, LLC. in Resolution No. R-2023-93 for Tahitian Village Manhole Rehabilitation Project, in the sum not to exceed One Hundred Fifty Thousand Dollars, (\$150,000.00) as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Curtis Hancock, Director of Public Works

11C. Consider action to approve the second reading of Ordinance No. 2023-11, of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 14, of the Bastrop Building Block (B3) Code, Article 2.4 Administration, Sec. 2.4.001(c) (1), and (4) Nonconforming Uses and Structures; (d) hanging Nonconforming Use (1) (a) (i) (b) and (e); and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

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

12. ITEMS FOR INDIVIDUAL CONSIDERATION

12A. Hold public hearing on the Hunters Crossing Public Improvement District ongoing service plan and proposed assessment levy, consider any objections to the proposed assessments and, consider action to approve the first reading of Ordinance No. 2023-20 of the City Council of the City of Bastrop, Texas approving the Fiscal Year 2024 Annual Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a Fiscal Year 2024 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunter's Crossing Local Government Corporation; providing for an effective date and move to include on the July 11, 2023, agenda for second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

12B. Consider action to approve Resolution R-2023-94 of the City Council of the City of Bastrop, Texas, approving the adoption of the land use assumptions and capital improvements plan related to the roadway impact fee study that was presented and discussed at the public hearing held on Tuesday, June 13, 2023.

Submitted by, Trey Job, Assistant City Manager

12C. Consider action to approve Resolution No. R-2023-96 and Resolution No. R-2023-99 of the City Council of the City of Bastrop, Texas, removing D. Moore and C. Caylor from Planning and Zoning Commission.

Submitted by: Mayor Pro-tem John Kirkland and Council Member Plunkett

12D. Consider action to approve the first reading of Ordinance No.2023-19 of the City Council of the City of Bastrop, Texas, requiring members of the Planning and Zoning, Zoning Board of Adjustment, and Historic Landmark Commission to resign their seat when running for other elected office.

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

12E. Consider action to approve the first reading of Ordinance No. 2023-16 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for a supermajority vote of the City Council to approve certain Place Type zoning changes; and move to include on the July 11, 2023, agenda for second reading.

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

12F. Consider action to approve the first reading of Ordinance No. 2023-17 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for a simple majority vote of the Planning and Zoning Commission to make recommendations to the City Council.

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

[12G.](#) Consider action to approve on first reading Ordinance No. 2023-18 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for qualifications for Planning and Zoning Commission members.

Submitted by: Mayor Pro-tem John Kirkland and Council Member Plunkett

[12H.](#) Consider action to approve Resolution No. R-2023-97 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to designate thirty parking spaces in the parking lot located at the corner of Willow Street and Farm Street at Fisherman's Park as parking for disabled patrons of the Big Bang event taking place on July 1, 2023: and providing an effective date.

Submitted by Terry Moore, Recreation Manager

[12I.](#) Consider action to approve Resolution R-2023-98 of the city council of the city of Bastrop, Texas, authorizing the city manager to sell certain real property located at the 2000 Block of Mill Street, Building Block 142 East of Water Street, and the 2000 Block of South Street, Building Block 143 East of Water Street.

Submitted by Trey Job, Assistant City Manager

[12J.](#) Consider action to approve Resolution No. R-2023-101 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with Blakey Owner Apartments, LLC, a Delaware Limited Liability Company for Pearl River, Phase One, Lot 1 & 2as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by Trey Job, Assistant City Manager

[12K.](#) Consider action to approve Resolution No. R-2023-100 of the City Council of the City of Bastrop, Texas, approving a License agreement for encroachment onto the Water Street right of way. between the City of Bastrop and Howards Design Limited LLC, as attached in Exhibit A, authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Trey Job, Assistant City Manager

13. 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, June 22, 2023, 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: June 27, 2023

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: June 27, 2023

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.

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- (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: June 27, 2023

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.

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- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
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- (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: June 27, 2023

TITLE:

A proclamation of the City Council of the City of Bastrop, Texas recognizing July 2023, as Parks and Recreation Month.

AGENDA ITEM SUBMITTED BY:

Terry Moore, Bastrop Recreation Manager

BACKGROUND/HISTORY:

Park and recreation professionals and facilities play a vital role in bringing people together, providing essential services and fostering the growth of our communities. These activities make a positive impact on their community members every single day. We are coming together and celebrating big this July with free fun, active, inclusive and unique opportunities for our community.

RECOMMENDATION:

Support by recognizing the value of Park and Recreation in our community.

ATTACHMENTS:



PROCLAMATION



WHEREAS, parks and recreation is an integral part of communities throughout this country, including the City of Bastrop; and

WHEREAS, parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS, parks and recreation promotes time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being, and alleviating illnesses such as depression, attention deficit disorders, and Alzheimers; and

WHEREAS, parks and recreation encourages physical activities by providing space for popular sports, hiking trails, and many other activities designed to promote active lifestyles; and

WHEREAS, parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation is fundamental to the environmental well-being of our community; and

NOW, THEREFORE, I, Lyle Nelson, Mayor of the City of Bastrop, do hereby recognize the month July, 2023 as:

PARKS AND RECREATION MONTH IN THE CITY OF BASTROP

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Bastrop, Texas to be affixed this 27th day of June, 2023.

Lyle Nelson, Mayor



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Receive presentation on proposed amendments to the Rules of Procedure for the City Council and Boards and Commissions.

AGENDA ITEM SUBMITTED BY:

Alan Bojorquez, City Attorney

BACKGROUND/HISTORY:

The Rules of Procedure for the City Council and Boards and Commissions, contains Section 1.4 Annual Review, which states:

“Following the municipal elections each year, Council will review these rules of procedure annually, make changes as appropriate, and adopt their own rules of procedure in accordance with the Charter at the first scheduled meeting in July. In the event no annual review occurs, the standing rules of procedure continue in effect. This does not limit the Council’s right and ability to amend the rules at any other time during the year, in accordance with the Charter.”



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending May 31, 2023.

AGENDA ITEM SUBMITTED BY:

Submitted by: Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

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

REVENUE

General Fund exceeded the forecast by 12%

- Sales tax is almost 6% above forecast, down from 9% in the previous month.
- Development fees are 83% above forecast due to Valverde subdivision and Pearl River Public Improvement Fees collected in advance.

Impact Fee Fund is running 2% short of forecast. With Pearl River moving forward we should see this variance improve in the coming months.

Electric Fund is running 4.3% short of forecast.

All other funds are positive to forecast.

EXPENDITURES

All funds are positive to forecast amounts.

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-2022-73 on August 23, 2022.

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending May 31, 2023

CITY OF BASTROP

Comprehensive Monthly Financial Report
May 2023



Performance at a Glance as of May 31, 2023



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY		
ALL FUNDS SUMMARY	POSITIVE	Page 3-4
SALES TAXES	POSITIVE	Page 5
PROPERTY TAXES	POSITIVE	Page 6
GENERAL FUND EXPENSE BY DEPARTMENT	POSITIVE	Page 7
WATER/WASTEWATER REVENUES	POSITIVE	Page 8
WATER/WASTEWATER EXPENDITURES BY DIVISION	POSITIVE	Page 9
ELECTRIC REVENUES	WARNING	Page 10
HOTEL OCCUPANCY TAX REVENUES	POSITIVE	Page 11
HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION	POSITIVE	Page 12
LEGAL FEES BY ATTORNEY/CATEGORY	POSITIVE	Page 13
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of > 5% compared to seasonal trends	

COMPREHENSIVE MONTHLY FINANCIAL REPORT – May 2023

<u>Revenues:</u>	<u>FY2023 Approved Budget</u>	<u>FY2023 Forecast YTD</u>	<u>FY2023 Actual YTD</u>	<u>Variance</u>
General	\$ 17,052,608	\$ 12,647,217	\$ 14,163,657	12.0%
Designated	63,200	31,083	74,991	141.3%
General Fund One-time	382,395	382,395	389,126	1.8%
Street Maintenance	803,500	535,667	541,859	1.2%
Debt Service	3,870,175	3,490,186	3,569,614	2.3%
General Gov's Projects	3,052,000	243,333	248,917	2.3%
Land Acquisition	-	-	150,488	0.0%
Water/Wastewater	7,977,692	4,901,663	5,159,324	5.3%
Water/Wastewater Debt	3,665,227	1,727,285	1,763,848	2.1%
Water/Wastewater Capital Proj	885,100	590,067	603,954	2.4%
Impact Fees	3,330,450	1,295,950	1,268,714	-2.1%
Vehicle & Equipment Replacement	1,435,490	1,208,201	1,345,837	11.4%
Electric	7,959,241	4,749,341	4,537,857	-4.5%
HOT Tax Fund	3,534,554	1,873,548	2,258,124	20.5%
Library Board	20,750	9,000	12,356	37.3%
Cemetery	184,700	115,633	122,966	6.3%
Capital Bond Projects	40,148,779	40,450,000	40,549,899	0.2%
Grant Fund	4,665,330	70,000	316,713	352.4%
Park/Trail Land Dedicaiton	1,465	1,432	1,624	13.4%
Hunter's Crossing PID	575,879	572,097	578,838	1.2%
Bastrop EDC	4,213,909	2,667,561	2,927,019	9.7%
TOTAL REVENUES	\$ 103,822,444	\$ 77,561,659	\$ 80,585,725	3.9%

POSITIVE	= Positive variance or negative variance < 1% compared to forecast
WARNING	= Negative variance of 1-5% compared to forecast
NEGATIVE	= Negative variance of >5% compared to forecast

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2023</u> <u>Approved Budget</u>	<u>FY2023</u> <u>Forecast YTD</u>	<u>FY2023</u> <u>Actual YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 20,108,075	\$ 13,858,629	\$ 13,337,433	-3.8%
Designated	323,780	49,000	48,210	-1.6%
General Fund One-time	456,200	179,000	177,052	-1.1%
Street Maintenance	807,927	75,000	72,445	-3.4%
Debt Service	3,850,699	688,105	687,514	-0.1%
General Gov't Projects	3,152,000	88,500	83,338	-5.8%
Water/Wastewater	8,689,225	5,936,935	5,823,172	-1.9%
Water/Wastewater Debt	4,457,069	1,073,896	1,075,510	0.2%
Water/Wastewater Capital Proj.	1,287,631	465,500	361,421	-22.4%
Revenue Bond, Series 2020	156,919	100,000	96,374	-3.6%
CO, Series 2021	20,450,575	16,385,000	16,454,175	0.4%
CO, Series 2023	25,600,000	560,000	556,448	0.0%
Impact Fees	7,884,300	562,250	562,023	0.0%
Vehicle & Equipment Replacement	1,678,763	1,678,763	1,246,429	-25.8%
Electric	8,325,435	4,934,654	4,909,657	-0.5%
HOT Tax Fund	3,899,827	3,479,784	3,247,270	-6.7%
Library Board	49,000	30,667	5,418	-82.3%
Cemetery	217,901	153,934	98,285	-36.2%
Hunter's Crossing PID	552,405	512,237	460,994	-10.0%
CO, Series 2013	210,791	76,000	50,277	-33.8%
CO, Series 2018	461,631	40,000	39,171	-2.1%
Limited Tax Note, Series 2020	149,948	153,000	152,762	-0.2%
America Rescue Plan	2,156,205	-	-	0.0%
CO, Series 2022	3,599,999	21,000	20,914	-0.4%
CO, Series 2023	13,107,779	108,000	107,779	-0.2%
Grant Fund	4,665,330	600,000	590,807	-1.5%

POSITIVE
WARNING
NEGATIVE

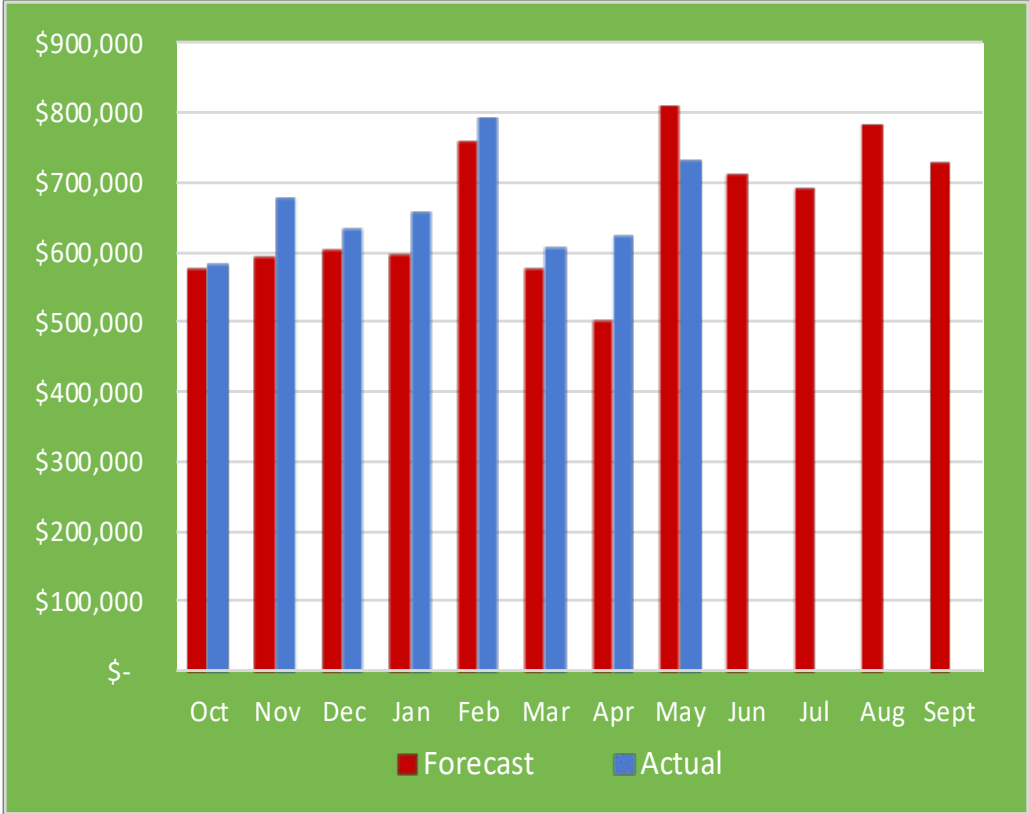
= Positive variance or negative variance < 1% compared to forecast
 = Negative variance of 1-5% compared to forecast
 = Negative variance of >5% compared to forecast

COMPREHENSIVE MONTHLY FINANCIAL REPORT – May 2023

REVENUE ANALYSIS

SALES TAX REVENUE

<u>Month</u>	<u>FY2023 Forecast</u>	<u>FY2023 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 574,991	\$ 580,268	\$ 5,277
Nov	591,072	675,521	\$ 84,449
Dec	600,053	632,136	\$ 32,083
Jan	592,432	655,945	\$ 63,513
Feb	755,152	787,504	\$ 32,352
Mar	574,974	604,626	\$ 29,652
Apr	500,630	620,519	\$ 119,889
May	805,119	727,135	\$ (77,984)
Jun	707,365		\$ -
Jul	688,127		\$ -
Aug	778,750		\$ -
Sept	724,050		\$ -
Total	\$ 7,892,715	\$ 5,283,654	\$ 289,231
Cumulative Forecast	\$ 4,994,423		
Actual to Forecast	\$ 289,231	5.8%	

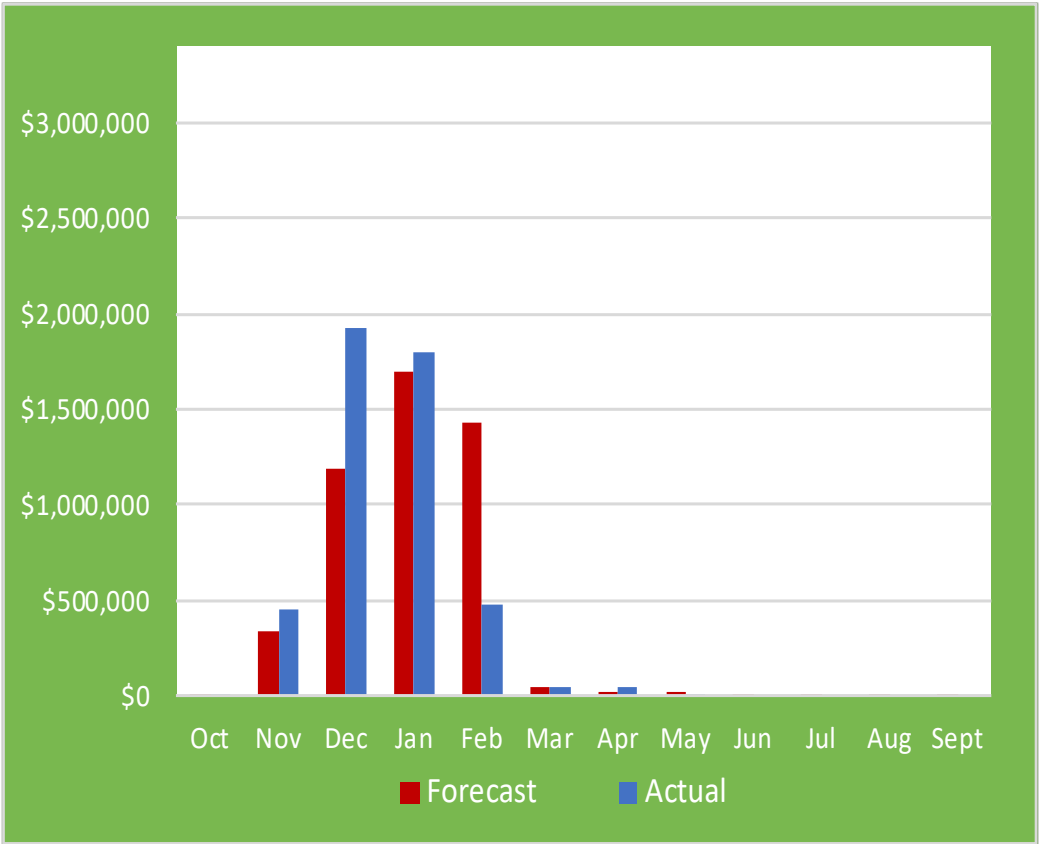


POSITIVE

Sales Tax is 46% of the total budgeted revenue for General Fund. The actual amounts for Oct. and Nov. are estimated due to the State Comptroller's two month lag in payment of these earned taxes. The actual is almost 6% greater than forecasted. This is down from 9% in previous months.

PROPERTY TAX REVENUE

<u>Month</u>	<u>FY2023 Forecast</u>	<u>FY2023 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 10,451	\$ 13,108	\$ 2,657
Nov	334,933	453,349	\$ 118,416
Dec	1,196,190	1,924,618	\$ 728,428
Jan	1,692,354	1,803,389	\$ 111,035
Feb	1,435,428	479,900	\$ (955,528)
Mar	47,848	52,932	\$ 5,084
Apr	19,139	46,816	\$ 27,677
May	19,138	9,645	\$ (9,493)
Jun	9,570		
Jul	9,570		
Aug	9,570		
Sept	570		
Total	\$ 4,784,761	\$ 4,783,757	\$ 28,276
Cumulative Forecast	\$ 4,755,481		
Actual to Forecast	\$ 28,276	0.59%	



POSITIVE

Property tax represents 29% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The actual is almost breakeven with forecast.

GENERAL FUND EXPENDITURES BY DEPT.

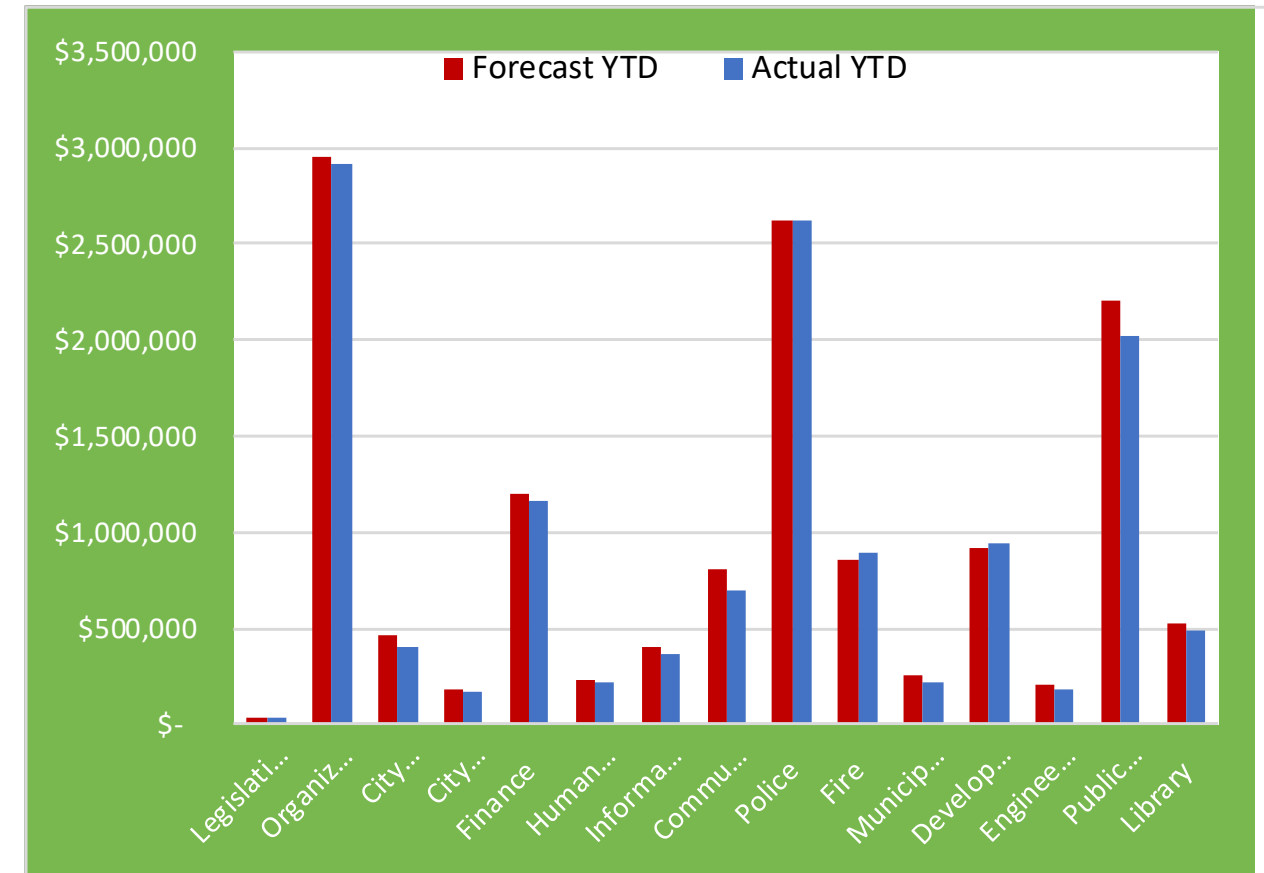
Division	FY2023 Forecast YTD	FY2023 Actual YTD	Variance
Legislative	\$ 37,235	\$ 32,476	\$ (4,759)
Organizational	2,953,587	2,919,595	\$ (33,992)
City Manager	464,404	401,563	\$ (62,841)
City Secretary	184,892	174,658	\$ (10,234)
Finance	1,200,995	1,158,615	\$ (42,380)
Human Resources	228,381	218,079	\$ (10,302)
Information Technology	400,812	367,078	\$ (33,734)
Community Engagemen	807,223	700,549	\$ (106,674)
Police	2,619,049	2,618,912	\$ (137)
Fire	851,298	891,817	\$ 40,519
Municipal Court	259,015	223,345	\$ (35,670)
Development Services	918,176	941,068	\$ 22,892
Engineering	203,062	183,572	\$ (19,490)
Public Works	2,210,312	2,018,622	\$ (191,690)
Library	520,187	487,487	\$ (32,700)
Total	\$ 13,858,628	\$ 13,337,436	\$ (521,192)

Actual to Forecast

96.2%

POSITIVE

This page compares forecast to actual by department within the General Fund. YTD the actual is 96% of forecast. The variance in Fire is due to overtime expense that was underprojected in the budget amount. The variance in Development Services is from the new staffing structure. Both of these variances will be reconciled with a budget amendment before fiscal year end.

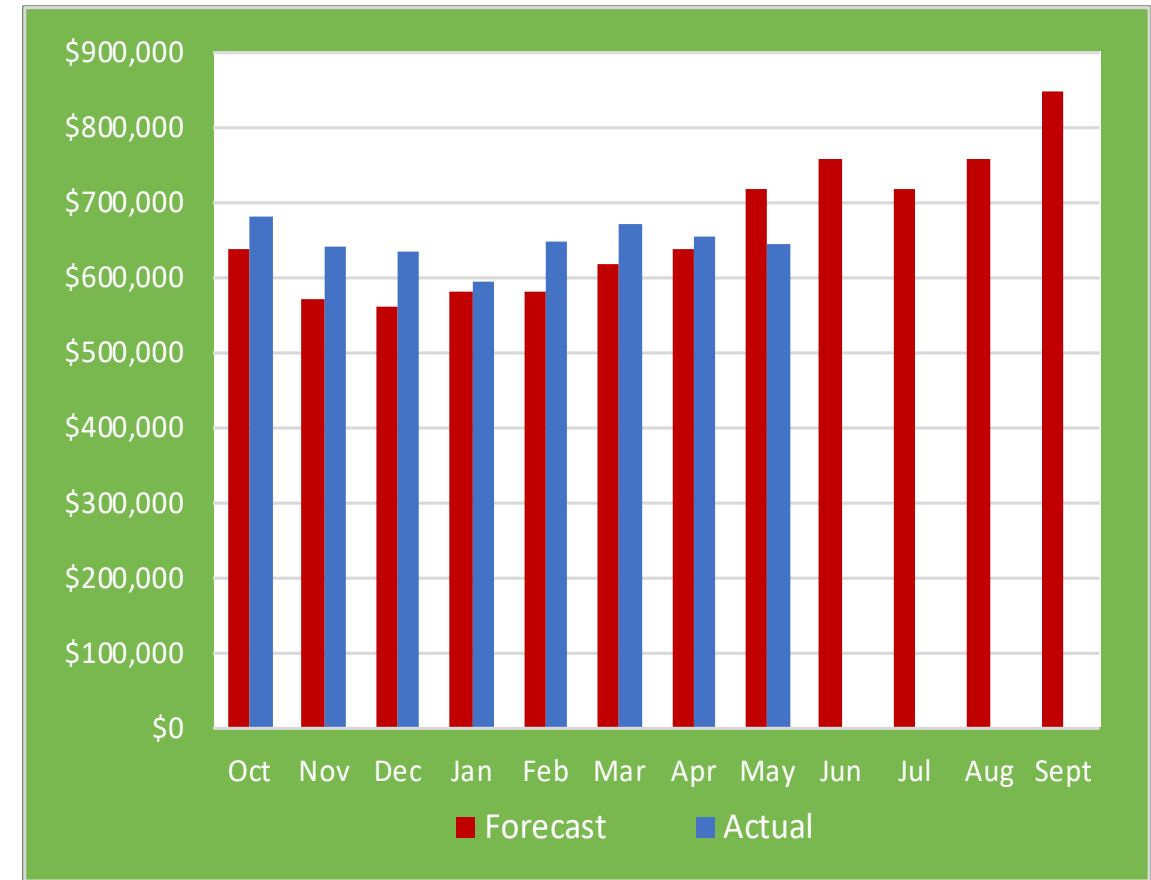


COMPREHENSIVE MONTHLY FINANCIAL REPORT – May 2023

REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

Month	FY2023 Forecast	FY2023 Actual	Monthly Variance
Oct	\$ 638,316	\$ 681,114	\$ 42,798
Nov	569,347	638,648	\$ 69,301
Dec	560,114	633,214	\$ 73,100
Jan	580,619	592,464	\$ 11,845
Feb	579,347	648,152	\$ 68,805
Mar	617,812	671,390	\$ 53,578
Apr	638,316	651,953	\$ 13,637
May	717,790	642,389	\$ (75,401)
Jun	757,527		
Jul	716,518		
Aug	756,255		
Sept	845,729		
Total	\$ 7,977,690	\$ 5,159,324	\$ 257,663
Cumulative Forecast	\$ 4,901,661		
Actual to Forecast	\$ 257,663	5.26%	



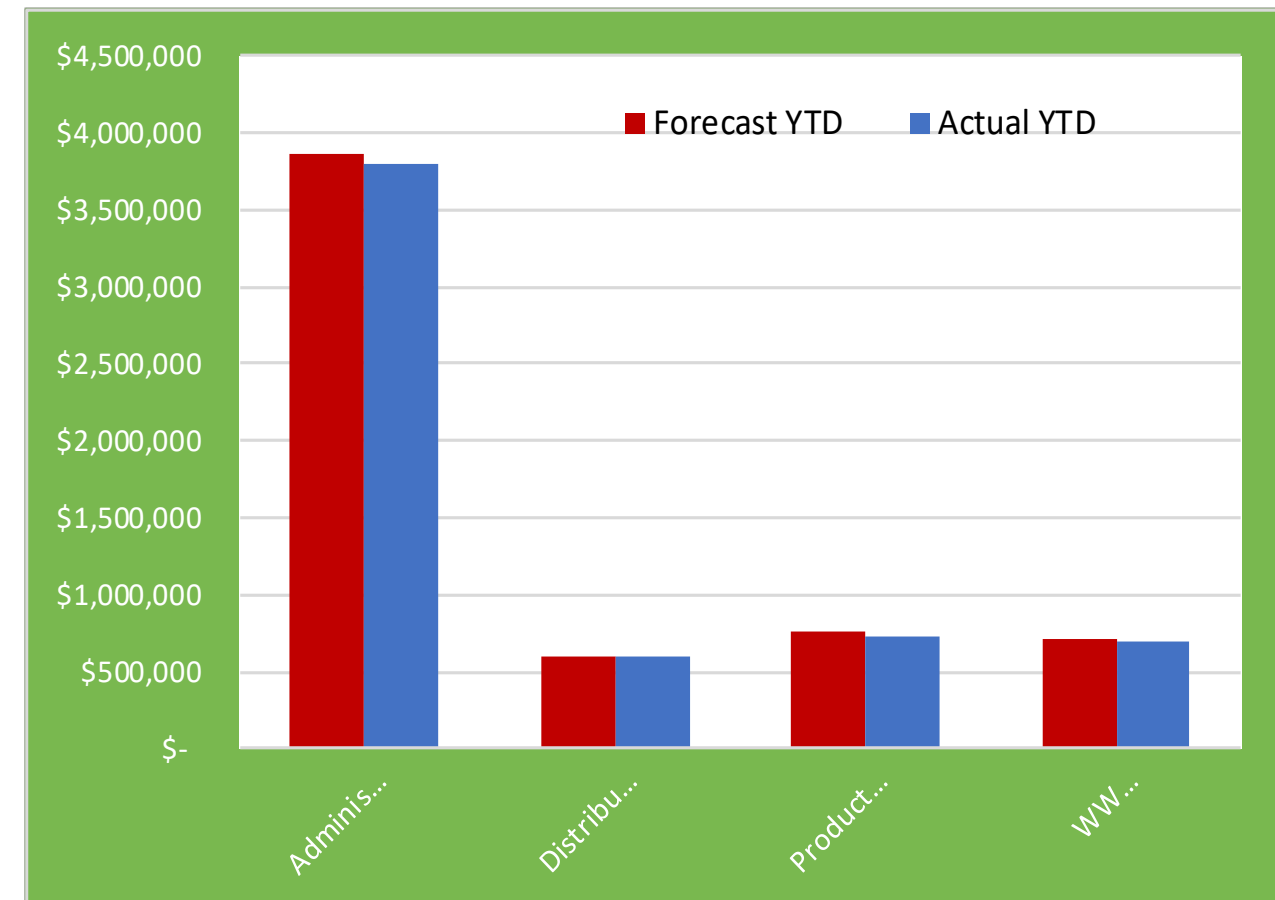
POSITIVE

The water and wastewater actual revenue is higher than forecast by 5.2%. There were 2 new meters set this month, all residential.

EXPENSE ANALYSIS

WATER/WASTEWATER EXPENDITURES BY DIVISION

Division	FY2023 Forecast YTD	FY2023 Actual YTD	Variance
Administration	\$ 3,858,569	\$ 3,802,626	\$ (55,943)
Distribution/Collection	603,933	599,427	\$ (4,506)
Production/Treatment	758,938	731,060	\$ (27,878)
WW Treatment Plant	<u>715,495</u>	<u>690,059</u>	<u>\$ (25,436)</u>
Total	<u>\$ 5,936,935</u>	<u>\$ 5,823,172</u>	<u>\$ (113,763)</u>
Actual to Forecast		98.1%	



POSITIVE

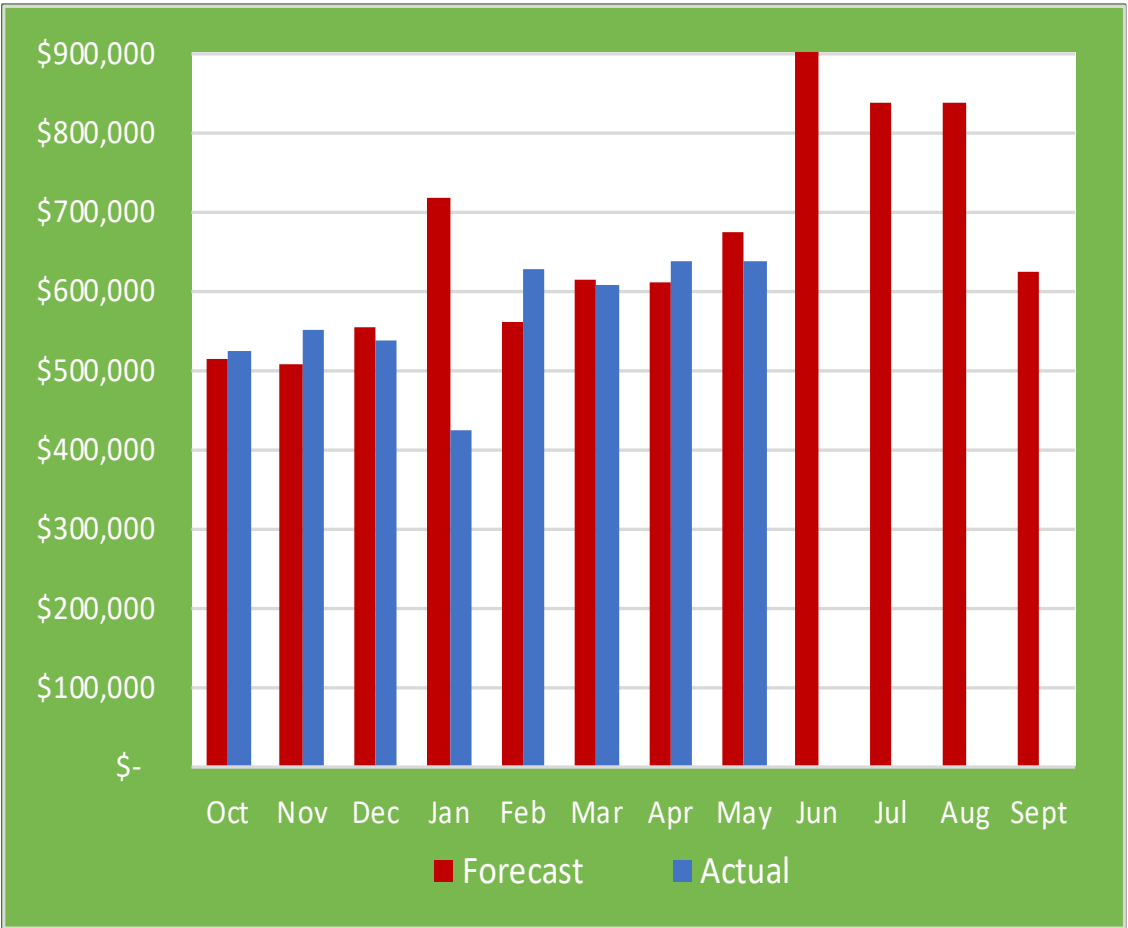
This page compares actual to forecast by the divisions within the Water/Wastewater department. The actual is almost 98% of forecast.

COMPREHENSIVE MONTHLY FINANCIAL REPORT – May 2023

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

Month	FY2023 Forecast	FY2023 Actual	Monthly Variance
Oct	\$ 514,921	\$ 525,195	\$ 10,274
Nov	507,248	549,744	\$ 42,496
Dec	554,146	537,080	\$ (17,066)
Jan	716,092	422,138	\$ (293,954)
Feb	559,213	625,515	\$ 66,302
Mar	614,775	607,100	\$ (7,675)
Apr	609,437	635,634	\$ 26,197
May	673,509	635,450	\$ (38,059)
Jun	912,677		
Jul	837,438		
Aug	837,053		
Sept	622,732		
Total	\$ 7,959,241	\$ 4,537,856	\$ (211,485)
Cumulative Forecast	\$ 4,749,341		
Actual to Forecast	\$ (211,485)	-4.45%	



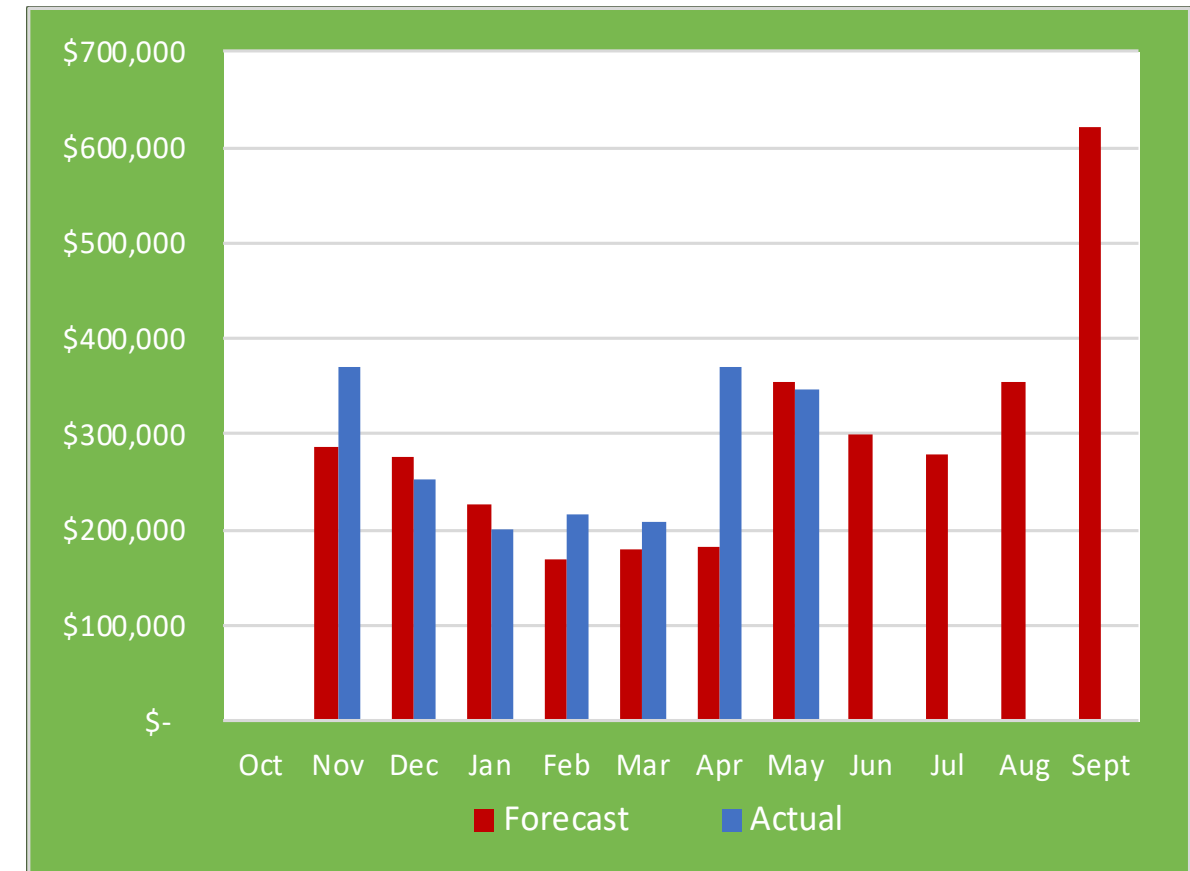
WARNING

The Electric utility revenue is 4.4% below forecasted revenue. There was 0 new meters set this month. The large variance for January is related to lower consumption and less average billed days in the cycle.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

<u>Month</u>	<u>FY2023 Forecast</u>	<u>FY2023 Actual</u>	<u>Monthly Variance</u>
Oct	\$ -	\$ -	\$ -
Nov	285,780	371,527	\$ 85,747
Dec	277,089	252,705	\$ (24,384)
Jan	227,137	199,512	\$ (27,625)
Feb	169,292	216,718	\$ 47,426
Mar	179,183	207,656	\$ 28,473
Apr	181,880	369,223	\$ 187,343
May	355,483	348,164	\$ (7,319)
Jun	300,040		
Jul	279,956		
Aug	354,982		
Sept	622,176		
Total	\$ 3,232,998	\$ 1,965,505	\$ 289,661
Cumulative Forecast	\$ 1,675,844		
Actual to Forecast %	\$ 289,661	17.3%	



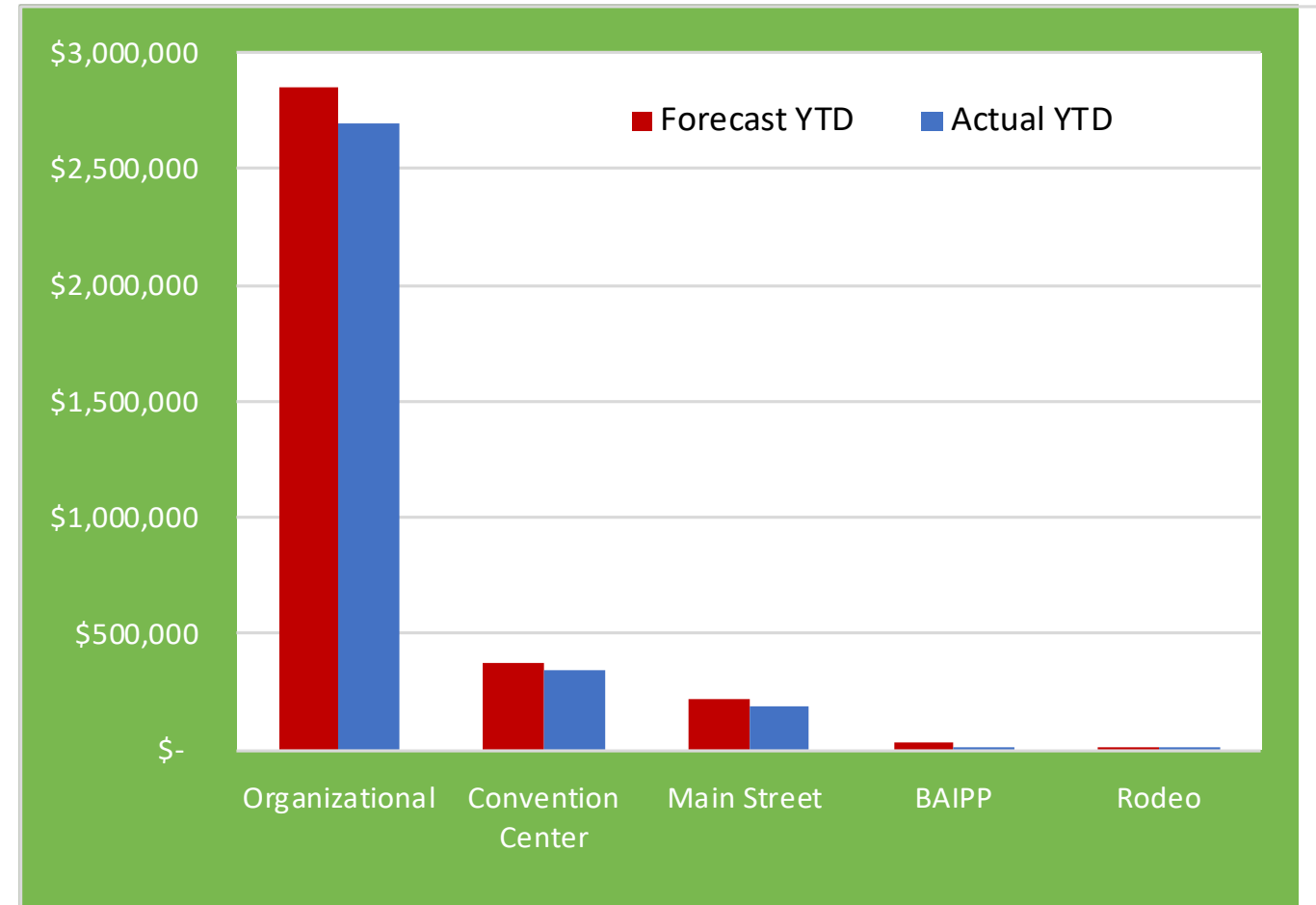
POSITIVE

This report is based on a cash method. The revenue is received by the City the month after collection. The September forecast represents the true-up of receipts for August and September. Actual is 17% over forecast.

EXPENSE ANALYSIS

HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION

<u>Division</u>	<u>FY2023 Forecast YTD</u>	<u>FY2023 Actual YTD</u>	<u>Variance</u>
Organizational	\$ 2,851,212	\$ 2,697,908	\$ (153,304)
Convention Center	374,881	339,509	\$ (35,372)
Main Street	214,890	192,050	\$ (22,840)
BAIPP	36,667	15,883	\$ (20,784)
Rodeo	<u>2,133</u>	<u>1,920</u>	\$ (213)
Total	<u>\$ 3,479,783</u>	<u>\$ 3,247,270</u>	<u>\$ (232,513)</u>
Actual to Forecast		93.3%	



POSITIVE

This compares actual to forecast for each division located in the Hotel Occupancy Tax Fund. YTD is reporting actual at almost 93% of forecast.

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT – May 2023

FIRM	CASE	FY20-21	FY21-22	FY22-23
BUNDREN				
	Pine Forest Interlocal	\$ 944	\$ 8,946	\$ -
BOJORQUEZ				
	General Legal	\$ 166,756	\$ 275,339	\$ 134,629
	NEU Review	\$ 8,493	\$ -	\$ -
	Bastrop 552	\$ 2,810	\$ 6,571	\$ 476
	Crouch Suit	\$ -	\$ 12,006	\$ -
	Cox Suit	\$ -	\$ 11,122	\$ -
	COVID-19	\$ 186	\$ -	\$ -
	Pine Forest Interlocal	\$ -	\$ 3,710	\$ 396
	Prosecutor (Municipal Court)	\$ 16,331	\$ 21,783	\$ 16,161
	Water/WW	\$ 96,362	\$ 67,910	\$ 95,351
	Valverde	\$ -	\$ -	\$ 1,771
RUSSEL RODRIGUEZ HYDE				
	Hunter's Crossing PID	\$ 10,466	\$ 3,638	\$ 1,980
MULTIPLE FIRMS				
	WWWW Contract reviews	\$ 1,425	\$ 17,836	\$ 11,774
	Crouch Suit	\$ -	\$ 11,896	\$ -
	Cox Suit	\$ -	\$ 11,994	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM				
	71 Bastrop & MC Bastrop 71	\$ 7,333	\$ 18,967	\$ 63
		<u>\$ 311,106</u>	<u>\$ 471,716</u>	<u>\$ 262,601</u>

Row Labels	Sum of FY20-21	Sum of FY21-22	Sum of FY22-23
ESCROW	\$ 11,303	\$ 6,571	\$ 2,247
GF	\$ 191,550	\$ 375,762	\$ 151,248
PID	\$ 10,466	\$ 3,638	\$ 1,980
WWW	\$ 97,787	\$ 85,745	\$ 107,125
Grand Total	\$ 311,106	\$ 471,716	\$ 262,601



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Receive presentation completed by Intelligent Consulting, LLC regarding the findings of the Development Services Department Assessment.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

On January 3, 2023, the City Manager engaged Intelligent Consulting to perform an Assessment of the Planning Department and the development process under the city's existing purchasing guidelines.

During the 6 months of the project, George Arimes with Intelligent Consulting met with staff, residents, business owners, and members of the active development community.

An initial draft was discussed with staff and various stakeholders. The final version of the report is now presented to the Council for review and to provide direction to the City Manager on any item in the report. The City Manager welcomes council and community input on the priority of items presented in the report.

FISCAL IMPACT:

Total contract amount of \$45,095 paid from the General Fund.

RECOMMENDATION:

Implement the recommendations in the report.

ATTACHMENTS:

1. Final Report

City of Bastrop, Texas



Development Services System Assessment June 2023

Prepared by Intelligent Consulting

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Lexington, Kentucky 40509

859.286.6044

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Email: g.arimes@intelligentconsulting.org

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Section 1: High Level Report Overview

In January 2023, the City Manager embarked upon a scope of work to assess the development services system. Intelligent Consulting (Consultant) was hired to complete this assessment. This report culminates the assessment process.

After hearing from elected officials, customers and other stakeholders, the City Manager concluded that understanding the current system and improving service delivery from the customer's perspective was imperative for the future growth of the city. Therefore, this assessment strives to understand a customer's needs and to define a method to accomplish those expectations.

The ultimate goal for improving the system is to have an effective and efficient process for both the customers and staff. The result will be better projects and growth representing the expectations of citizenry and keeping Bastrop "authentic".

Section 1 is a summary of the key parts of this assessment report that are expanded in later Sections, including:

1.1 Gauging the System Perspectives

Stakeholder perspectives are important. Getting perspectives from customers, staff, and other stakeholders form an understanding of how the system is perceived to work (Figure 1). Successes, issues, and ideas can be derived from these perceptions. The feedback includes:

- Customer group discussions and 1:1 interviews (**Attachment 1, page 27**)
- Customer survey to previous applicants (**Attachment 2 (2.1-2.3), pages 32-67**)
- Cross department staff 1:1 interviews (**Attachment 3, page 68**)
- Consultant observation & experience

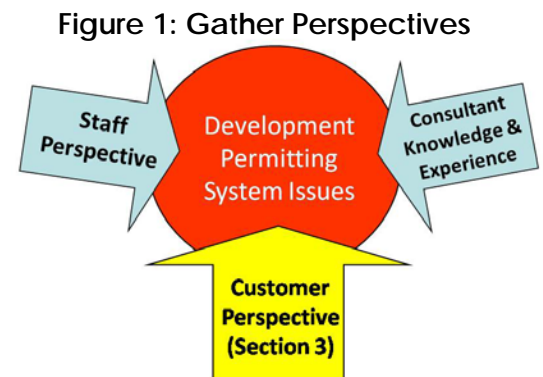
These feedback methods form the foundation of the detailed recommendations.

1.2 Key Recommendations

The full improvement recommendation listing is included in **Section 3, page 9** of this report. There are eleven (11) pages of recommendations in the six (6) system component areas.

There are many recommendations. However, in the Consultant's view, the following recommendations are KEY to substantially improving customer service and make development process more efficient:

- Add organization staffing capacity to begin bringing engineering and building reviews in-house from 3rd party contractors. Add technician staff capacity to handle phone calls, walk ins, and application intake. Get the staff trained in state and local regulations, process, and customer service. Build the team cohesiveness. (Nearly completed by the City Manager)



- Evaluate options to blend the B3 code with the traditional commercial and residential development pattern regulations. Understand what is working within B3 and what does not work. Evaluate options for transitioning code changes.
- Consolidated the subdivision process to at least three steps. Provide concurrent reviews for all corollary requirements (i.e. – drainage studies) at the preliminary and final plat stages.
- Minimize the detailed design information required at zoning and preliminary plan. Make sure the information requested is commensurate with the stage of approval.
- Pursue recommended MyGov enhancements or find a replacement software package.
- Focus on helping novice customers with simple project processing on MyGov and more face-to-face interactions when possible. Simple projects should be handled quickly and not placed “in line” with more complex projects. Create a public counter space to add personal interactions with key staff.

1.3 Short-Term Accomplishments

Improvements have been made by the City Manager as this assessment process has been moving forward. Some examples of completed or ongoing improvements, include:

- B3 glazing requirements reduced from 60% to 20%
- Fees reduced for non-conforming item review to \$500 from \$3,000.
- Variance fees were reduced from \$3,681 to \$500.
- Certificate of Appropriateness for the Iredell District is under a moratorium. The COA still applies to the Historic District
- Remove the Certificates of Appropriateness form requirement and the 3rd party review process. Check for the appropriateness during the review process.
- Create a permit exemption for the replacement of a fence if it is “like for like” in the front layer as long as it is under 48” in height and transparent. No Historic Landmark Commission review should be required.
- Allow property owners to act as their own general contractor.
- Administratively resolve non-conforming structure expansion if the adjacent properties within 200 feet have a similar encroachment, building standards, or lot standards, or setbacks or build to lines.
- Create a Planned Development District (PDD)

1.4 Next Steps

Section 4 of this report is intended to provide some direction on improvement priorities and next steps.

In **Section 4.1, page 23**, a listing of the recommendations is provided with the Consultant’s initial evaluation of priority for each, and an estimate of the time to complete the individual recommendations.

In **Section 4.2, page 26**, a schematic timeline is provided to illustrate the general sequence of KEY task completion and durations.

Section 2: Assessment Methodology

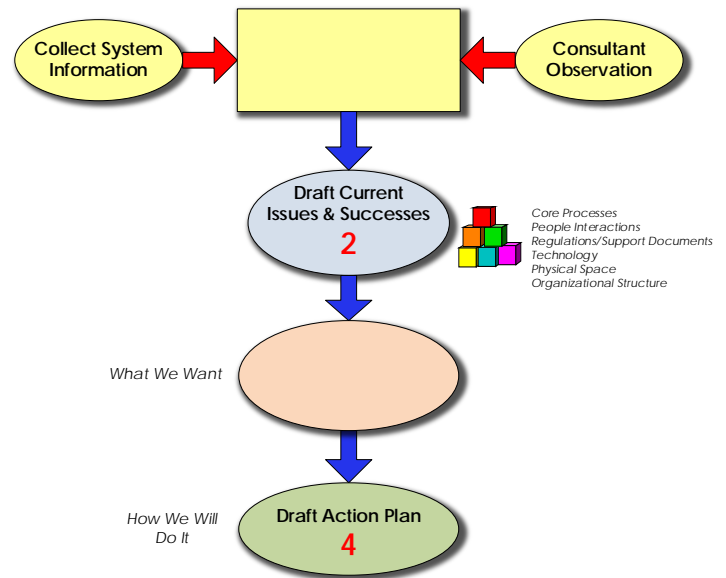
2.1 Assessment Process

A system assessment process was established to complete a series of keys steps towards completion. Gaining buy-in along the way from all stakeholders was the key goal to gaining ownership for change.

The key steps of the assessment process include (Figure 1):

1. Understand system dynamics by collecting and evaluating background materials.
2. Listing of current system issues through customer & staff feedback.
3. Identify system Improvement recommendations.
4. Draft an action plan.

Figure 2: System Assessment Process



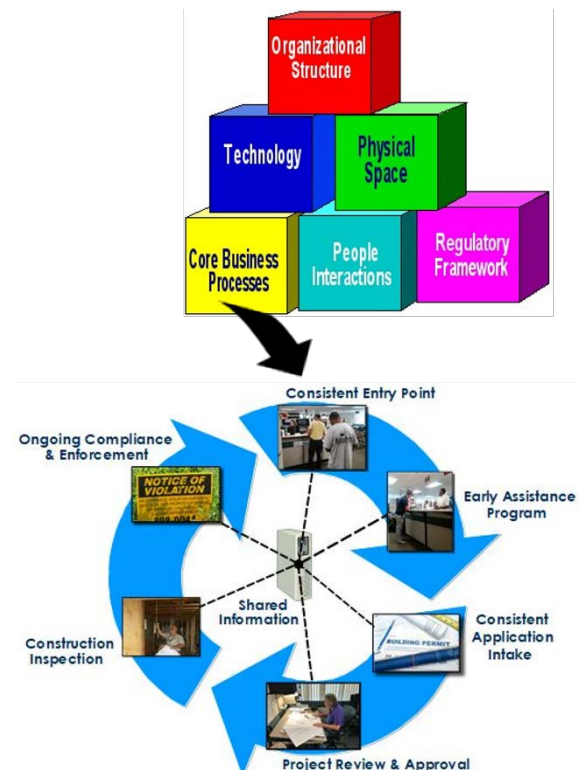
2.2 Understanding Development Services System Dynamics

From the Consultant’s experience, assessing the development services system requires close examination of all components that influence the system. Systems thinking commands that the “infrastructure drives the behavior” of staff, customers, and stakeholders. To have an effective and efficient process, the underlying infrastructure components were evaluated for improvement.

The basic components of the development services system are illustrated in Figure 3 and include:

- **Core Business Processes** (steps for accessing information & interpretations, processing applications, and constructing projects)
- **People Interactions** (how people work together to carry out the process steps, communicate and resolve issues)
- **Regulatory Framework** (City policies, codes, criteria, interpretations, and support publications)
- **Technology** (tracking project progress, storing/retrieving information and communication support for the process)

Figure 3: System Components



- **Physical Space** (where walk-in and appointment-based customer services are performed)
- **Organizational Structure** (authority, funding and accountability for system performance)

2.3 Collecting Feedback

The Consultant utilized several methods to gather high-level information about current system perceptions and dynamics, including:

- Customer feedback
 - Group discussions (large, invited customer forum hosted at the Convention Center, regular ad-hoc customer committee, and executive committee of the Greater Austin Home Builders Association)
 - One-on-one (1:1) interviews with a cross section of customer types
 - Survey responses (both numerical ratings and anecdotal comments)
- Cross department staff 1:1 interviews
- Consultant observation & experience (observed staff interactions, pre-application meetings, DRC meetings, and staff meetings)

2.3.1 Customer Feedback

The following types of customer feedback were received. A Consultant's synopsis of the overall feedback is included in **Attachment 1**.

2.3.1.1 Customer Forum

Along with the City Manager, the Consultant facilitated a customer forum with approximately thirty (30) participants at the Civic Center on January 24, 2023. The forum was an open-style meeting where customers asked questions, raised issues and offered recommendations. The meeting lasted approximately two hours and included the following types of participants:

- Business owners
- Developers
- Real estate agents
- Attorneys
- Professional engineers &
- Architects
- Commercial & residential builders
- Surveyors
- Contractors
 - Design/install contractors
 - General contractors
 - Electrical contractor
 - Plumbing contractor
 - Roofing contractor
- Chamber of Commerce

2.3.1.2 Customer Ad-Hoc Working Group

Along with the City Manager, the Consultant participated in bi-weekly meetings with an ad-hoc customer working group starting in late January 2023. The group size varied from 10-18 customers, including representation from developers, builders, realtors, engineers, and contractors. To date, the group has met approximately eight (8) times for one-and-a-half hours each time.

2.3.1.3 Customer 1:1 Interviews

The Consultant performed interviews with customers, both face-to-face, by phone and virtual meetings. Interviews lasted from 30-45 minutes each. To date, interviews have been held with fifteen (15) customers in a broad range of roles, including:

- Attorney (2)
- Civil Engineers (1)
- Plan Expeditors (1)
- Home Builders/Developers (3)
- Business Owners (2)
- Homeowners (5)
- Chamber of Commerce (1)

2.3.2 Customer Survey Feedback

An automated customer survey process was completed in order to capture volunteer feedback from customers that had submitted applications during the previous 9-12 months.

2.3.2.1 Survey Types

Three (3) online customer surveys were created through a cloud-based software methodology. Survey questions were coordinated with the City Manager's office and through the ad-hoc customer group.

Staff compiled email databases from the MyGov tracking system for the survey types. The databases were uploaded in a 3rd party cloud-based survey system. Customers were emailed an invitation to participate and a link to a specific survey based upon their recent application, including:

Pre-application Meeting

- Planning topics (subdivision platting, site development, and land use regulations)
- Building Permit topics

Planning Applications (select one)

- Neighbor Regulating Plan
- Zoning Change
- Preliminary Plat
- Final Plat
- Public Improvement Plan
- ROW Vacation/Abandonment

Building Permit Applications (select one)

- New Commercial
- Commercial Remodel/Tenant Finish
- New Residential
- Residential Addition or Remodel
- Residential Accessory Structure
- Mechanical, Electrical, Plumbing Permit
- Irrigation Permit

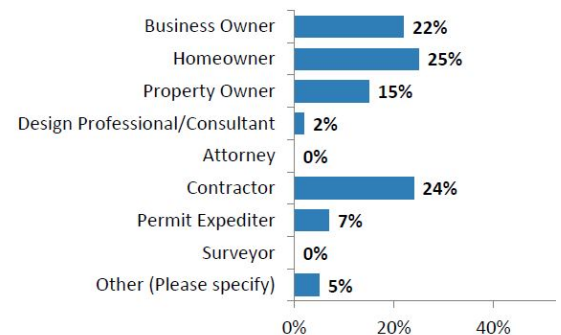
Attachment 2 (2.1-2.3) includes the raw survey data for the three (3) surveys.

2.3.2.2 Survey Question Makeup

The surveys were comprised of both closed and open-ended questions. Customers were encouraged to provide their ideas and recommendations in addition to scoring a variety of questions.

All surveys included questions about customer demographics relating to customer type, frequency of visits, and communication preferences (example in Figure 4).

Figure 4: Customer Demographics



Questions were also included to determine customer perception and satisfaction with service in the core business processes, including preapplication information, application process, application review/decision making, and construction inspection (as applicable).

Customer satisfaction questions offered a range of choices from “Strongly Agree” to “Strongly Disagree”, as well as “NA” if the question doesn’t relate to their experience. Figure 5 illustrates the objective rating scale for all questions.

Figure 5: Objective Rating Scale



2.3.2.3 Survey Return Rate

Table 1 summarizes the application types, number of surveys sent, and number completed surveys.

Table 1: Customer Survey Statistics			
Survey Type	# Sent	# Surveys	Response Rate
Pre-Application Meeting	137	19	13.87%
Planning Application	146	19	13.01%
Building Permit Application	929	69	7.43%

2.3.2.4 Customer Response Indicators

While there are not a significant number of survey responses, the feedback is nevertheless important to consider for recommended improvements. Typically, the ratings and comments will indicate dissatisfaction with specific services.

Objective Questions

Combined percentages of “Disagree” and “Strongly Disagree” typically means:

- Less than 15% - category of question is satisfying the customers.
- 15%-30% - areas that should be examined for possible customer service concerns.
- 30% or higher - areas needing early attention since roughly one third or more of the customers have concerns about service.

Some believe that only customers who have problems will return a survey of this type. While customers with problems may be more likely to return the surveys, our experience with similar surveys in other communities indicates that they still produce valid information.

Narrative Customer Comments

The surveys also asked questions for narrative comments for:

- Expand ratings for specific questions or offer improvement recommendations
- Examples of municipalities that provide good customer service

One-on-One Interview with the Consultant

In addition, customers were offered the opportunity to provide additional feedback via a one-on-one phone or virtual interviews with the Consultant. Over twenty (20) customers requested a 1:1 interview, with about six (6) customers scheduled a discussion to date.

2.3.3 Staff Interview Feedback

The Consultant performed interviews with all city staff in departments in late January 2023 including the following. The Consultant’s summary of the feedback received is included in **Attachment 3**.

- Assistant City Manager
- Planning & Development (Now Development Services)
 - Planning Director
 - Assistant Planning Director
 - Building Official
 - Project Coordinator
 - Executive Assistant
 - Planning & Building Technicians
- Fire Chief
- Engineering Department
 - Engineering Director

- City Engineer (3rd party)
- Infrastructure Inspector (3rd party)
- Public Works Director
- Bastrop Power & Light Director & staff

Section 3.0 Consultant Improvement Recommendations

From the Consultant’s previous experience in other communities, the customer is generally interested in acquiring only three basic products when dealing with the development services system, including:

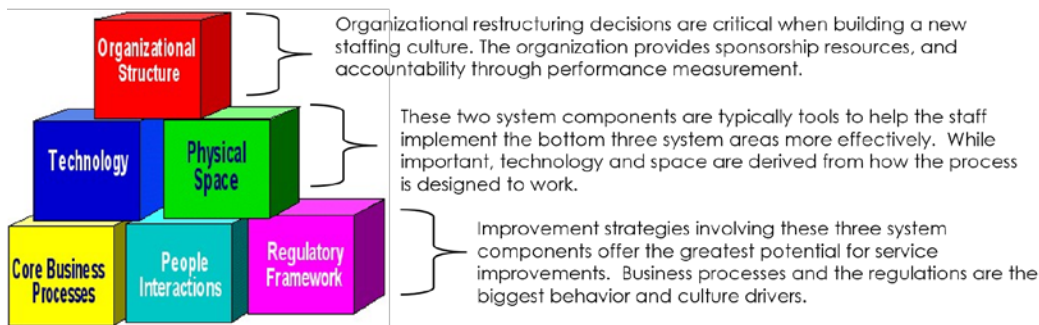
1. Gain information or a code interpretation to proceed with project feasibility, funding or design.,
2. A decision on their project to finalize funding or begin construction.
3. Receive a certificate of occupancy or a final acceptance to begin using their project.

As previously discussed, the development services system is composed of six major infrastructure components as shown in Figure 5 below. While each of the six components has a varying degree of impact on service delivery and system efficiency, the core business processes, people interactions, and the regulatory framework typically influence service delivery the most.

The intent of this Section is to provide a comprehensive, system-wide approach considering the system components. Improvement recommendations are organized around these system components in this Section (Figure 6).

Figure 6: Leverage for Improvement

(Based Upon Consultant’s Experience)



3.1 Staff Capacity & Expertise

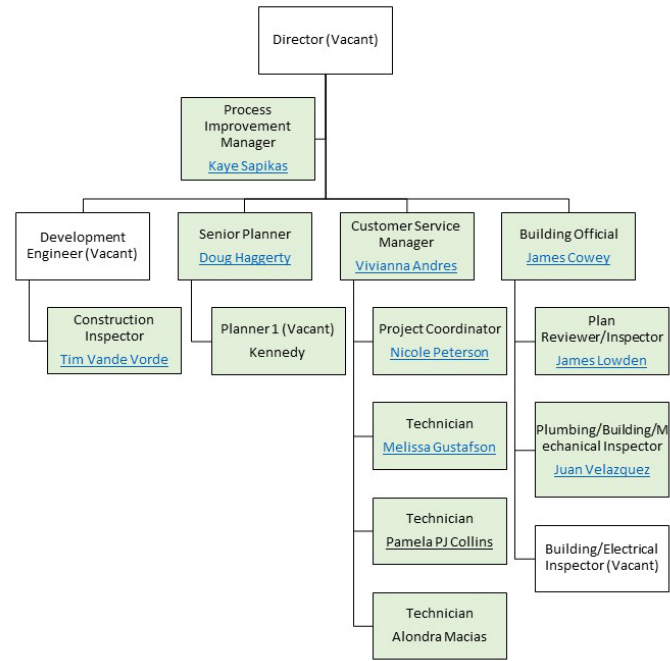
While the assessment process was moving forward, staffing capacity and expertise to manage workload and implement improvements was crucial.

The first priority for the City Manager is the ability to serve current customers with permit applications, phone calls for information, and problem solving during the process. During spring, significant vacancies occurred in the department causing capacity shortages. Staff departures mandated the need to quickly fill existing vacancies.

Under the City Manager’s direction, staffing capacity was evaluated and quickly enhanced (in advance of this report). Six (6) new positions were created to increase internal capacity for engineering, building and technicians. The total departmental staff was 15 with 12 vacancies in early March. As of June 1st, 9 vacancies have been filled. Key initial priorities with the expanded staff include:

1. Expand the organization to include internal staff for building, engineering, planning and technicians to replace the need for 3rd party staffing.
2. Clarify roles and responsibilities and the departmental chain of command.
3. Ensure all staff have access to resources, including technology, equipment, supplies and support.
4. Provide initial training on current regulations, processes, and customer service approach. Build a cohesive, customer-oriented team (Figure 8). The City Manager is currently performing weekly training with the assistance of the Process Improvement Manager.
5. Utilize this report to improve the system components. Identify improvement priorities and sequencing to get the best customer value out of improvements.

Figure 7: Current Development Services Organization Chart



3.2 Core Business Processes

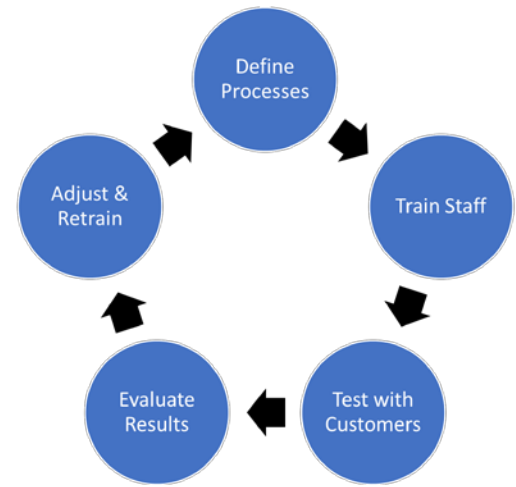
3.2.1 Define Core Business Processes

From experience, defining the core business processes is critical when building an efficient and consistent customer service delivery model. Documenting the standard operating procedures (SOPs) will provide consistency and training opportunities for staff. While some procedures are in place, they need to be further defined to address how projects will be treated. Typical ways to document the process include:

- Text description and Visio process flow diagrams of individual core business processes.
- Define SOPs for each business process, including tailoring process steps for differing project types, staffing, location of service, document flow, data & resources needed, customer flow, and performance measurement.

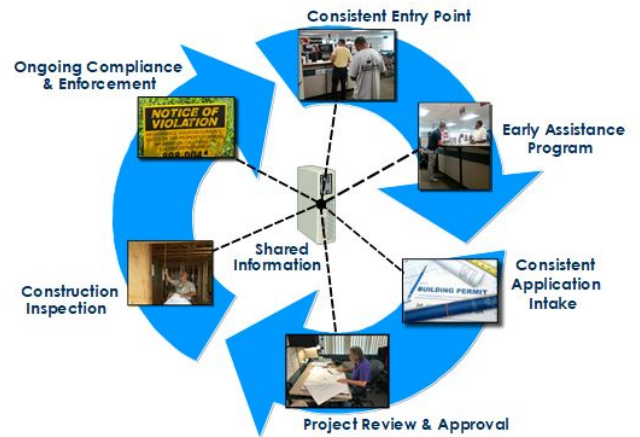
Key core business processes (Figure 9) definitions would include:

Figure 8: Building Consistent Staff Expertise



1. Define the Entry Point process to respond to information requests and project processing.
2. Define a broader early assistance program to cover both ad-hoc and scheduled customer support, including:
 - ✓ General information (staff assisted or self-help)
 - ✓ Parcel and/or code specific inquiries (staff assisted or self-help). Determine the types of materials that are needed in the self-help area(s), both physical and electronic
 - ✓ Project pre-application/early assistance facilitated by a project coordinator

Figure 9: Core Business Processes



3. Consistent application intake (completeness vs. partial review at the counter; shorten timing for intake)
4. Technical review cycle process (look for opportunities for concurrent review vs. sequential review)
5. Decision process, both administrative and legislative
6. Inspection management & coordination of plan revisions
7. Project close-out

Note: The core processes can be evaluated, documented, and standardized over a period of time based upon the priority determined in the action planning step.

3.2.2 Define Project Tailoring Strategy

Define a project tailoring strategy to account for differing customer knowledge and project complexity.

- Evaluate the City's historic workload and determine how to tailor services for varying project complexities and customer types. Define typical project types, including frequent approval/permit combinations.
- Determine single approval, counter-based projects
 - ✓ Single staff member, single interaction
 - ✓ Multiple reviewers, no distribution, short duration turnaround
- Determine single approval, submittal-based projects
 - ✓ Multiple reviewers, administrative approval
 - ✓ Multiple reviewers, public hearing required
- Determine combination approval projects (multiple applications/approvals or permits, project may be phased)
- Determine "managed" processes for larger projects.

The following process recommendations are specific to an individual core business process or application type.

3.2.3 Building Process Changes

1. For complex projects, promote a master permit. Schedule key site construction inspections without identifying mechanical, electrical, plumbing (MEP) subcontractors. This will allow for earthwork, foundation forming and mobilization to the site to take place when the MEP subcontractors have not been selected and under contract at the time of initial master permit.
2. Allow out of sequence inspections or schedule a pre-construction meeting to discuss the sequencing of inspections and remove steps not required on each project. Example: temporary power pole inspection should be one of the 1st inspections requested.
3. Create internal building staff capacity to discuss third-party building permit review comments with customers. Internal building staff should coordinate with the 3rd party reviewers as needed and provide conflict resolution with the consultants/designers.
4. Create an administrative permit process for small projects that alleviates the need to go to the Historic Landmark Commission or other body for action. Example: Porch, fence, or other non-conforming use.

3.2.4 Zoning Process Changes

1. Reduce the required detailed design requirements at the zoning stage. Evaluate what materials that are commensurate with zoning changes to be evaluated.

3.2.5 Subdivision Platting Process Changes

1. Streamlined subdivision platting process by compressing the number of steps from preliminary plan to construction. It is recommended that three stages be created, including a preliminary plan, final plat, and infrastructure plans. Information required at each stage should be commensurate with the level of approval. Drainage and utility design information required at the preliminary plan stage should be limited to feasibility of the subdivision. For example: preliminary plan drainage design should be focused on runoff calculations for pre and post development runoff and location and estimated size of the detention facilities. Steps to be considered further include:
 - ✓ Specific process changes
 - ✓ Submittal requirements at preliminary plan submittal
 - ✓ Concurrent reviews of plan/plat, drainage study, infrastructure information
2. Allow taxes to be paid at the final plat stage when the property is legally subdivided.
3. Allow impact fees to be paid after project feasibility is approved.

3.2.6 Application Intake Process Changes

1. Evaluate checklists to determine which submittal items are critical for completeness and what items can be provided during the review process. Minimize multiple submittals (and resubmittal fees) when minor items can be provided during the review process.

2. Evaluate the "quantitative" versus "qualitative" intake process. The application intake process should focus on having sufficient items to perform review instead of the correctness of the information being submitted.
3. Make concurrent reviews an option. For example, the preliminary plan, drainage study should be submitted and reviewed simultaneously.
4. Allow submittal of simple permits on any day of the week. For example: irrigation permits or other trade permits.
5. Evaluate and reduce the amount of information requested on a residential plot plan (i.e.- flood elevation, drainage, floor elevation, impervious cover, utilities, etc.). The information is typically available on final plat and/or site plan.

3.2.7 Project Review Changes

1. Involve CIP Engineering in pre-application meetings with developers on significant development projects. This will improve coordination of development with CIP projects.
2. Clarify who has authority to make floodplain determinations and issue elevation certificates between Planning and Engineering.

3.2.8 Construction Process Changes

1. Construct sidewalks after or in conjunction with homes being built. Sidewalks may be damaged during construction on lots, thereby resulting in reconstruction. Subdivisions typically aren't accepted until all improvements are in, including final pavement course and sidewalks.
2. Clarify inspector responsibility for construction outside the building envelope. Ensure that consistent inspections for grading, utility connections, landscaping on the site are performed. Limited inspections may result in substandard construction on key site-related drainage and utility approval requirements.
3. Evaluate if standard working hours should be established for contractors performing work to comply with the noise ordinance. Currently, construction occurs 7-days a week while oversight is Monday-Friday, 8-5pm. Noise complaints may not be responded to in a timely manner.
4. Standardize the sequence of testing during subdivision infrastructure construction. Construction inspections and testing occur more ad-hoc. The quality of streets and drainage structures vary widely, especially with the lack of approved construction details and standards (see Section 3.3.5).

3.3 People Interactions & Culture

3.3.1 Define Project Coordinator Roles & Responsibilities

Define and document the roles and responsibilities of a Project Coordinator when managing a project in system, including the following elements:

- Coordinate pre-application or early assistance requests
- Defining approvals and permits needed

- Define the processing steps and sequence of submittals
- Facilitating team member interactions and meetings (staff and customer representatives)
- Solving issues and elevation within the organization hierarchy to achieve a decision
- Project tracking and closure

3.3.2 Issue Resolution Process

Draft a standardized issue resolution process to improve decision-making, including:

- Define issue resolution ground rules
- Define the regulatory framework protocol (elevation path based upon regulation questioned)
- Define authority protocols for levels of staffing

3.3.3 Training and Outreach Plan

Develop a training & orientation plan for internal staff and external customers. Some example areas include:

- Regulation training, including B3 form-based code, State subdivisions, etc.
- Customer service attitude and remaining neutral when processing projects
- Core business process
- "Options thinking" training when offering flexibilities within the code.
- Technology training, including MyGov, GIS, Lazerfiche
- Other technical training
- Communication during the improvement process (initiative design and implementation)
- Regular outreach to customers

3.4 Regulatory Framework

3.4.1 Evaluate Code Changes

Based upon feedback from customers, the B3 code makes it difficult to develop traditional commercial projects and residential subdivisions. However, residential developers have also indicated that they like some of the B3 provisions, including:

- Flexibility with lot size and setbacks
 - ✓ Lot size down to 37' (for 25' product)
 - ✓ Evaluate examples like Pflugerville or Round Rock to reduce lot size (once projects reach a certain size, you can do smaller lots; bigger projects allow for more small lots)
- Variety of housing types

After hearing a variety of customer feedback, the Consultant's recommendation is to approach code modification in both a short-term and longer-term effort. Below are the recommendations for making code modifications:

3.4.1.1 Short-Term Priorities

1. Create a Planned Development District (PDD) inclusion into the Code. The PDD will supersede the requirements of the B3 Code, especially for commercial projects.
2. Evaluate and reduce the required detailed design requirements at the zoning stage.
3. Simplify the subdivision platting process by compressing the number of steps from preliminary plan to construction. Evaluate and reduce the required detailed design at the Preliminary Plan stage. Allow for concurrent reviews of plan/plat, drainage, other components to shorten the overall subdivision platting processing time.

3.4.1.2 Longer-Term Priority

Evaluate the B3 code to determine what provisions are working and not working for residential and commercial developments. A starting list is compiled from customer feedback in **Attachment 1** on pages 45-47 of this report. Based upon the assessment of the B3 code feedback, the following options should be considered:

Option 1: Revising the B3 Code: Determine if making modifications to the B3 code can provide needed flexibilities for both residential and commercial projects without numerous warrants.

Option 2: Limiting the B3 Code: Considering limiting the B3 to a determined downtown geographic area. This option would require some aspects of Option 3 below.

Option 3: Return to traditional Euclidean style development code: Evaluate a strategy to return to a traditional code within the City's jurisdiction, including:

The strategy could be to revert back to 2019 Commercial Code or some hybrid combination using other example City's codes. Revisions are anticipated are to be needed to the 2019 code if it is considered. Some provisions requested by customers to be included in a Code include:

- For residential, incorporate provisions for:
 - ✓ Revert "place types" to "zoning categories"
 - ✓ Revert "warrants" to "administrative variances"
 - ✓ Move away from "layers"
 - ✓ Move back to traditional right-of-way and setbacks
- For commercial, incorporate provisions for:
 - ✓ Shared access
 - ✓ Pedestrian circulation
 - ✓ Building aesthetics
 - ✓ Lighting for dark sky
 - ✓ Reduced parking/impervious cover
 - ✓ Parking & landscaping

- ✓ Pay impact fees later in the process

It is recommended that all three options should be considered. Public hearings would be warranted to hear about receptiveness to changes to the B3 code provisions from all stakeholders.

3.4.2 Short-Term Code Modifications

Several code amendments have already been pursued by the City Manager, including:

1. Remove the Certificates of Appropriateness form requirement and the 3rd party review process. Check for the appropriateness during the review process.
2. Create a permit exemption for the replacement of a fence if it is "like for like" in the front layer as long as it is under 48" in height and transparent. No Historic Landmark Commission review should be required.
3. Reduce the Iredell District Boundary to a downtown geographic area. Bring forward an amendment shrinking the B3 Iredell District.
4. Allow property owners to act as their own general contractor.
5. Evaluate the B3 exemption process for existing non-conforming commercial properties. At a minimum, allow a longer time frame for an empty building to get leased or occupied.

3.4.3 Masterplan Updates

Develop a strategy and budget to update key masterplans, including transportation, drainage, water, and wastewater. Continue with the City's current direction on the updates.

3.4.4 Project Publication Strategy

Create project publication strategy to support a customer-oriented system. Determine the needed guidelines and procedures that would assist in making the review process more clear, predictable, and consistent. Start with an assessment of what currently exists and identify needed revisions or missing documents.

Publication plan goals should center on:

- Organizing and publishing current and needed information
- Creating a consistent format and style
- Creating consistent content
- Create information tools to help the applicant (early assistance, etc.), i.e.
 - ✓ Forms
 - ✓ Submittal packets
 - ✓ User's system processing guide
 - ✓ Timelines
 - ✓ Fees
 - ✓ Brochures & "How To" information sheets
- Monitoring updates to ensure quality control

3.4.5 Construction Standards

Create or update standard specifications for the construction of public facilities, including construction details, materials, and contracts.

3.4.6 Ongoing Code Management

Establish a process to create a rolling list of code changes on an annual or bi-annual basis. This process will allow for continuous code improvement in a structured "batch" method.

3.5 Technology

3.5.1 Current MyGov Tracking System

Many customers feel that the MyGov software is difficult to use and not very user friendly. These sentiments were received from the customer survey and well as during interviews. Staff can make changes to the system, however, capacity and responsibility to perform changes should be examined. The current software should be evaluated for some short-term changes and additions, including:

- Make the application easier to use simple projects. Reduce the number of "clicks" (checkboxes) to get an approval.
- Allow sessions to be saved and thereby eliminating customers lost work and effort. At a minimum, increase the amount of time before it requires a customer to start over. The customer should be able to start a project ahead of time and then upload documents when they are ready to submit.
- Create an option for a "free" eCheck (ACH) payment of fees. Credit card fees can be significant for projects, especially larger ones.
- Improve the capability for uploading documents, including PDF documents, fillable forms, insurance certificates and contractor's licenses.
- Evaluate and revise all links to documents in the Knowledge Items list.
- Building permits should include a sign-off (checkbox) for utility water fees paid, electric connection, etc.
- Examine the list of permit types. Reduce the numbers based upon the project type. For example, if contractors are not to be able to apply for Trade permits in the system, remove them from their permit list.
- Provide leniency for sequencing of specific inspections in the system. Not all projects will follow the "standard" sequencing of inspections for construction projects. Set up a preconstruction conference if the project warrants clarification on the inspection sequence.
- Set up the infrastructure acceptance process with staff signs-offs the system. Staff and customers will be able to quickly access the status of signoffs. Attach the final subdivision construction plans and bonds to MyGov for the City Engineer and inspector to use during the final acceptance punch list review.
- Setup code enforcement operations in the system to enter actions and to access MyGov records in the field.

- Improve the numbers of emails to customers at key action points.
- Improve the public view of a project in the system to provide visibility to information on general cycle and/or individual reviewer due dates.

3.5.2 Evaluate MyGov Replacement Options

The first priority is to define the core business process. Once completed, the MyGov system should be evaluated to determine if it provides the functionality needed to serve those processes. If MyGov does not support the needed functionality, then other options should be considered for software replacement. Some key deficiencies identified initially include:

- Creation of reports and performance measurement tracking.
- Create an entry user interface on where to start for more novice customers. Needs a "Start Here" button and "tree" of approvals and related approvals based upon a "project" they want to build. There should be a breakdown of 1) is project in the City, 2) project request, 3) types of approvals needed, 4) apply.
- An efficient electronic plan review component or ability to connect to a 3rd party software.

3.5.3 GIS System

The GIS system is out of date or missing key information. At a minimum, the following enhancements should be completed.

1. Update the GIS records for all approved and accepted subdivisions.
2. Integrate the Central Appraisal District's parcel data with the GIS mapping resulting in better access to information.
3. Provide a simple way to determine which electric provider a parcel is under (i.e.-BPL, Bluebonnet).
4. Integrate the GIS data with MyGov or future replacement.

3.5.4 Electronic Records

It is recommended that efficient access to essential records be approached in two manners, including:

1. Establish a plan to update paper records that are essential in the pre-application and plan review process. Create an inventory of the outstanding paper records and develop a strategy to convert the most used records.
2. Integrate several existing electronic record sources into GIS or MyGov, including:
 - ✓ Pre-application meeting notes are stored in folders on an internal drive. Meeting notes should be attached to a parcel or in MyGov for future reference. Currently, staff must manually search through folders to find the information on a specific project or location.
 - ✓ Laserfiche data is stored in folders on an internal drive. There is no metadata tagging. The data is not OCR scanned and thereby not searchable. Staff must manually search through folders to find the information on a specific project or location.

A strategy should be developed to make these records easily accessible through MyGov and/or GIS. Staff should be able to search for a parcel, then easily access previous approvals and records attached to that parcel.

3.5.5 Website

The Planning & Development website should be evaluated and revised to make the following changes:

1. All department references should be changed to Development Services. The divisions should reflect the new organizational structure with the Customer Service Division and Engineering.
2. Create a customer interface to help novice customers plan their project and required approvals. Create a listing of "project" types that customers generally apply for. See "Tailoring Strategy" in Section 3.1.2.
3. Create additional high volume weblinks on the website and/or MyGov to get customers quicker answers. Evaluate requests for information and ensure that a link exists. Currently, customers requesting information must wait up to 48-hour turnaround time for a staff response.

3.5.6 Inspector Remote Access

Evaluate and purchase devices for inspector field access to MyGov records or other electronic data. Typical devices include Apple Ipad's or Microsoft Surface. The City Manager is currently pursuing this recommendation.

3.6 Physical Space

3.6.1 Create a One-Stop Center

Create a 1-stop shop for smaller projects. Establish counter(s) for direct interaction with customers to assist with application submittal and simple approvals. Permits will be issued quicker and with less forms to fill out. Assigned staff should assist customers with intake into MyGov (or accept paper and then input electronically). Two options should be considered:

1. Short-term improvements to City Hall space to create a counter.
2. Longer-term solution to relocate the Development Services staff.

3.6.2 Other Space Considerations

The physical space in the City Hall is nearly maxed out for Development Services. Space is challenged with the addition of six (6) new internal staff positions. As mentioned above, no permit center counter space exists for walk-in customers to be easily assisted (there is a "window"). There is limited small conference room space for meeting with the public.

3.7 Organizational Structure

3.7.1 Organization Structure Changes

- Create a Customer Services Division to increase technical staff capacity and provide a focus on departmental customer service for both building and planning applications. Add additional Project Coordinator capacity to serve as a point of contact for customers.
- Add internal building staff for plan review and inspections to minimize the use of 3rd party staffing resources.
- Add internal engineering and subdivision construction inspection staff to minimize the use of 3rd party staffing resources.
- Enhance the technology group with the GIS specialist position.

3.7.2 Fee Analysis

Evaluate the current fee structure through a cost-of-service study. Revise the fee structure to ensure they are covering the cost of processing applications and inspections.

3.7.3 Performance Measurement Program

Establish a system-wide performance measurement program with several strategies, including:

- A central focus should be to measure performance in achieving the customer's expectations.
- Define data collection through both numerical analysis and survey instruments. Basically, both a quantitative and qualitative picture of the development services process is desired.
- Performance measures should include something for everyone. Measures should address the needs for management, staff development, and customers and stakeholders.
- Use the recently collected baseline survey of customer satisfaction to compare feedback and measurement of improvement implementation. This will allow a comparison of satisfaction before, during and after implementation.
- Develop and track customer level of service standards for various types of applications.
- Choose measures covering the entire development review process, from the concept stage through construction, including early assistance, application intake, review cycles, construction inspections, and overall processing time. This can offer insights into where and why bottlenecks are occurring within the overall process.
- Choose measures that also determine customer performance. For example: customer response time.

3.7.4 Additional Resources & Staffing Capacity

1. Evaluate or assign staff capacity accomplish key code and masterplan updates, including:
 - ✓ Draft needed code amendments, including the sign code, B3 rewrites/restructuring to incorporate key documents, and other code initiatives.

- ✓ Prepare engineering and master planning RFPs and manage the bid process.
- 2. Evaluate or assign staff capacity accomplish key additional inspections, including:
 - ✓ Perform annual fire inspections. Fire safety issues are handled reactively not proactively.
 - ✓ Perform warranty inspections prior to release of subdivision bonds. Street or infrastructure failures can be missed during the warranty period.
- 3. Evaluate funding for Development Technician accreditation to increase their qualifications.

Section 4: Next Steps

The goal of the Section is to provide some direction on improvement priorities and next steps.

In **Section 4.1**, a listing of the recommendations is provided with the Consultant's initial evaluation of priority for each, and an estimate of the time to complete the individual recommendations.

In **Section 4.2**, a schematic timeline is provided to illustrate the general sequence of KEY task completion and durations.

For continued momentum, each of the recommendations should be further evaluated for priorities, sequence of implementation, budgetary impact, and staff capacity to complete the recommendations.

Recommendations with high value of customer service return are key for success. A staff process team and Process Improvement Manager (PIM) have been meeting to discuss ongoing enhancements to customer service. This team should continue to meet and evaluate the Consultant's recommendations and refine the assumptions.

As with any major improvement process, trying to do too much at once can be problematic. Implementing recommendations should be addressed in a methodical and orderly way. Department staff is relatively new, training is ongoing, and customer workload is constant. Overwhelming managers and staff should be a concern and monitored.

It is strongly recommended that City Manager and staff evaluate the recommendations and consider the following:

1. Does the staff agree with individual recommendations and their respective priorities and durations estimates?
2. What allotment of staff time can be dedicated to implementing recommendations while still efficiently processing project applications?
3. What is an overall reasonable time to complete the recommended improvements?
4. Which high priority recommendations will provide the most benefit for customers and staff?

4.1 Recommendation Priorities & Task Time

Section	Subsection	Recommendation	Priority	Task Time
3.1 Staff capacity & expertise				
	3.1 (1)	Add staff capacity and expertise for building, engineering & technicians	High	Complete
	3.1 (2)	Clarify roles/responsibilities & chain of command	High	Complete
	3.1 (3)	Ensure staff has access to resources	High	Ongoing
	3.1 (4)	Provide staff training on regulations, process & customer service	High	Ongoing
	3.1 (5)	Utilize recommendations to continue improvements	Medium	6-12 mo.
3.2 Core business processes				
3.2.1	Define core business processes		Medium	3-6 mo.
3.2.2	Define project tailoring strategy		Medium	1 mo.
3.2.3	Building process changes			
	3.2.3 (1)	Promote a master permit w/o MEPs	High	2 mo.
	3.2.3 (2)	Allow out of sequence inspections or schedule a pre-construction meeting	High	2 mo.
	3.2.3 (3)	Create internal building staff capacity to discuss third-party building permit review comments	High	Complete
	3.2.3 (4)	Create an administrative permit process for small projects w/o Historic Landmark Commission	High	Complete
3.2.4	Zoning process changes			
	3.2.4 (1)	Reduce the required detailed design requirements at the zoning stage.	High	2 mo.
3.2.5	Subdivision platting process changes			
	3.2.5 (1)	Compress the subdivision platting process from preliminary plan to construction	High	1 mo.
	3.2.5 (2)	Allow taxes to be paid at final plat stage when the property is legally subdivided.	High	1 mo.
	3.2.5 (3)	Allow impact fees to be paid after project feasibility is approved.	High	1 mo.
3.2.6	Application intake process			
	3.2.6 (1)	Evaluate checklists to determine which submittal items are critical for completeness	Medium	2 mo.
	3.2.6 (2)	Evaluate the "quantitative" versus "qualitative" intake process	Medium	2 mo.
	3.2.6 (3)	Make concurrent reviews an option for plat, drainage, utilities, etc.	High	1 mo.
	3.2.6 (4)	Allow submittal of simple building permits on any day of the week	Medium	1 mo.
	3.2.6 (5)	Evaluate/reduce information requested on a residential plot plan	Medium	1 mo.
3.2.7	Project review changes			
	3.2.7 (1)	Involve CIP Engineering in pre-application meetings	Low	Ongoing
	3.2.7 (2)	Clarify authority for floodplain determinations & elevation certificate issuance	Low	1 mo.
3.2.8	Construction process changes			
	3.2.8. (1)	Construct sidewalks after or in conjunction with homes being built.	Low	1mo.
	3.2.8. (2)	Clarify inspector responsibility for construction outside the building envelope	Low	1 mo.
	3.2.8. (3)	Evaluate/establish standard working hours to comply with the noise ordinance	Low	1 mo.
	3.2.8. (4)	Standardize the sequence of testing during subdivision infrastructure construction	Low	1 mo.

Section	Subsection	Recommendation	Priority	Task Time
3.3 People Interactions & Culture				
3.3.1		Define project coordinator roles & responsibilities	Medium	3 mo.
3.3.2		Draft a standardized issue resolution process to improve decision-making	Low	3 mo.
3.3.3		Develop a staff training plan & external customer outreach plan	High	1 mo.
3.4 Regulatory framework				
3.4.1		Evaluate Code Changes		
		<u>Short-Term Priorities</u>		
	3.4.1.1 (1)	Create a Planned Development District (PDD) inclusion into the Code.	High	Ongoing
	3.4.1.1 (2)	Reduce the required detailed design requirements at the zoning stage.	High	2 mo.
	3.4.1.1 (3)	Simplify the subdivision platting process by compressing the number of steps from preliminary plan to construction	High	2 mo.
		<u>Longer-Term Priority</u>		
	3.4.1.2	Evaluate options for modifications to B3 to offer flexibility for residential/commercial projects.	High	3 mo.
3.4.2		Short-term code modifications		
	3.4.2 (1)	Remove the Certificates of Appropriateness form requirement	High	Complete
	3.4.2 (2)	Create a permit exemption for the replacement of a fence if it is "like for like"	High	Complete
	3.4.2 (3)	Bring forward amendment shrinking the B3 Iredell District	High	3 mo.
	3.4.2 (4)	Allow property owners to act as their own general contractor	Medium	Ongoing
	3.4.2 (5)	Evaluate B3 exemption process for existing non-conforming commercial properties	High	2 mo.
3.4.3		Develop a strategy/budget to update key masterplans	High	Ongoing
3.4.4		Create project publication strategy to support a customer-oriented system.	Medium	3 mo.
3.4.5		Create or update standard specifications for the construction of public facilities	Medium	12 mo.
3.4.6		Establish a process to create a rolling list of code changes on an annual or bi-annual basis	Low	Ongoing
3.5 Technology				
3.5.1		Evaluate short-term modifications to the current MyGov tracking system	High	3 mo.
3.5.2		Evaluate MyGov replacement options	Medium	6-12 mo.
3.5.3		GIS system		
	3.5.3 (1)	Update the GIS records for all approved and accepted subdivisions.	High	3 mo.
	3.5.3 (2)	Integrate the Central Appraisal District's parcel data with the GIS mapping	Medium	6 mo.
	3.5.3 (3)	Provide a simple way to determine which electric provider a parcel is under	Medium	3 mo.
	3.5.3 (4)	Integrate the GIS data with MyGov or future replacement	High	6-12 mo.
3.5.4		Electronic records		
	3.5.4. (1)	Establish a plan to update paper records essential for pre-application and plan review process	Low	3 mo.
	3.5.4. (2)	Integrate several existing electronic record sources into GIS or MyGov	Medium	1 mo.
3.5.5		Website evaluation & revision		

Section	Subsection	Recommendation	Priority	Task Time
	3.5.5. (1)	Changed all department references to Development Services as per organization chart	High	1 mo.
	3.5.5. (2)	Create a customer interface to help novice customers plan their project	Medium	3 mo.
	3.5.5. (3)	Create additional high volume weblinks on the website and/or MyGov	High	1 mo.
3.5.6		Evaluate/purchase devices for inspector field access to MyGov records		
3.6 Physical space				
3.6.1		Create a one-stop center		
	3.6.1. (1)	Evaluate short-term improvements to City Hall space to create a counter	Medium	6 mo.
	3.6.1 (2)	Evaluate longer-term solution to relocate the Development Services staff	Medium	12 mo.
3.6.2		Evaluate space options to house newly hired Development Services staff	High	Complete
3.7 Organizational Structure				
3.7.1		Change organization structure and staff (see Section 3.13)	High	Complete
3.7.2		Evaluate the current fee structure through a cost-of-service study	Medium	3 mo.
3.7.3		Establish a system-wide performance measurement program	Medium	6 mo.
3.7.4		Additional resources and staff capacity		
	3.7.4 (1)	Evaluate/assign staff capacity accomplish key code & masterplan updates	Medium	1 mo.
	3.7.4 (2)	Evaluate or assign staff capacity accomplish key additional inspections	Low	6 mo.
	3.7.4 (3)	Evaluate funding for Development Technician accreditation	Low	3 mo.

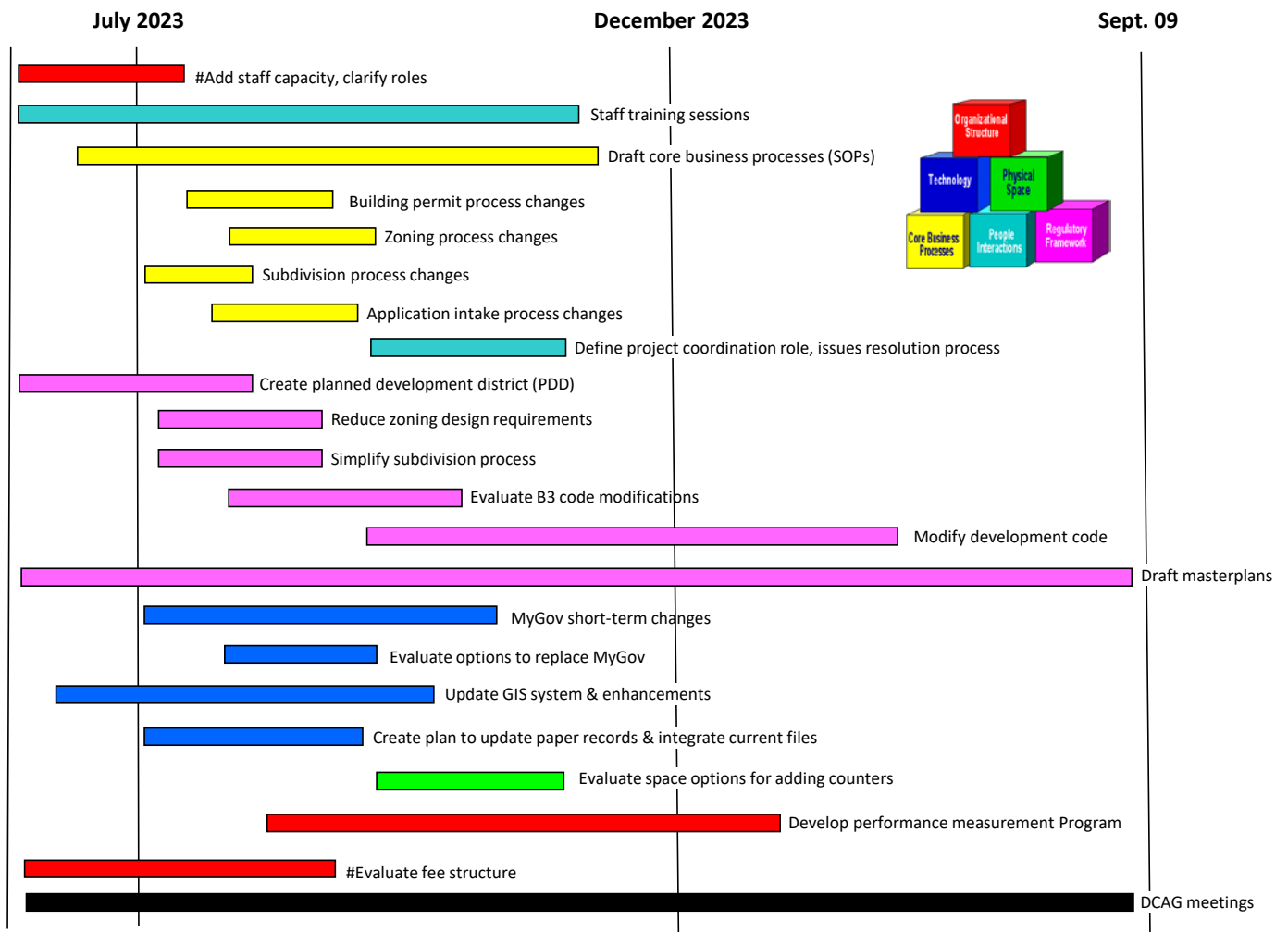
4.2 Schematic Improvement Timeline

Arriving at reasonable timeline for completing the recommendations in this report relies upon several decisions, including but not limited to:

- Staff capacity to make the changes (still being able to address customer application workload and request for information)
- Critical path for improvements (some changes rely on other changes)
- Budgetary considerations

Figure 10 below is a draft schematic of the sequence and duration for implementing the recommendations. The “building block” figure in the upper right-hand corner of the Gantt chart indicates the color coding for the improvement and the respective relationship to one of the six system infrastructure components.

Figure 10: Schematic Improvement Timeline



Attachment 1: Customer Feedback

The following listing of customer feedback was collected through a series of customer group meetings or by individual one-on-one meetings.

1. Core Business Processes

Building Process

1. Inspection steps in MyGov will not be activated and no inspections can be requested until the MEP trade permits have been requested and paid. Subcontractors are not always available to be signed up at the time of building permit application. The subcontractor designation could be delayed for several reasons, including high pricing, subcontractor cannot meet the proposed schedule, materials are not available.

MEP subcontractors are not always bid out as early as the building permit application date. Drawings are still being finalized and the full bid and vetting of the subcontractors is not usually completed at the time of the master permit issue.
2. Sequencing of specific building inspections in MyGov needs flexibility. Not all projects will follow the "standard" sequencing of inspections for construction projects. Changes for sequencing must be done by phone call or email which takes extra time.
3. The third-party building permit review process limits the designer's ability to talk directly to the reviewers. Reviewers place their comments in MyGov, however designers typically have to go through in-house staff when they disagree with a comment or resubmit hoping the comments are resolved.

Zoning Process

4. The detailed design requirements for zoning changes are too early in the process. Significant design costs are incurred for drainage plans, utility plans, landscape plans, site plans, elevations, building materials, etc. when trying to obtain approval for uses. All the design costs are lost if the rezoning is not approved.
5. The actual zoning procedure should take no more than 90-100 days, but with the B-3 code the process can go on for years.

Platting Process

6. The platting process needs to be streamlined. Infrastructure is not needed or constructed based upon a preliminary plat. Construction occurs after a final plat is recorded. Currently the procedure is that the drainage, utilities, any offsite work and the Preliminary Plat are all submitted as one package and reviewed together. Preliminary means just that "preliminary" so final construction drawings for drainage, utilities, any offsite work are submitted and approved with the Final Plat along with any Development Agreements with the offsite work and TxDot final construction approvals. The current process could require up to eight (8) different submittals/steps, and in many cases, resubmittal and review of the same information.

Construction Process

7. Sidewalk construction is required before homes are built. Sidewalks may be damaged during construction on lots, thereby resulting in reconstruction. Subdivisions typically aren't accepted until all improvements are in, including final pavement course, etc.

Application Intake Process

8. The Planning & Development department rejects plans upon finding one problem rather than reviewing the entire plans and giving the developer/builder a list of all issues at once. This is very inefficient for both the city and developer/builder as it triggers multiple submissions and delays. The is a new \$250 fee is charged for every resubmittal.
9. It is not clear what the processing steps are for key applications, including building permit, subdivisions, site plans, etc.

Other Process Comments

10. There is not any type of expedited or "managed" permitting process for large projects.
11. Taxes are required to be paid at the preliminary plat stage versus at the final plat stage when the property is legally subdivided.
12. It is not clear how the use the "elevation certificate"

2. People Interactions & Culture

1. City staff is often not very customer service friendly. Staff are not neutral when dealing with projects and applicants. Personal biases are conveyed to customers when making decisions. Typically, the immediate answer to projects or modifications if "no" versus "here are some options". It appears as though staff throws up roadblocks to delay projects and can be very rigid in terms of what they will allow.
2. It typically takes a long time to get legal opinions from the City Attorney. It is difficult to get a response to emails or phone calls or set a meeting.
3. Planning & Zoning Board members should have some type of construction/development experience or have basic training provided.

P&Z needs to have qualified individuals voting and making financial decisions for development in the City. The Board needs to fully understand the financial implications of their votes. Voting on a development needs to have financial implications reviewed as far as what property and sales taxes may be lost or gained by the vote.

4. The city does not have a point-of-contact for the customer to help coordinate staff reviews and work to reduce the number of review cycles. It is unclear who to call if a project issue(s) arises. The customer is left to shop for answer when trying to get decisions.

3. Regulatory Framework

1. The B3 code makes it difficult to develop commercial and residential subdivisions. Developers walk away from deals because it is too difficult to predict costs with the many uncertainties. The City is losing a lot of property and sales tax revenue because developers are building outside the city limits. Several specific provisions create design challenges, including but not limited to:
 - The grid system and 330-foot block length requirements are too restrictive. Block length needs to adjust further away from downtown. The grid system is not context sensitive and doesn't recognize site conditions and protected trees. Drainage can

become a problem if gridded roads run through flood plains. The street grid will cause more street maintenance in the future.

- Zoning needs to be completely changed to reflect the actual uses not the made up uses (place type/property characteristics) that are in the B3 code.
- The alley load should be optional and not listed as “preferred”.
- The code does not allow PUDs. The city should create PUDs for any types of large projects.
- Building facade must be within 30 feet from a street.
- Lack of flexibility with parking. Parking is only allowed in the 2nd or 3rd layers.
- Street trees must be minimum of 4”. Smaller caliper plants are less expensive and have better availability. Space between street trees is too close, plus the city requires trees in front yard.
- Porch requirements disrupt volume builder’s master plan sets.
- ROW width requirements should be evaluated.
- Wider curb cuts for driveways, minimum 16’ (20’ ideal).

Residential General B3 Code Perspective

While existing projects in Bastrop today are “pre-B3”, the code makes it very inaccessible and challenging for a production builder. Whenever a city creates unique requirements and specifications that disallow the use of highly-successful, market proven floorplans it introduces a massive inefficiency that impacts developer’s ability to produce affordable homes.

- It is difficult to highlight specific portions of this code that can be changed to accommodate a production-type project as it appears as though the entire code was drafted with the intent of preventing the sort of traditional single-family development that the market prefers and that production builders specialize in.
- The use of “place types” instead of the zoning designations that every other city has is hard to understand. Ostensibly this was done to allow for more flexibility, but the reality is that for a production builder that has to operate in 20+ cities under 20 different codes, this just adds an additional challenge to doing business in Bastrop.
- A central part of the B3 code appears to be promoting “walkability” with a variety of place types in proximity so that someone could theoretically walk to work or stores from their house. This seems to be a desire of urban planners but is not something that is actually desired by most Texas homebuyers who value privacy and yards over “walkable” neighborhoods.
- The code also introduces something called “Pedestrian Sheds” and further requires that only a maximum of 35% of a given Pedestrian Shed (1/4 mile radius) can be designated for a traditional single-family neighborhood (so as to promote a variety of uses in proximity so that people can walk to the store from where they live etc.). Have not seen this operate in practice but would imagine that this significantly limits

the size of a single-family development, potentially to a size so small that production or volume builders could not achieve the scale to make it an appealing project.

- This and other elements of the code that attempt to push developers into “Traditional Neighborhood Development (TND)” have the potential to keep production builders from pursuing future developments in Bastrop, as they do not view it as compatible with the production builder business model and prevents us from bringing the types of homes most Texas homebuyers want to market and can afford.
- As an example, Georgetown’s code that could be modified and works with well because its intent is not to promote a certain kind of “new urbanist” or “TND” development. It, however, does a good job regulating development as it exists in our market while preserving the character of the historic areas in the town. It has traditional zoning designations and does not limit the developer’s ability to pursue large projects or rely on concepts like walkability or “pedestrian sheds”. The zoning designation that most of our projects in Georgetown fall under is “RS”, which can be found on 6.02.050 in the UDC (pg. 251).

Commercial General B3 Code Perspective

Create a Commercial Code. The P4, P5 and EC codes do not have all of the requirements of a commercial retail development. This is creating the use of multiple variances to try and make these projects fit in to one of the listed “Place Types”.

Considerations should include:

- Change Building Façade to be 30' of corner.
 - Change Parking and drive isles to be in any layer.
 - Change 1st floor glass shall have 70% glazing.
 - Change 1st floor facades to have 20% of 1st floor.
 - Change Building to be within 2-15' from ROW frontage.
2. There is a need to combine the Certificates of Appropriateness forms. The form is an extra step in the process.
 3. Exemptions should be provided for existing commercial properties that are non-conforming to current code. It is hard justifying arbitrarily taking away every existing property, building, development zoning rights just because the B3 code created zoning categories that makes every property in the city a non-conforming use.

If a building sits for six (6) months and is deemed unoccupied then the structure must meet the B3 Code requirements in order to obtain a Building Permit or Certificate of Occupancy. In today’s market it takes longer to lease a building and longer to perform a remodel. More time is needed.

4. The Transportation Plan needs to be revised, particularly thoroughfare plan. The grid system breaks down the further a project is from downtown. Other masterplan, like drainage, water, and wastewater, should also be updated.

5. Submittal checklists should be more similar to other cities to create consistency. Lakeway is a good example of an efficient submittal process.
6. Some developers have experienced staff pushing the B3 elements onto projects in the ETJ when they don't apply.

4. Technology

MyGov Tracking System

Many customers feel that the MyGov software is difficult to use and not very user friendly. Some of the comments received include:

1. There are too many "clicks" (checkboxes) for simple projects.
2. MyGov does not allow for application sessions to be saved. The MyGov application times out too quickly. If a customer does not finish on one session, then all of their work is lost, and they have to start all over again in a 2nd session.
3. There is no option for a "free" eCheck (ACH) payment of fees. Credit card fees can be significant for projects, especially larger ones.
4. Sequencing of specific inspections in MyGov needs leniency. Not all projects will follow the "standard" sequencing of inspections for construction projects.
5. PDF documents and fillable forms cannot always be uploaded. They upload as blank documents.
6. Insurance certificates and contractor's licenses cannot always be uploaded.
7. If contractors are not to be able to apply for Trade permits in the system - remove them from the list of applicants for these permits. Currently all contractors can apply for all permits.
8. The infrastructure acceptance process with staff signs-offs is not setup in MyGov. The process takes too long, and customers have to continually follow-up by email or phone to find the status of the acceptance.
9. There are limited email notices to customers at key action points.
10. The public view of a project is limited to comments and what reviewers have responded. There is limited or no information on general cycle or individual reviewer due dates.

5. Physical Space

1. There needs to be a 1-stop shop for simple permits. Application requirements should be simplified.

There is a need to issue small permits that should not be required for a full review by all city departments. Examples of this can be fencing, roofing, painting, exterior siding repairs, and other small projects. There is no need to require a full review of these permit applications.

Attachment 2: Customer Survey Results

Three (3) online customer surveys were created through a cloud-based software methodology. Survey questions were coordinated with the City Manager’s office and through the ad-hoc customer group.

Staff compiled email databases from the MyGov tracking system for the survey types. The databases were uploaded in the 3rd party cloud-based survey system. Customers were emailed an invitation to participate and a link to a specific survey based upon their recent application, including:

Pre-application Meeting

- Planning topics (subdivision platting, site development, and land use regulations)
- Building Permit topics

Planning Applications (select one)

- Neighbor Regulating Plan
- Zoning Change
- Preliminary Plat
- Final Plat
- Public Improvement Plan
- ROW Vacation/Abandonment

Building Permit Applications (select one)

- New Commercial
- Commercial Remodel/Tenant Finish
- New Residential
- Residential Addition or Remodel
- Residential Accessory Structure
- Mechanical, Electrical, Plumbing Permit
- Irrigation Permit

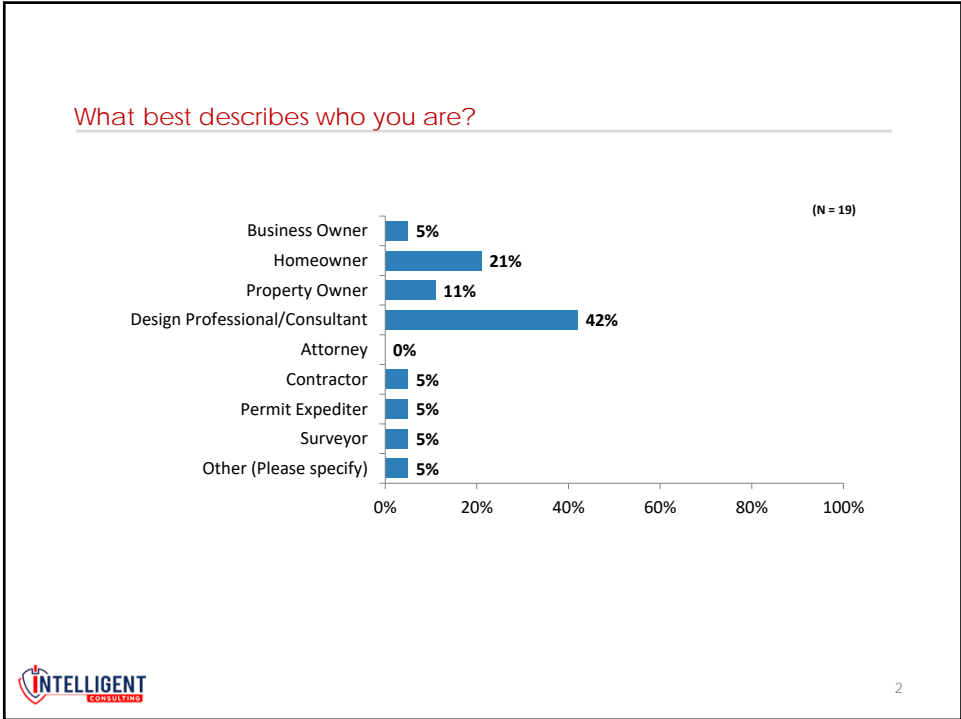
Attachment 2 (2.1-2.3) includes the raw survey data for the three (3) surveys.

Customer Survey Statistics			
Survey Type	# Sent	# Surveys	Response Rate
Pre-Application Meeting	137	19	13.87%
Planning Application	146	19	13.01%
Building Permit Application	929	69	7.43%

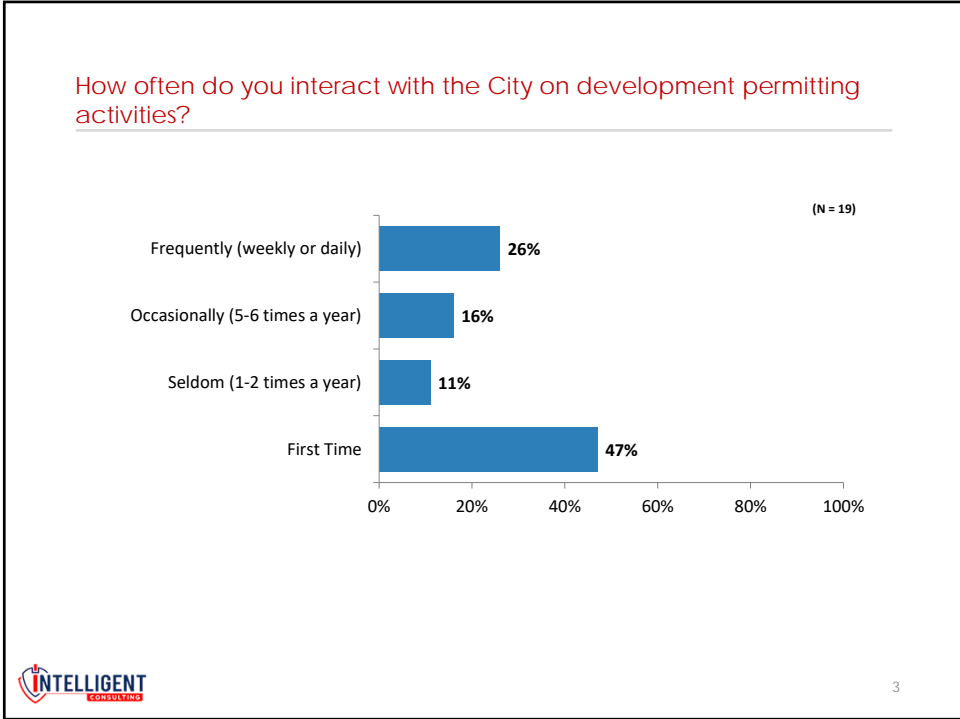
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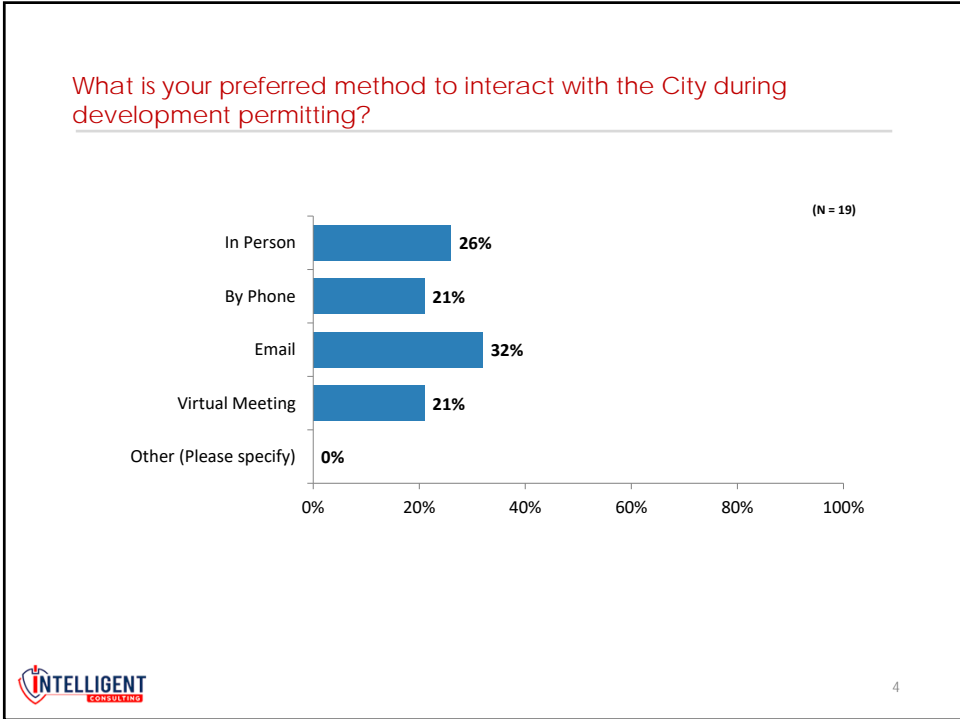
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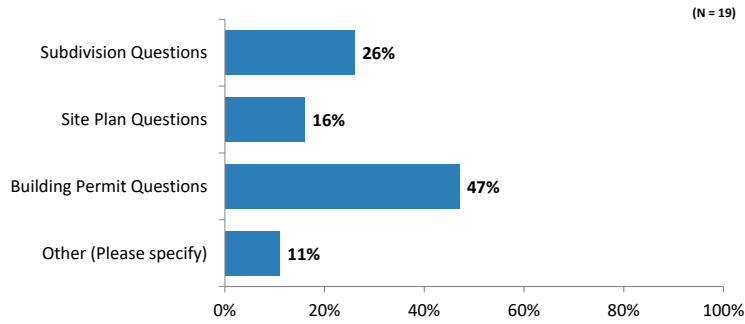


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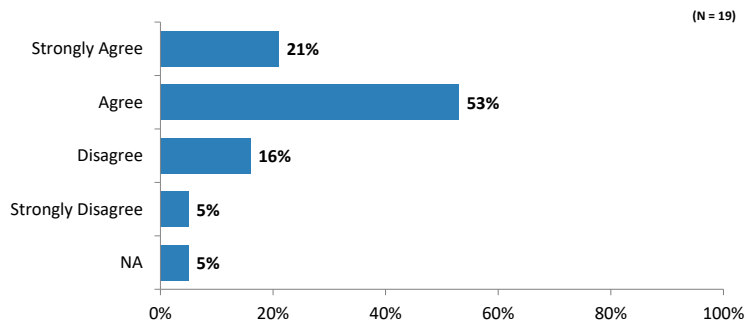
Please pick a recent Pre-Application Meeting topic that you requested with the City. Rate all the remaining survey questions with this meeting in mind.



5

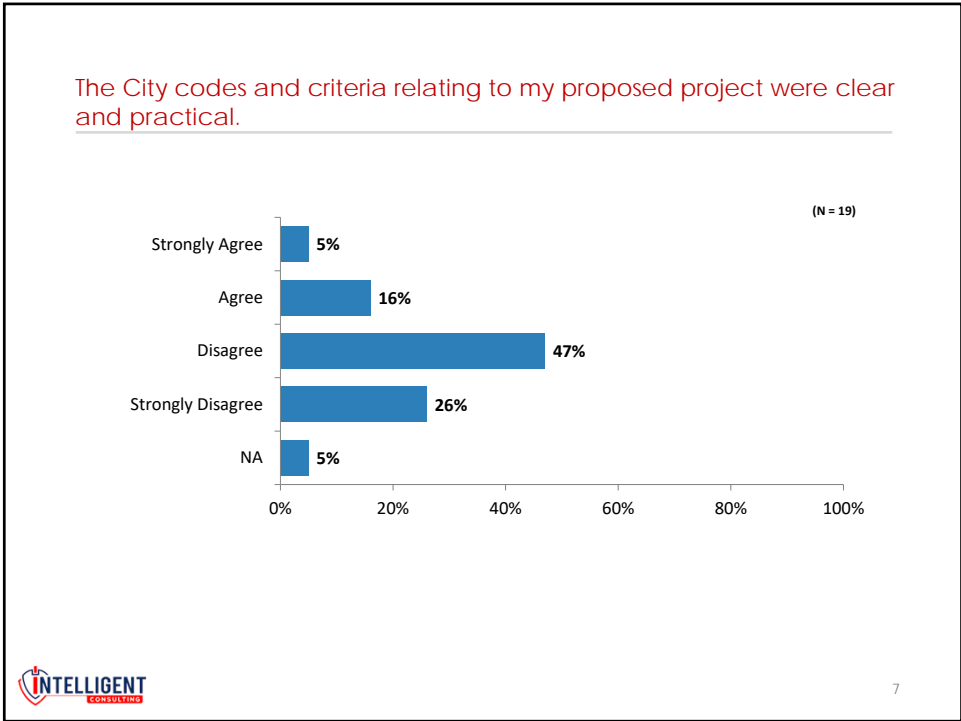
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The MyGov electronic pre-application meeting scheduling was simple and not too time consuming.

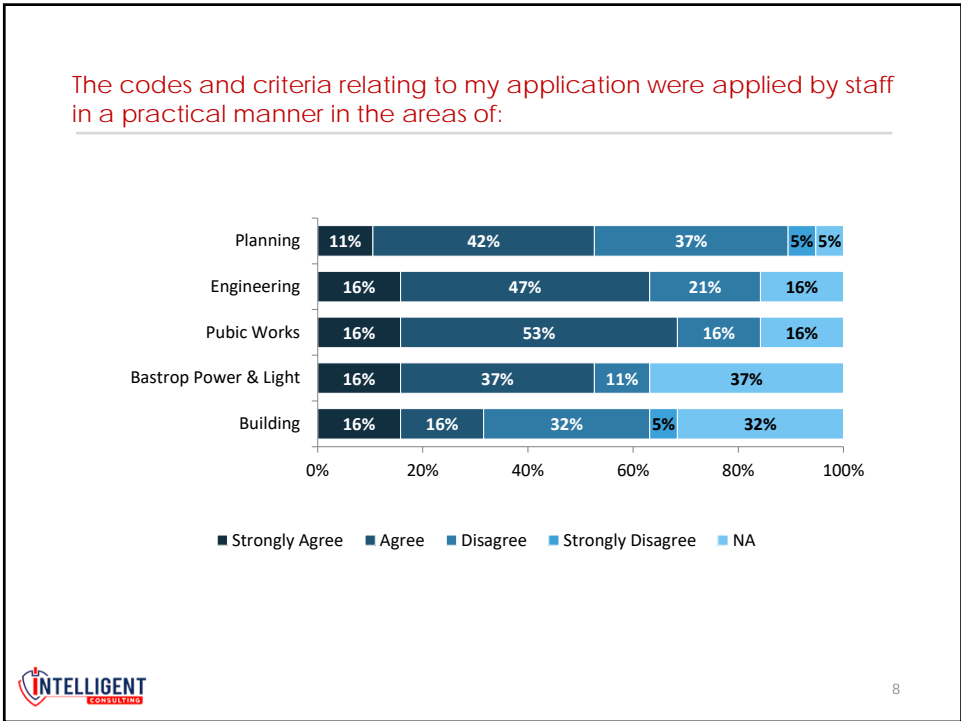


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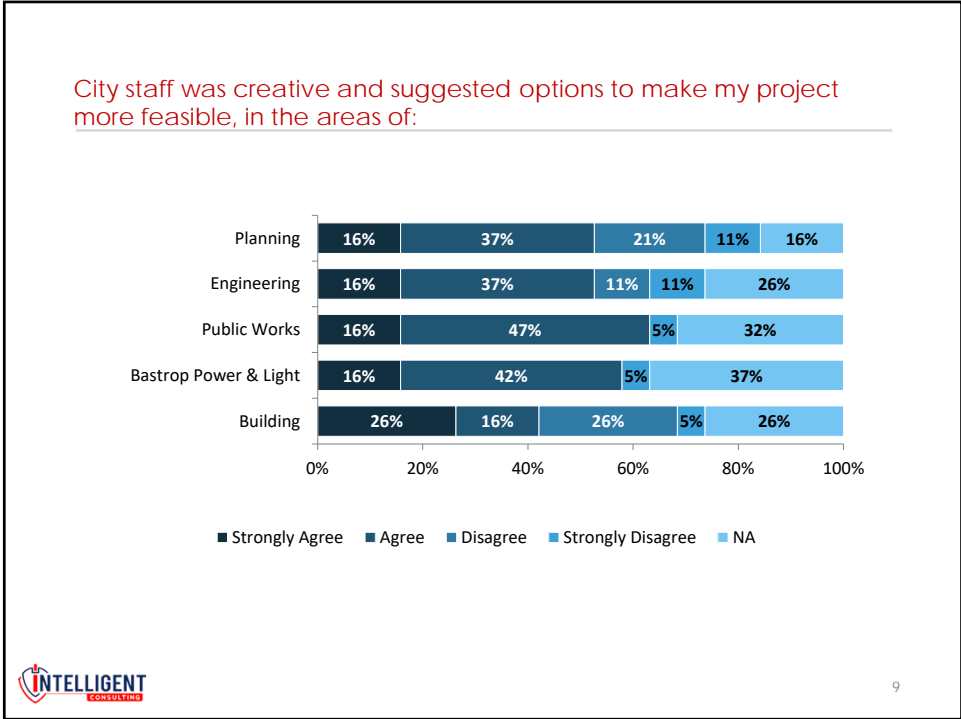
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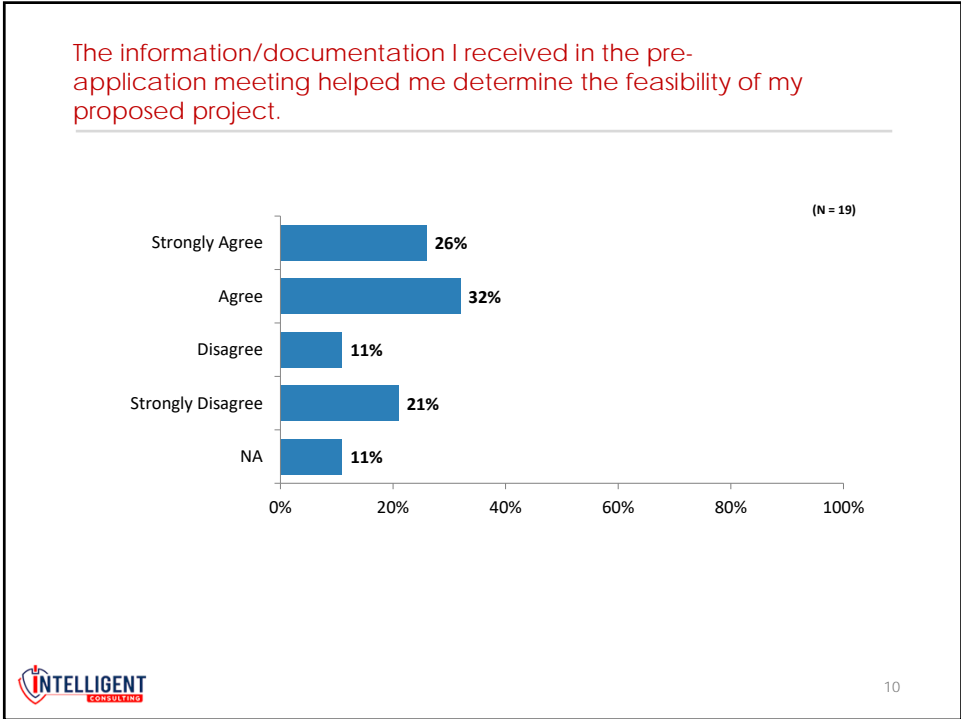
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Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea.

Response No.	Answer text
1	Doesn't seem as though planning and building depts agree on processes.
2	Those involved in our pre-application meeting were very helpful, insightful and gave us useful info.
3	I would rather discuss in person.
5	The pre-application meeting was super helpful and helped with obtaining the correct documents/info.
7	My 4acres property have two easement the front and the back I wanted to subdivide 3 1/2 acre's 1/2ac
8	More help and advice on the process to meet all the requirements of the city which are too much!
9	Took almost a year to get our License to Encroach Permit. Took too long to get responses from City.
11	Eliminate double entry of the same paperwork for the same property.
12	In person visit from city to inspect site. Turn in paperwork in person any day of the week.
13	Brochure informing people on B3
15	Having someone attend these meetings with a general idea of utility capacity (current or future) would be very helpful. If the city uses 3rd party consultants for modeling utility capacity, engineers and developers needs to be able to ask them questions regarding the feasibility of service.



11

11

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea. (Continued)

Response No.	Answer text
16	We never move forward with our projects, because even though I had two lawyers at my disposal and several real estate professionals, I could not get clear and competent answers and understanding from the city. One caveat: I will say Viviana was very competent and helpful. To be honest, the complete incompetence of the city on this issue greatly affected me and my family on a very negative level. And this is the second or third time. Unfortunately, we have sort of given up. Not for lack of will, but we just don't have the money to work out what will actually work when we can't get clear and competent answers from the city on how to develop our property for our own families personal use.
18	I had only submitted the request for the application meeting, I was not a part of the Application process.



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Please provide examples of other cities that you feel provide excellent customer service.

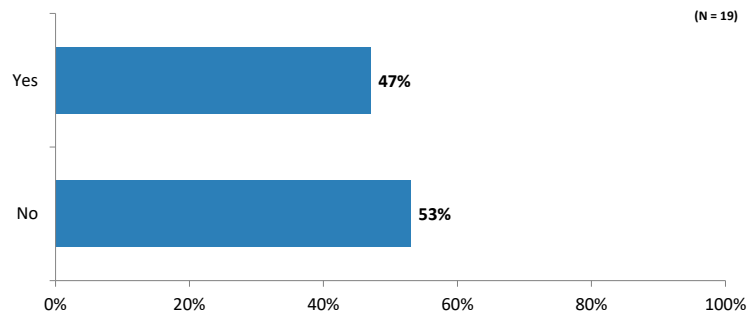
Response No.	Answer text
7	Sell 3 1/2 acres and live on an 1/2 acre 3 1/2 acre will be commercial.
8	City of Giddings are very helpful and simple requirements in a matter of days I was able to start
15	The City of Kyle and City of Hutto have been very helpful in terms of what types of development would be allowed or encouraged. Believe it or not, the City of Austin (at least Austin Water Utility) does a great job of pulling up water/wastewater models during meetings to let you know if service will generally be feasible before you submit a service request. Consultant is welcome to call, but we have already interacted via the HBA work group.



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Would you like the consultant to contact you about your experiences? If yes, provide your preferred contact method below.

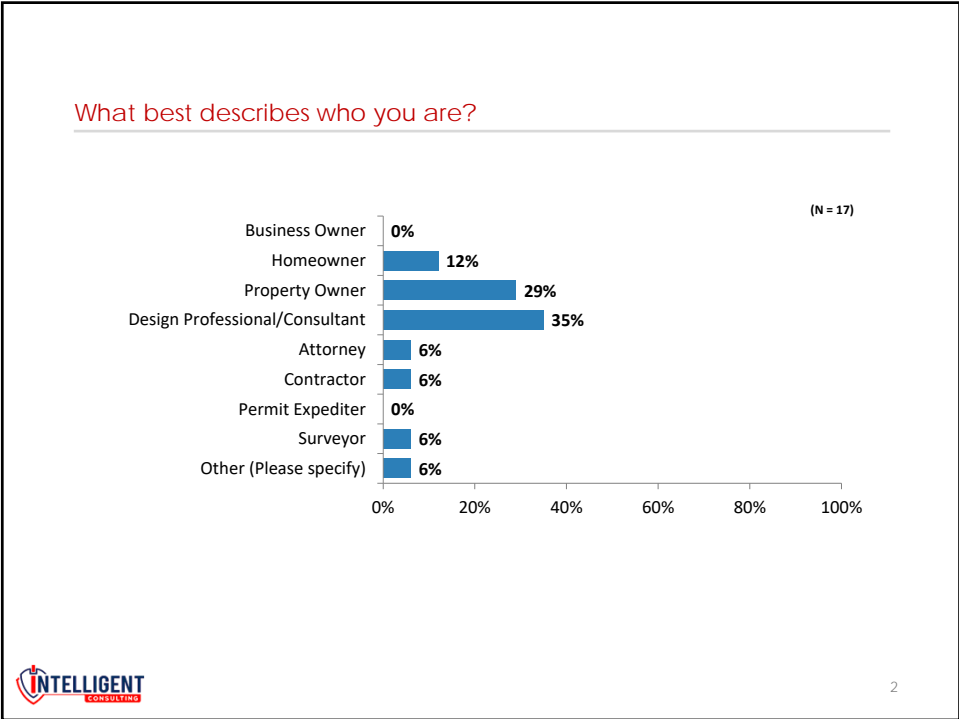


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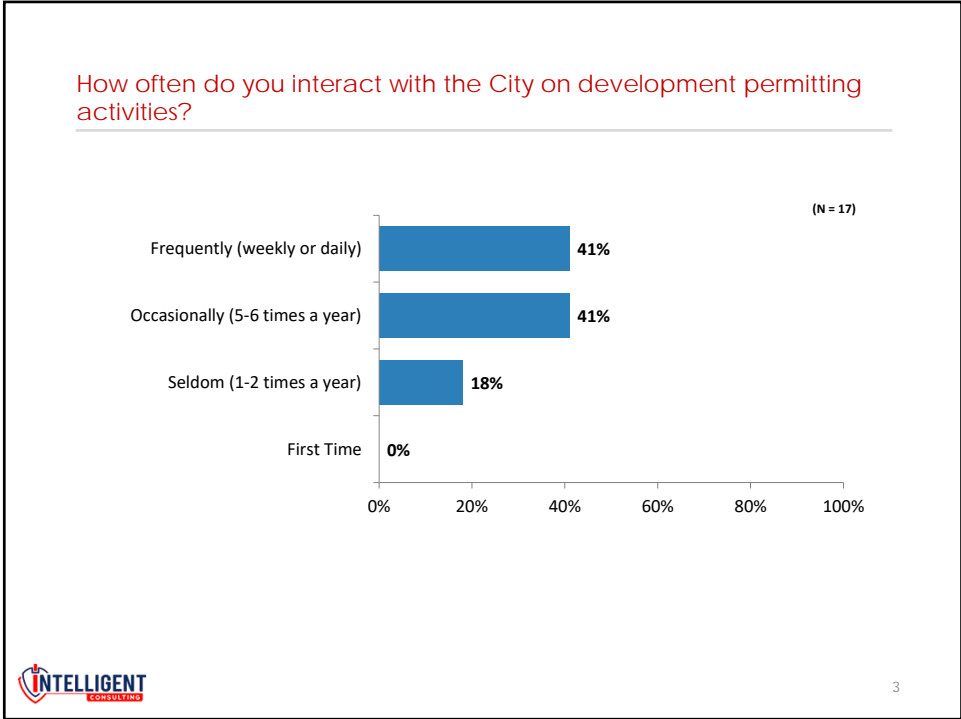
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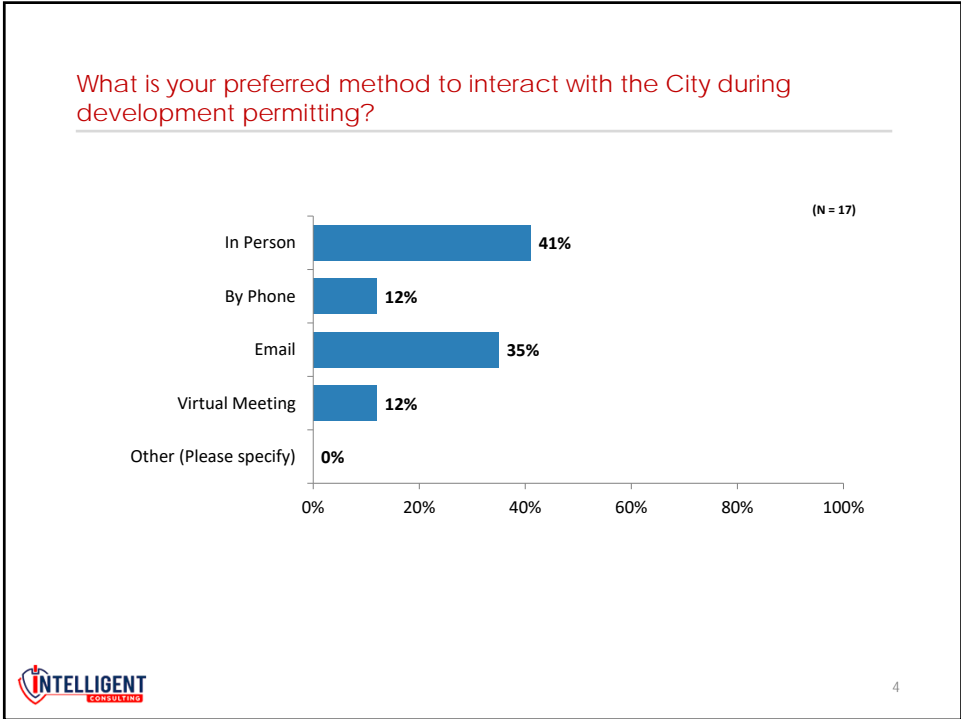
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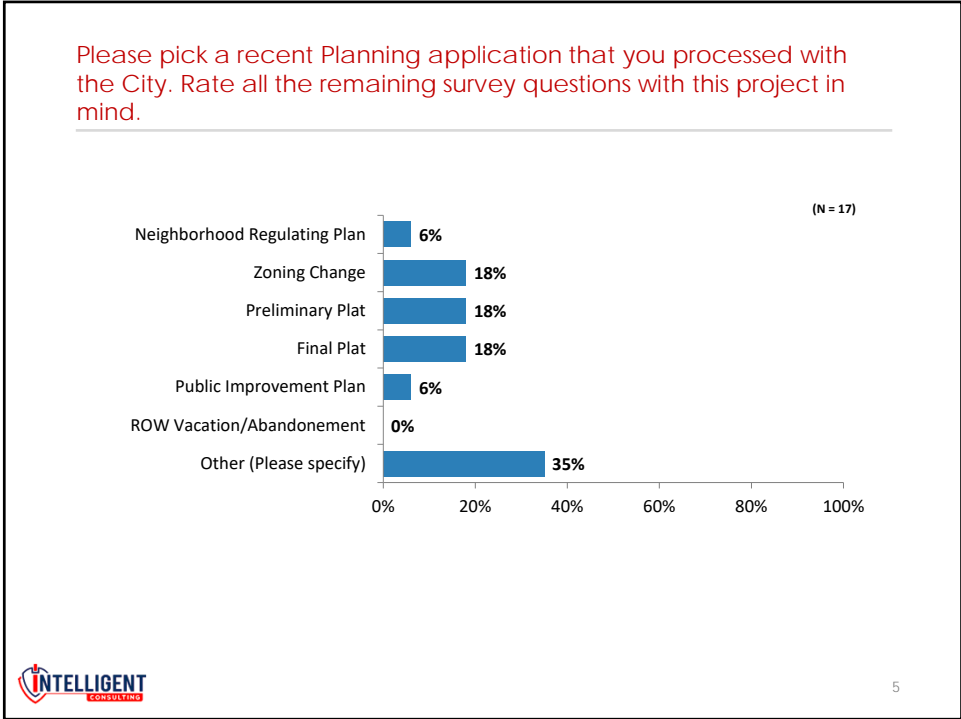
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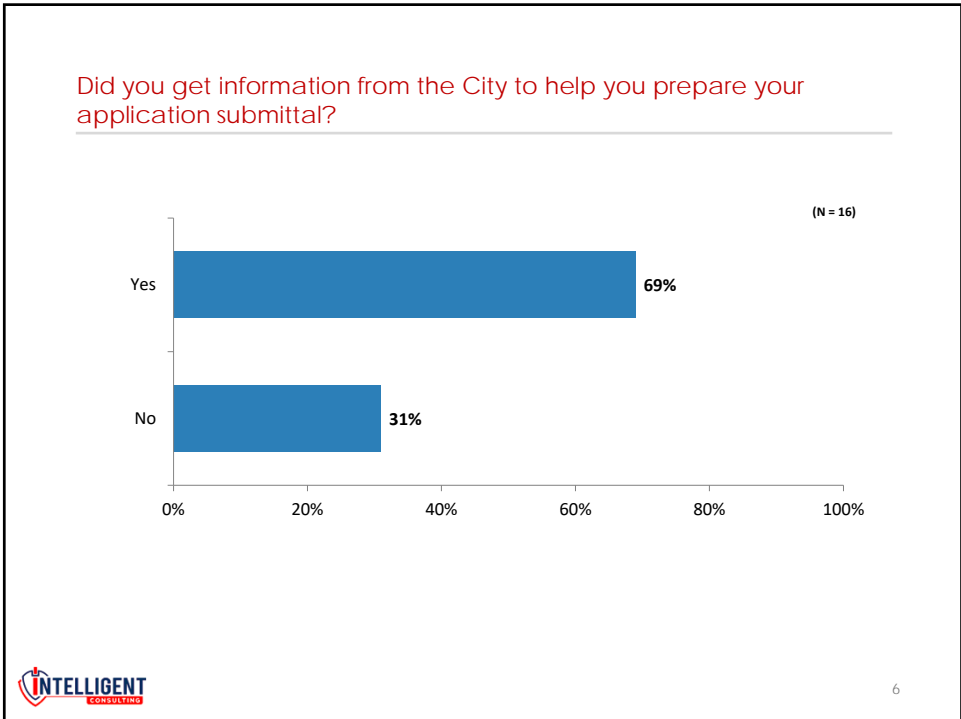
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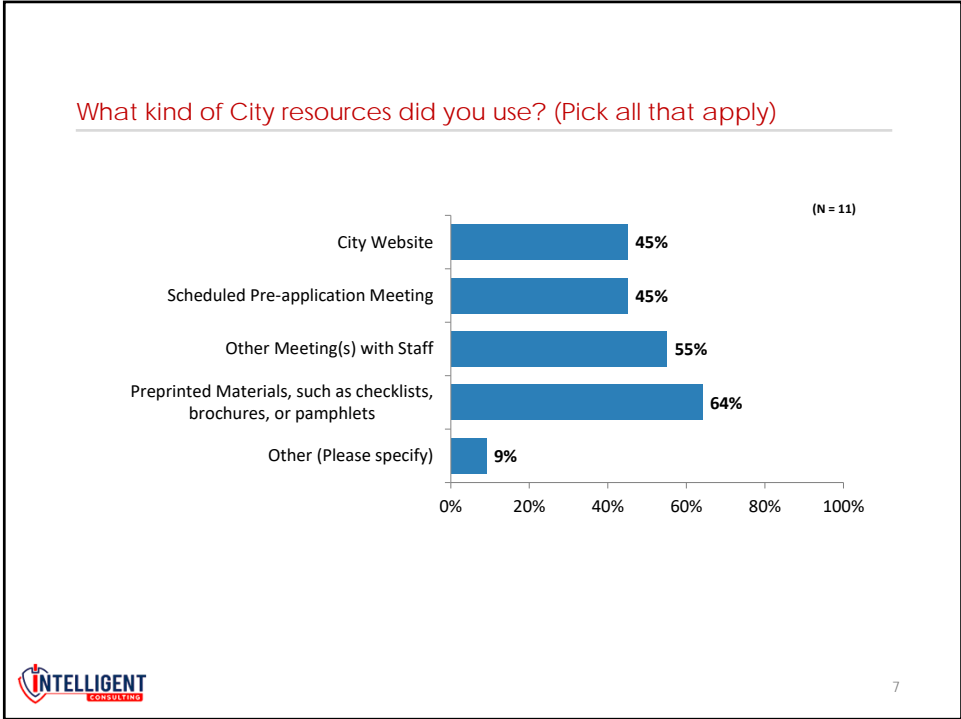
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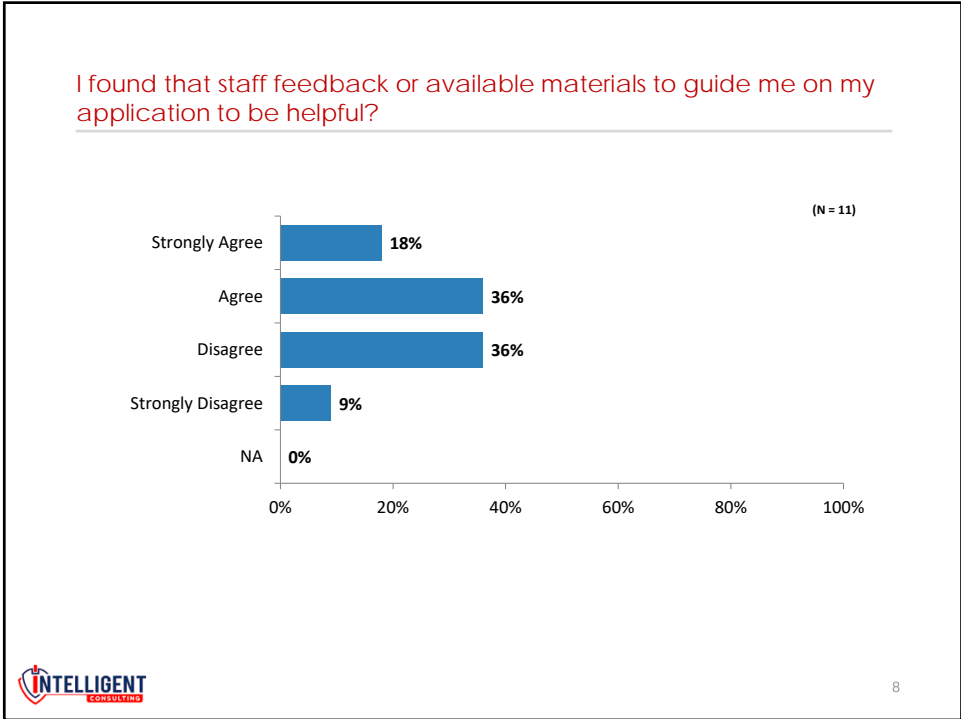
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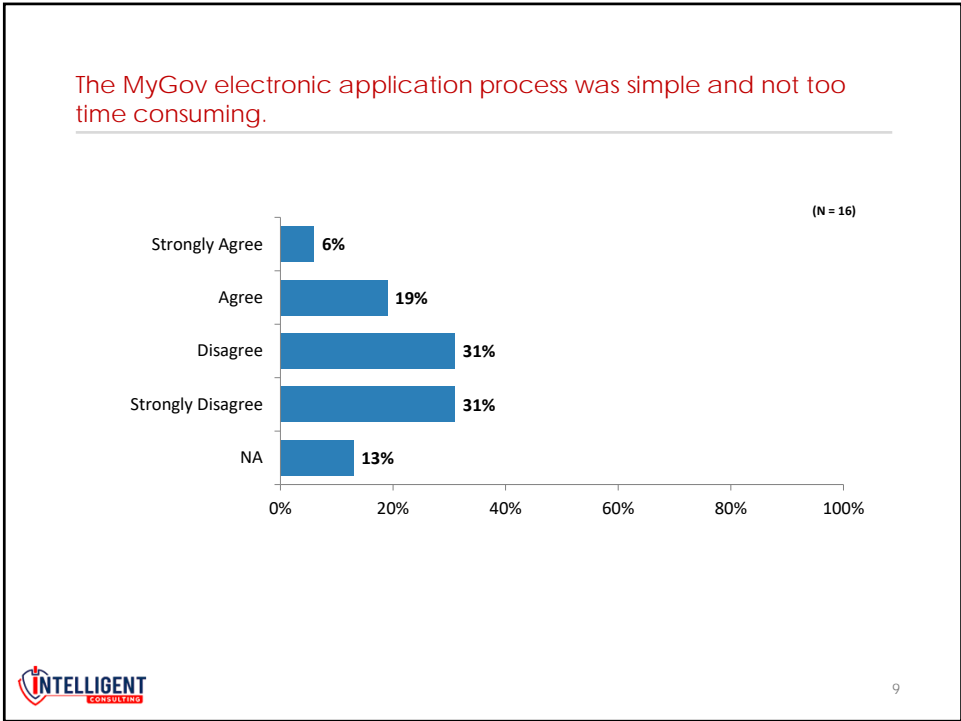
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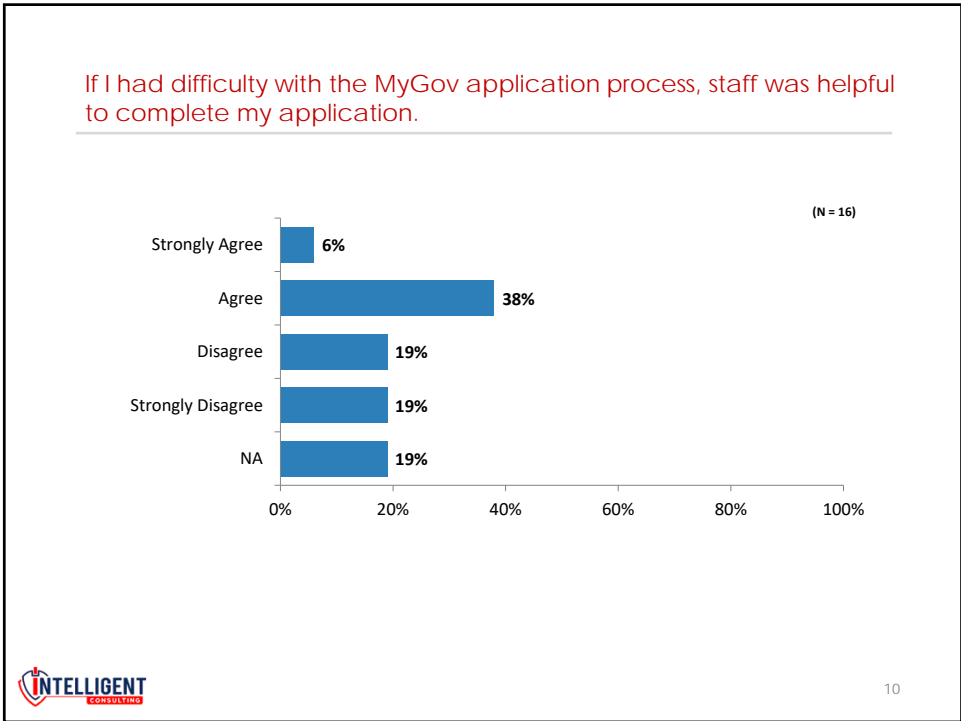
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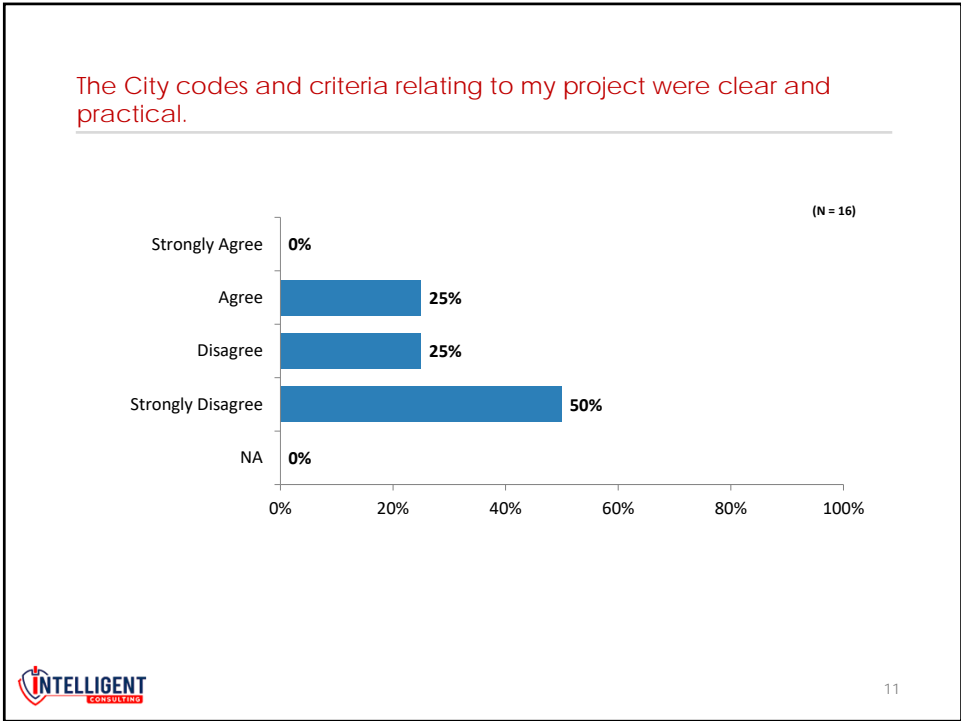
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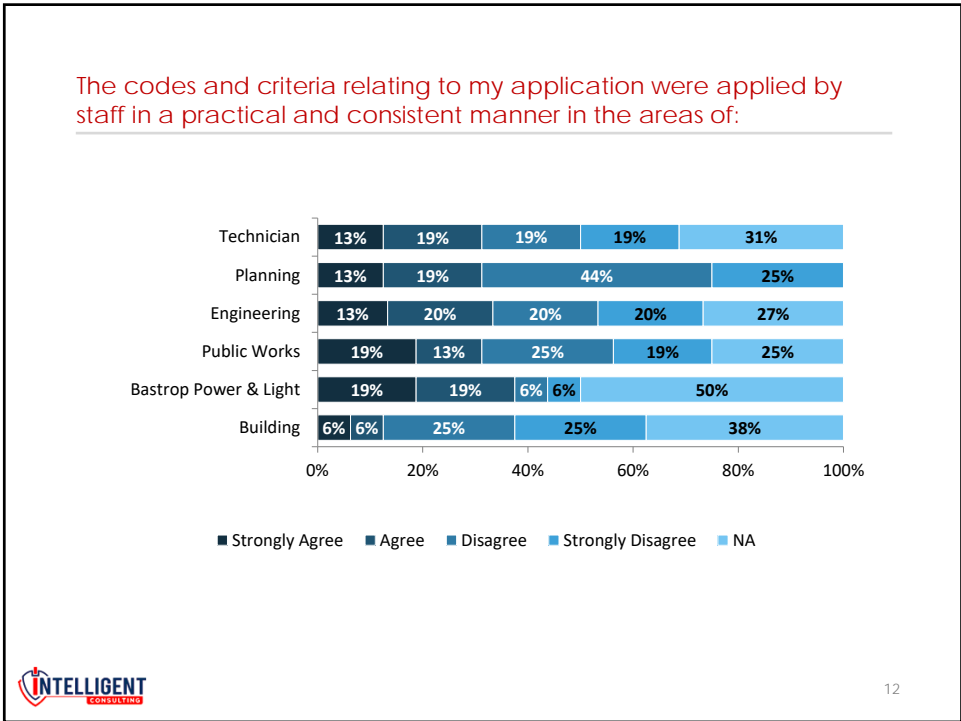
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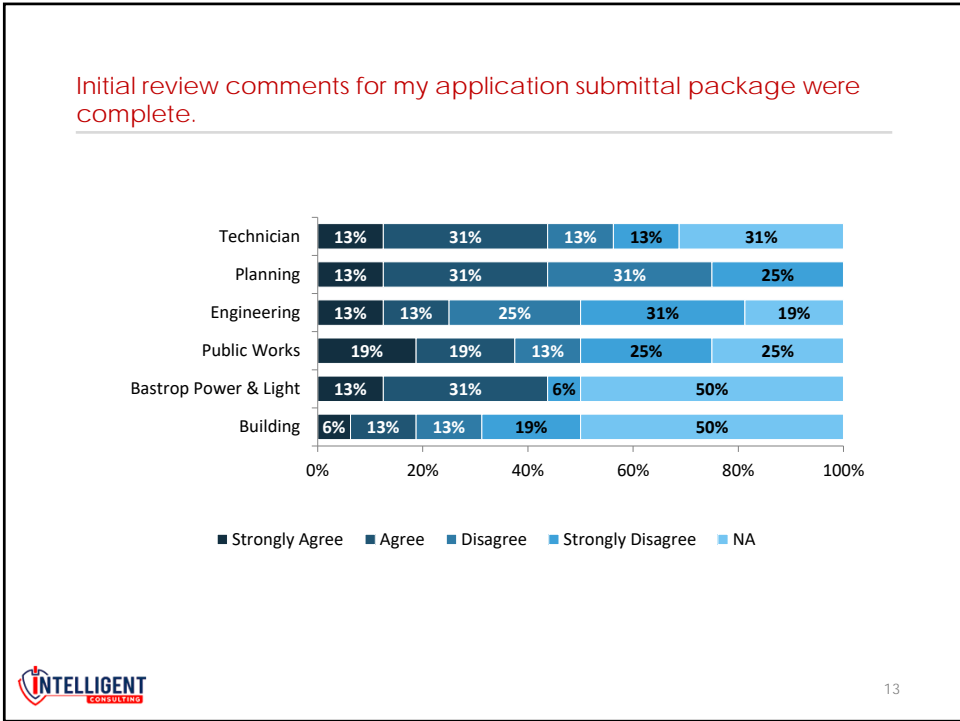
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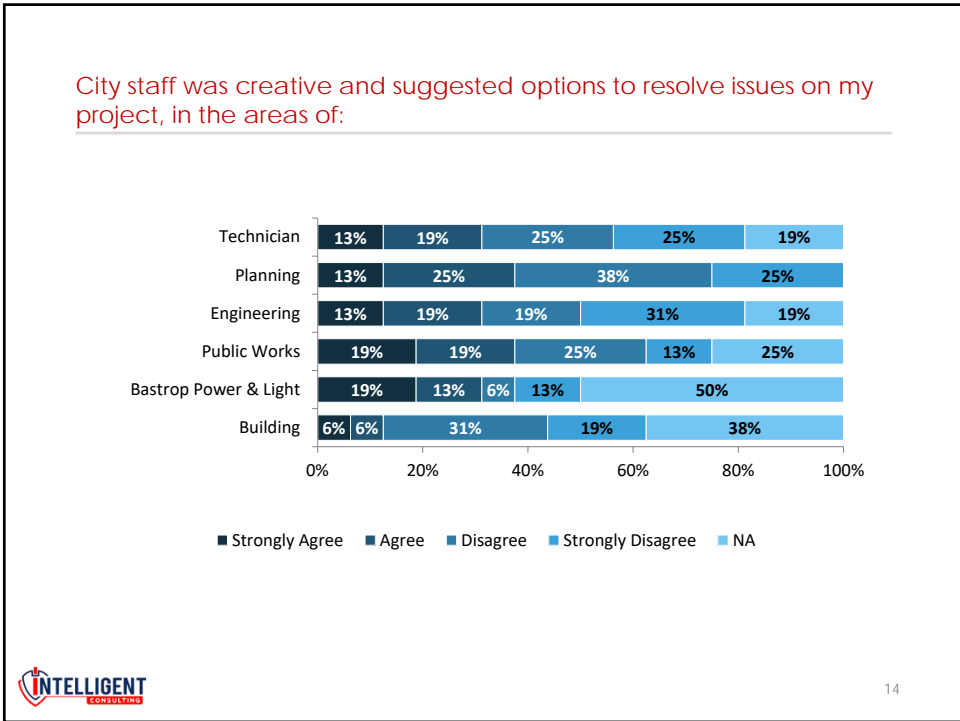
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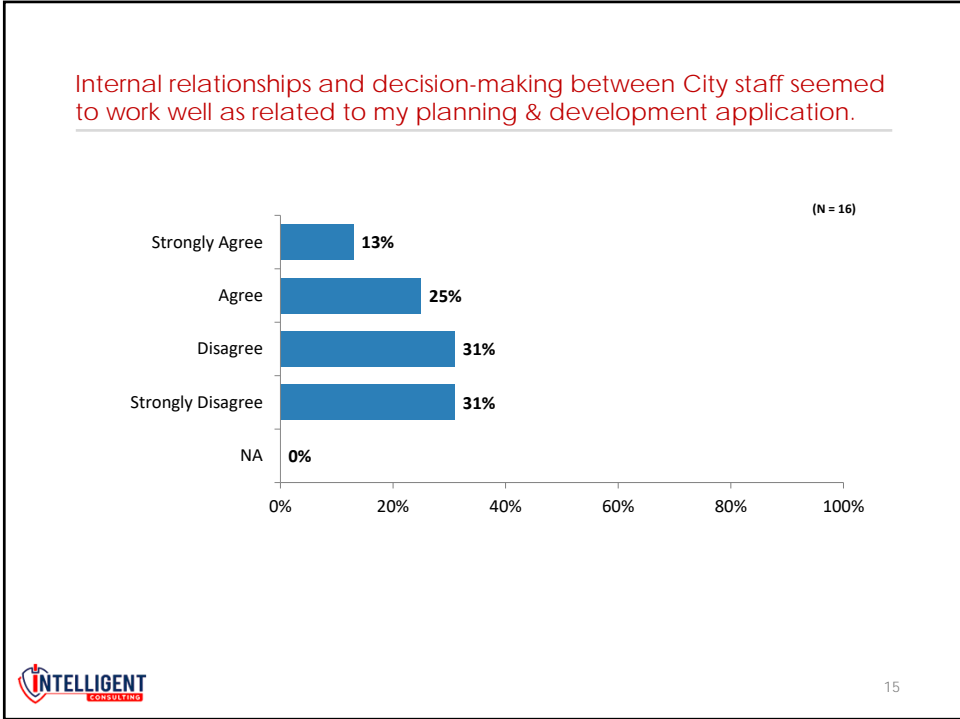
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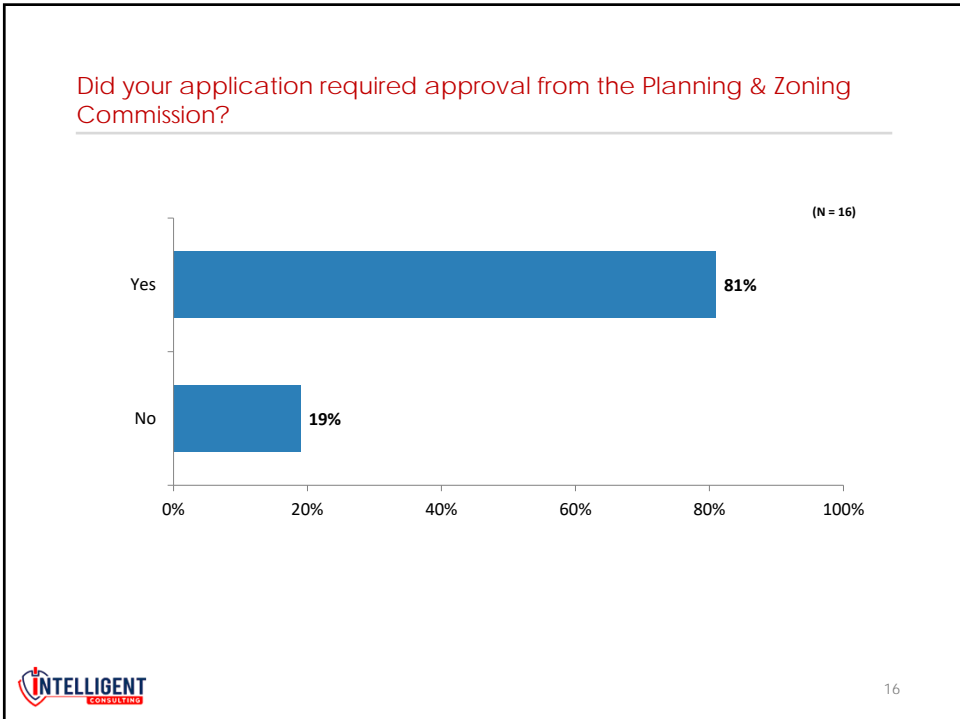
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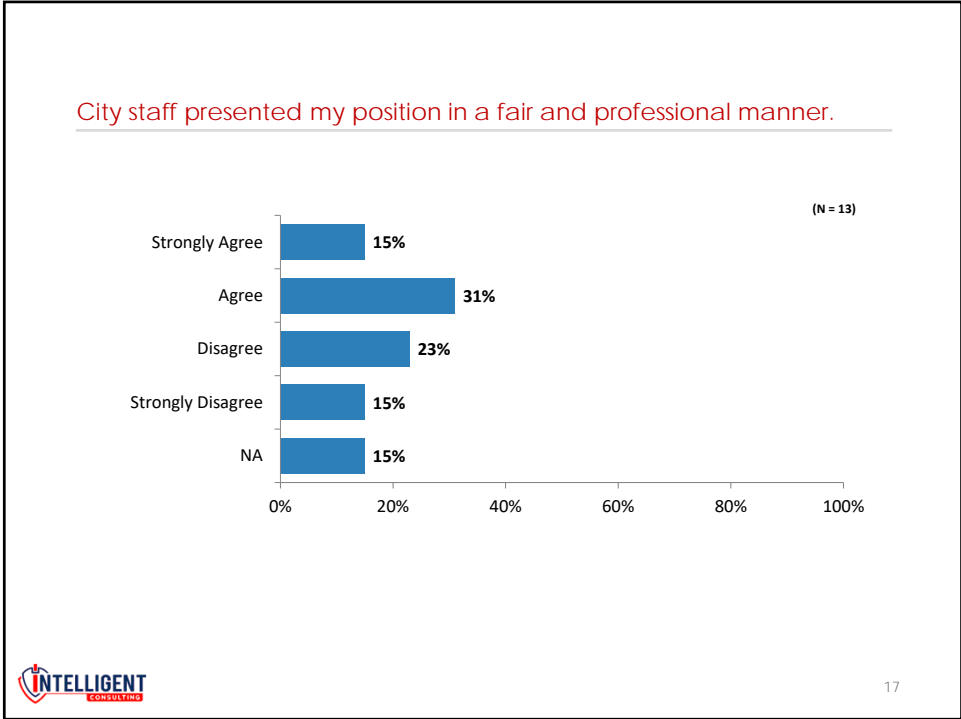
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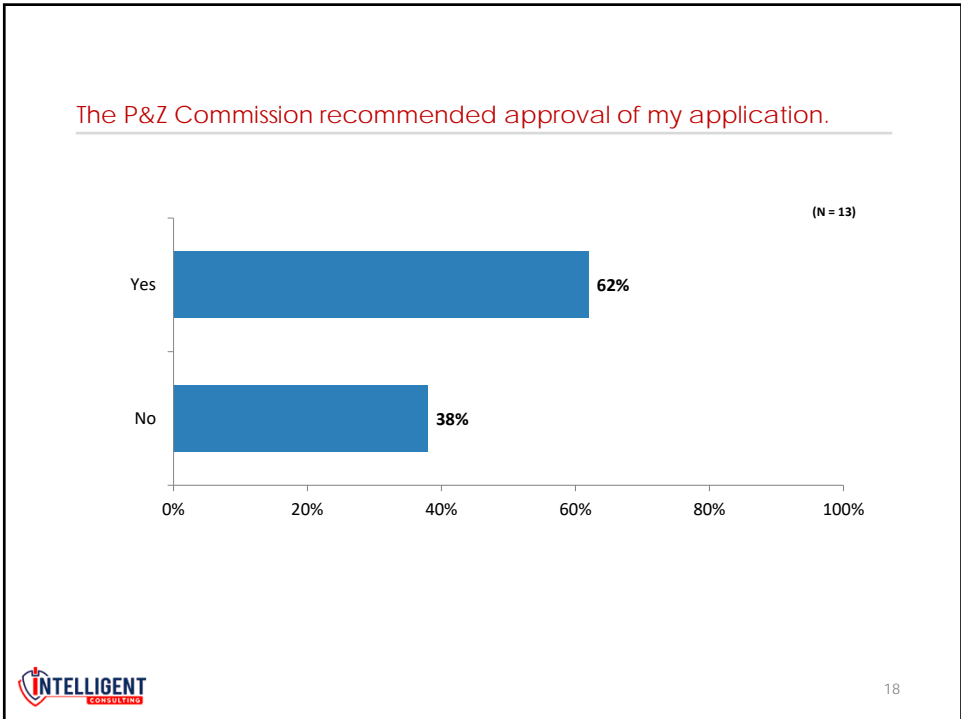
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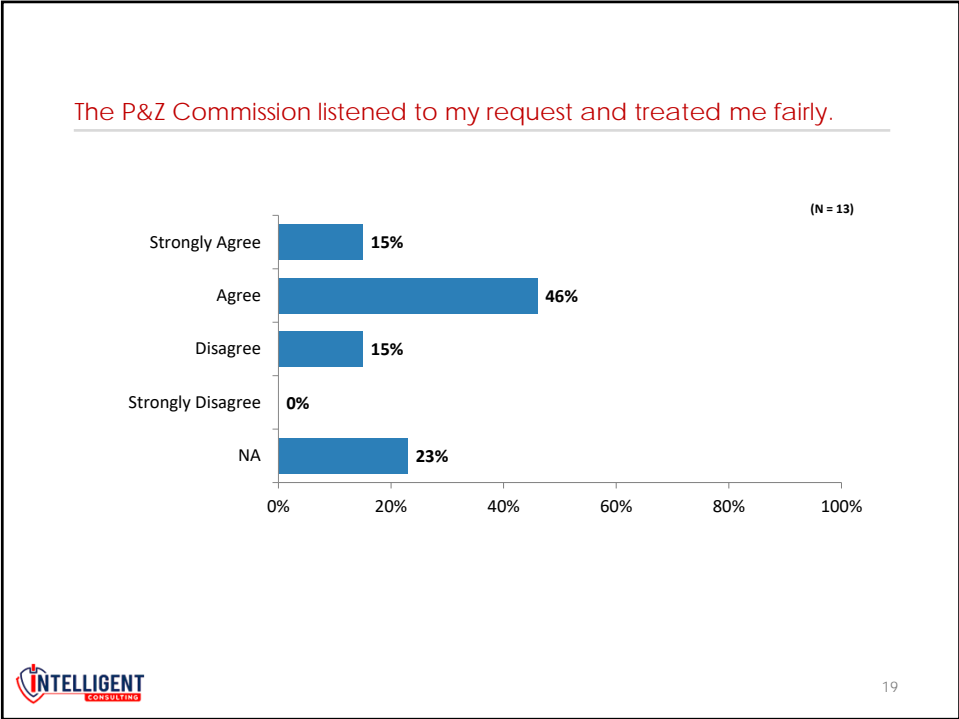
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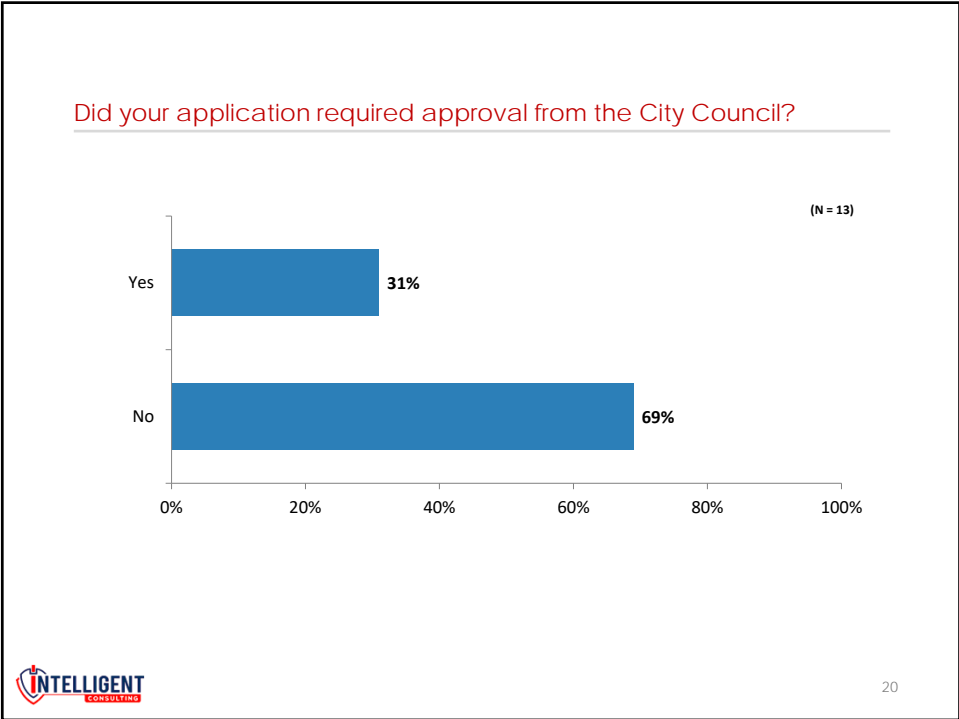
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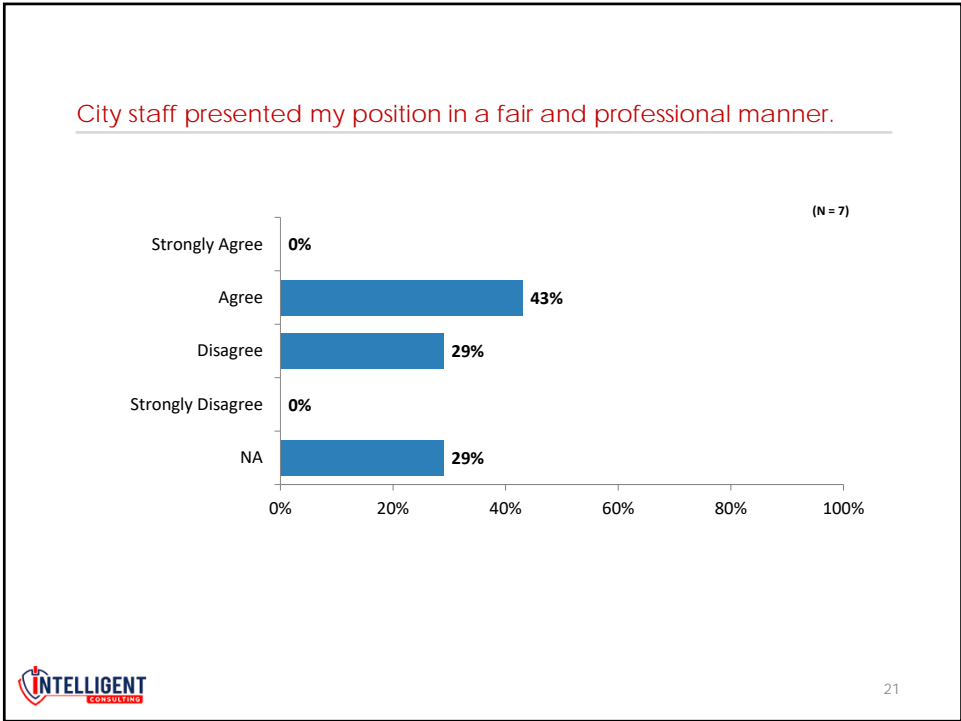
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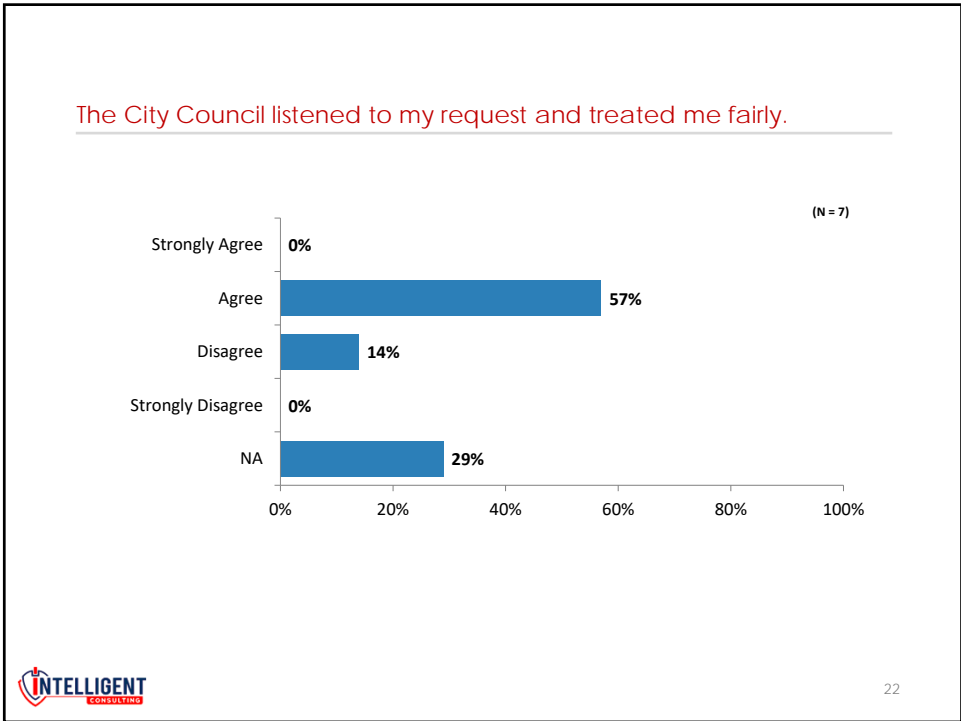
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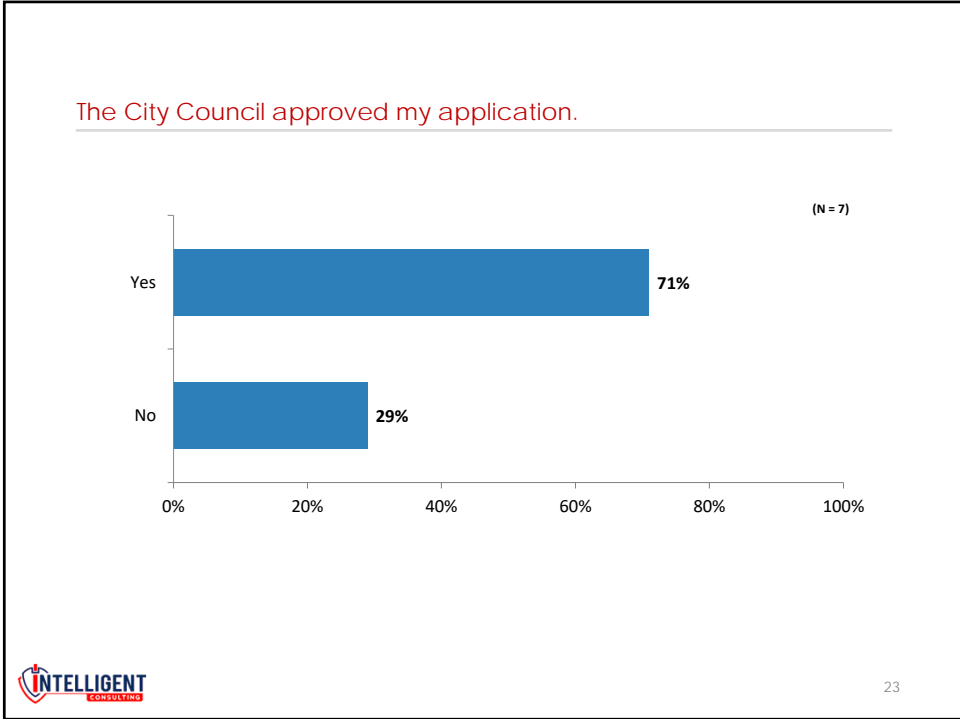
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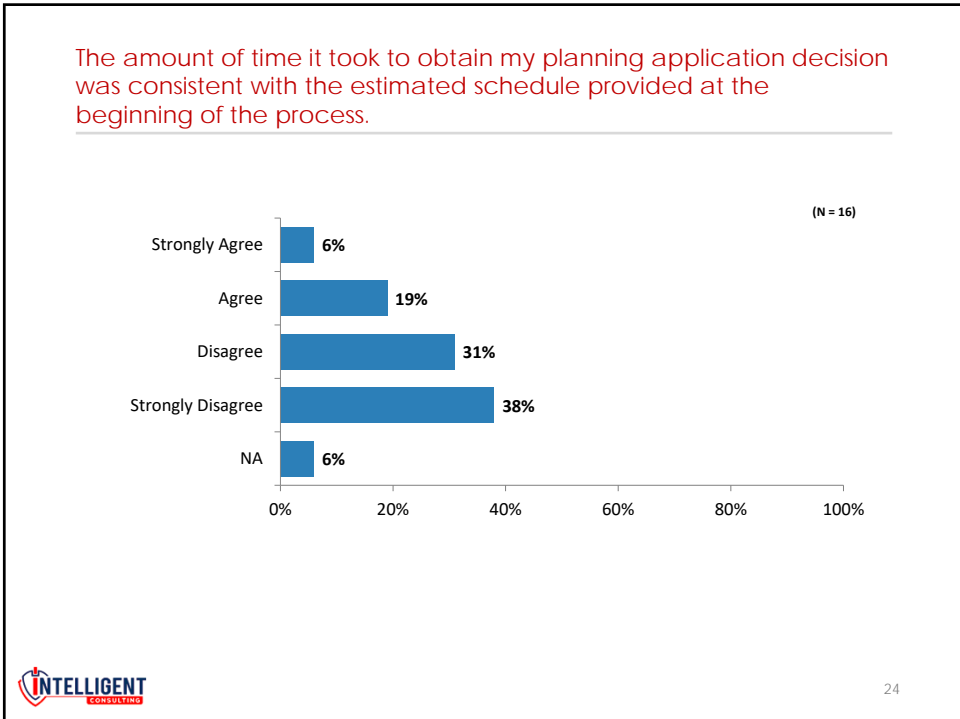
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Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea.

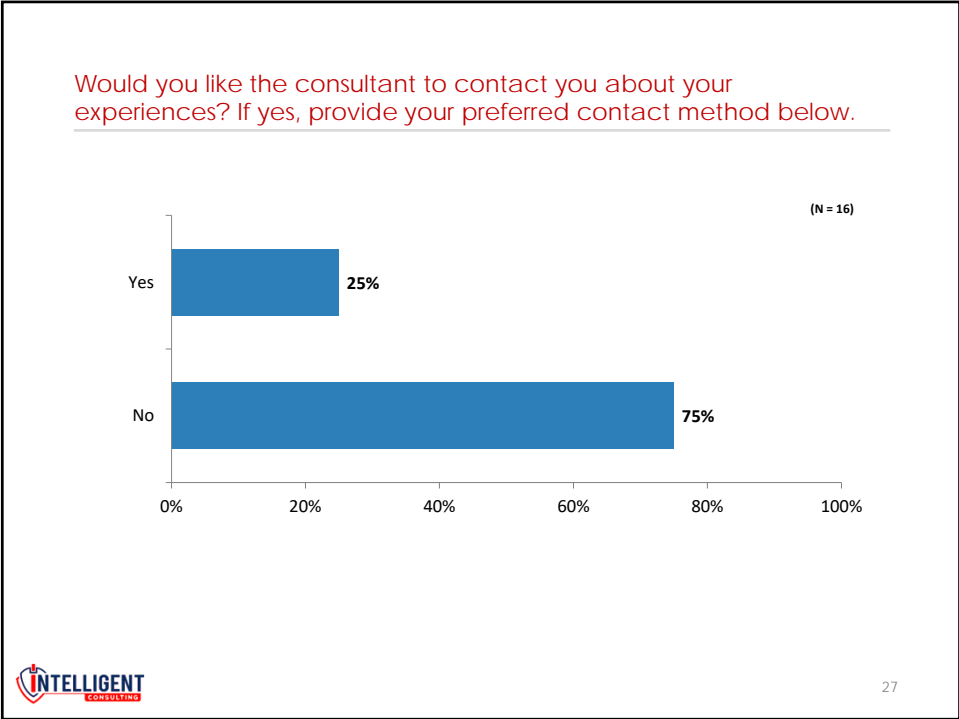
Response No.	Answer text
2	The whole process was to difficult for a simple project. Like this area with out enough room to exp
7	After 6 months we have not gotten to go to P&Z yet, Repeal the B-3 Code.
10	Update the plat checklist - it's at least 4-5 years old.
11	Delete the current new code and replace with one that is practical to the City as well as the citize
12	I have NEVER received any permits!
13	We have had several public notice issues where staff has missed deadlines, issues making it through staff to discuss a MUD with council and general difficulty with P&Z with regard to approvals that should be required under the LGC or 3167.
14	We did not get to the approval place
15	Great staff, very helpful and knowledgeable. Clear and straight forward process.
17	More clear about requirement papers and to many office for different permits for one project.



Please provide examples of other Cities that you feel provide excellent customer service.

Response No.	Answer text
2	I am a afraid you have people trying to act like Austin planning, controlling everything in a small town
10	Williamson County is a pain, but they seem to have better communication.
11	City of Bee Cave Cedar Park
12	I have no examples of excellent customer service. I have lived here for decades.
13	The City of Kyle has been very helpful in planning/engineering/CM roles at helping move projects forward. The City of Round Rock can also be fairly helpful, although staff can sometimes be overly particular on review comments.



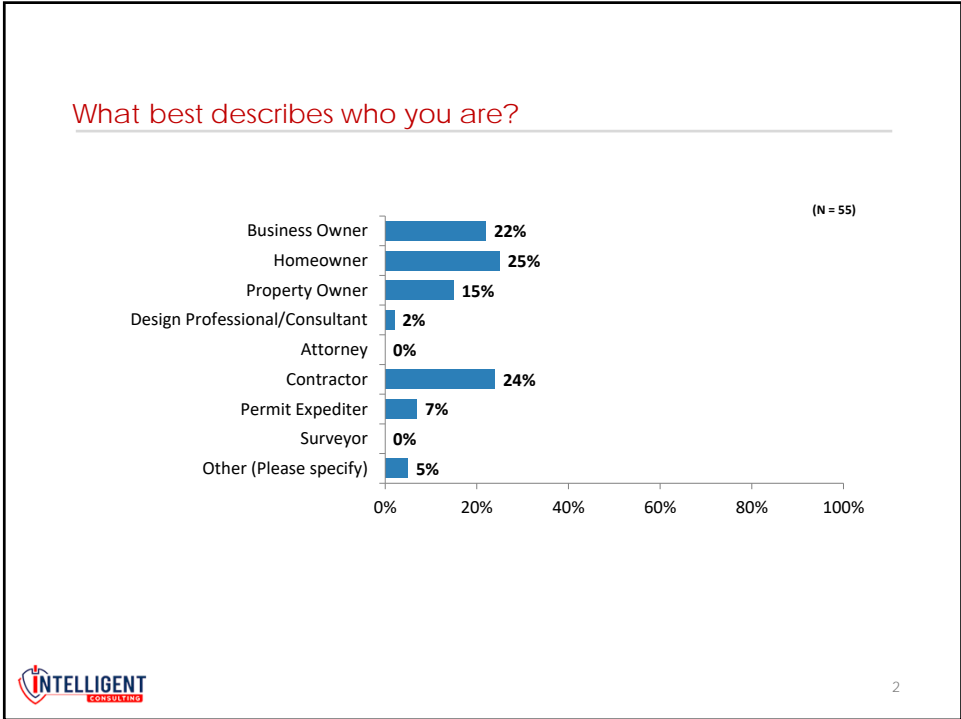


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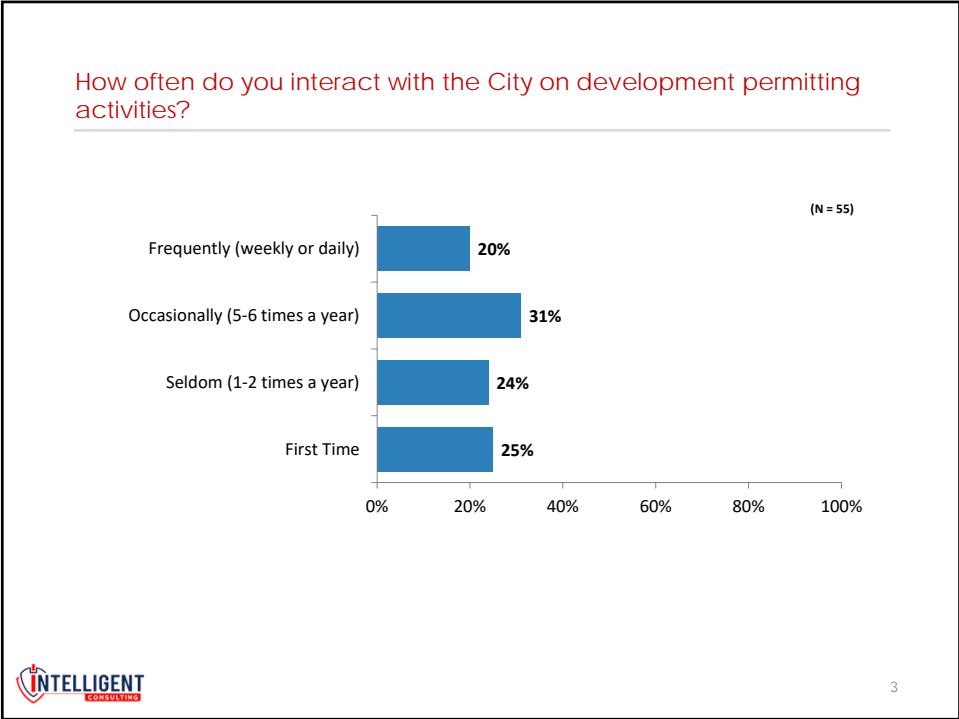
City of Bastrop
Building Permit Application Survey
5/26/2023



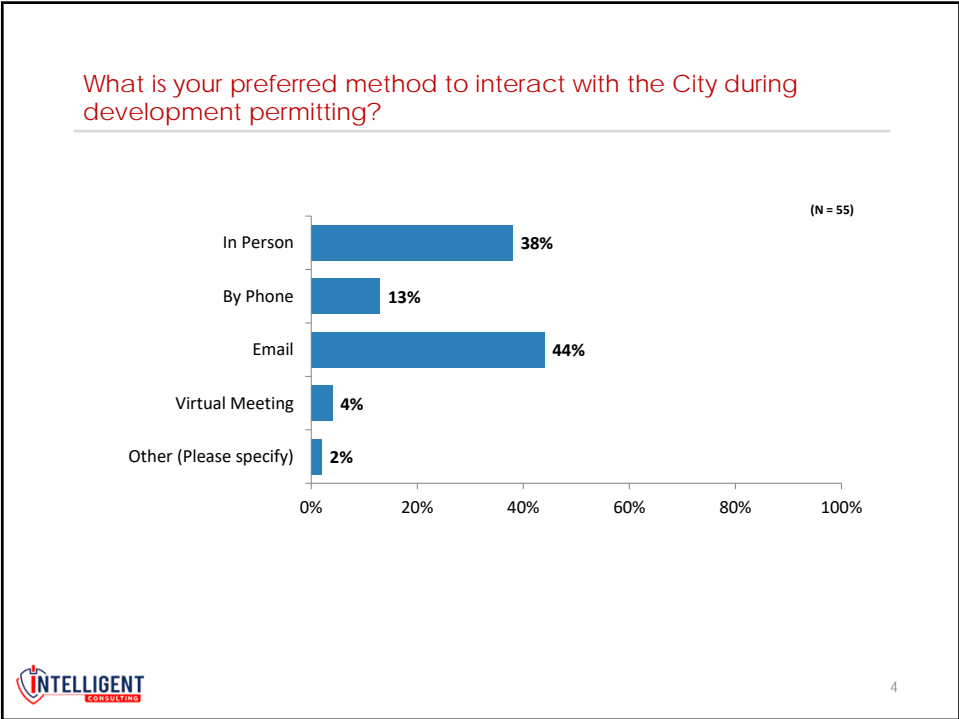
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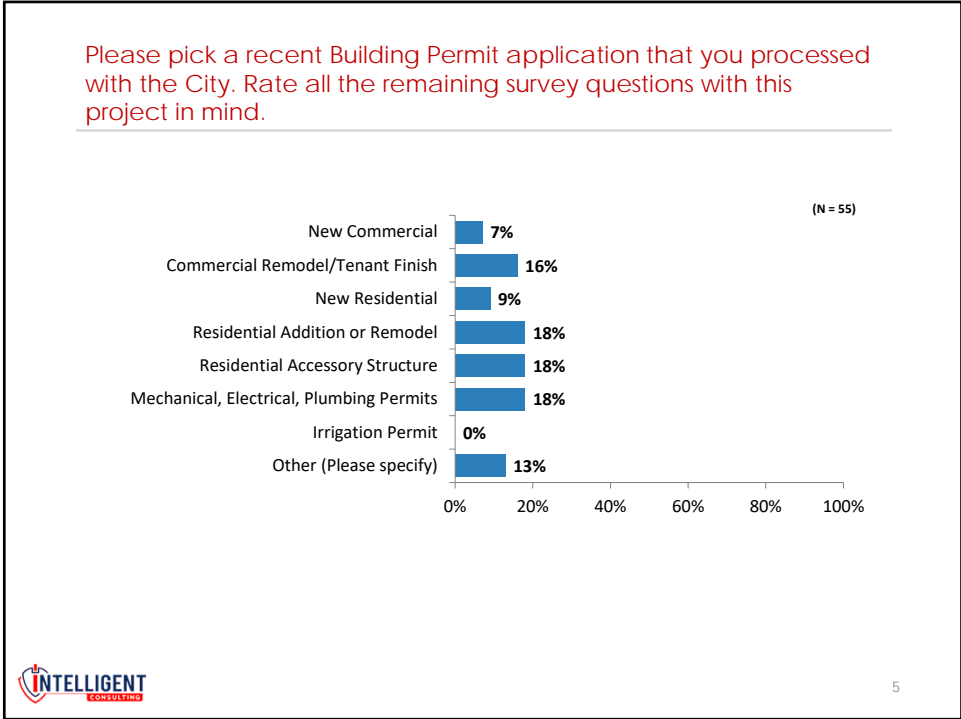
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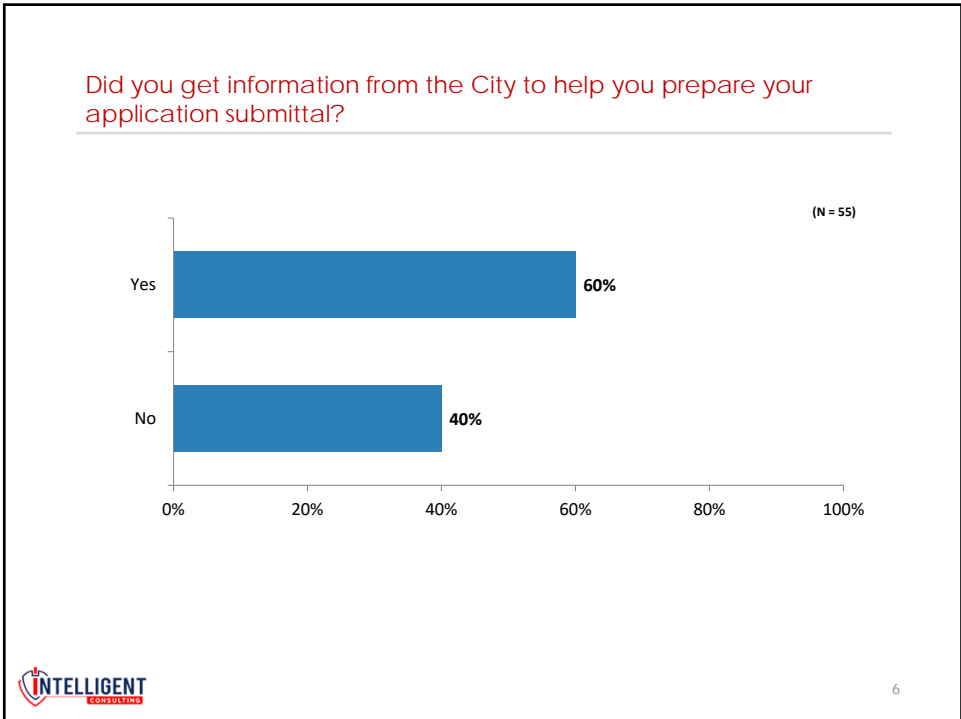
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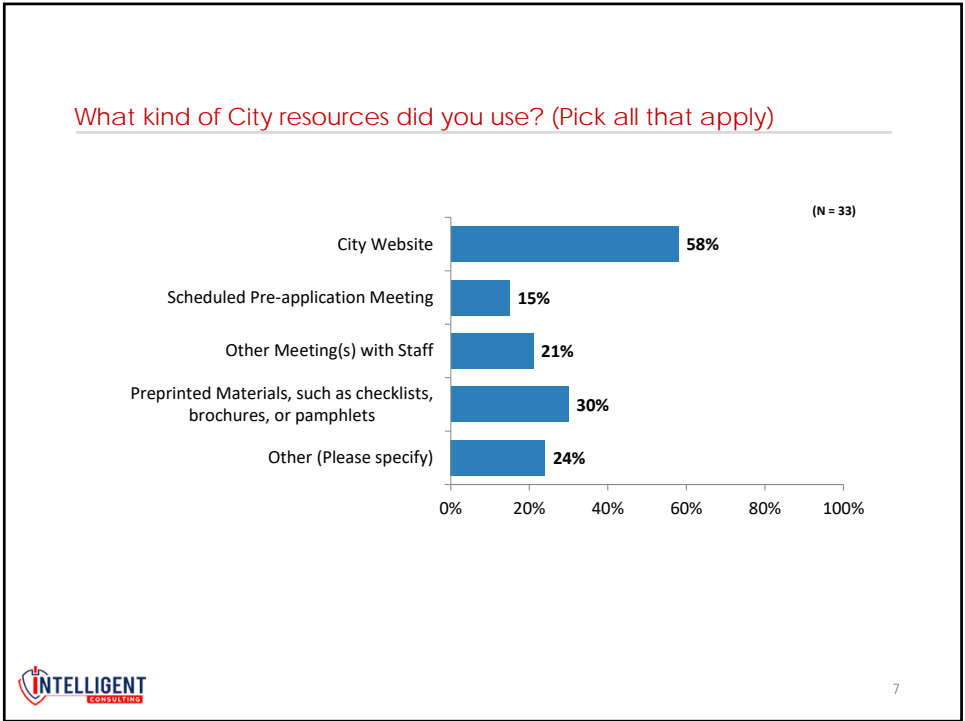
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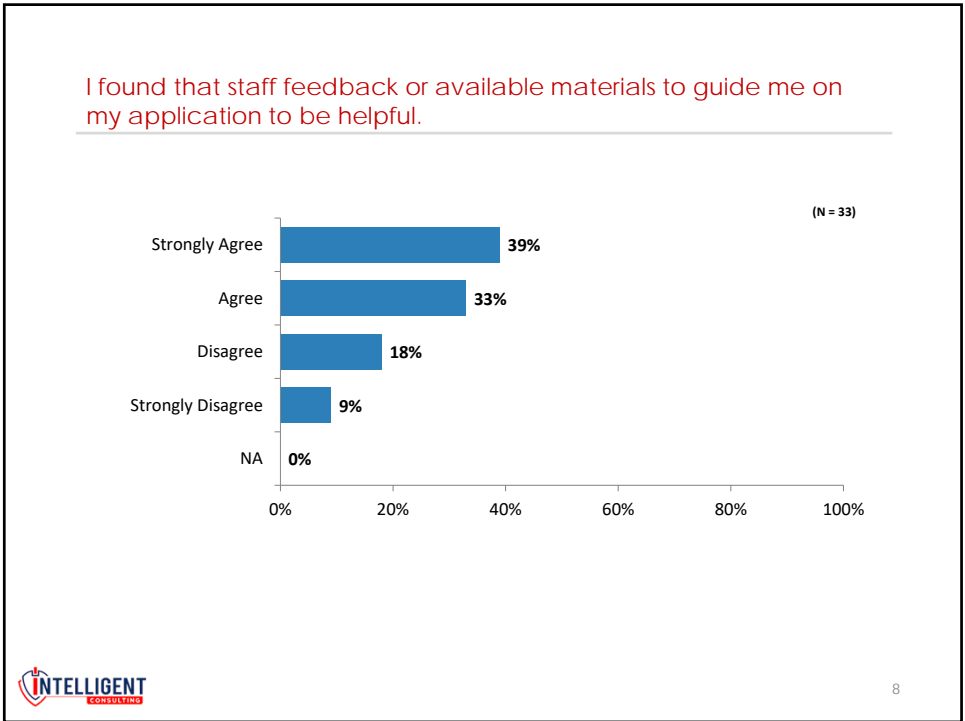
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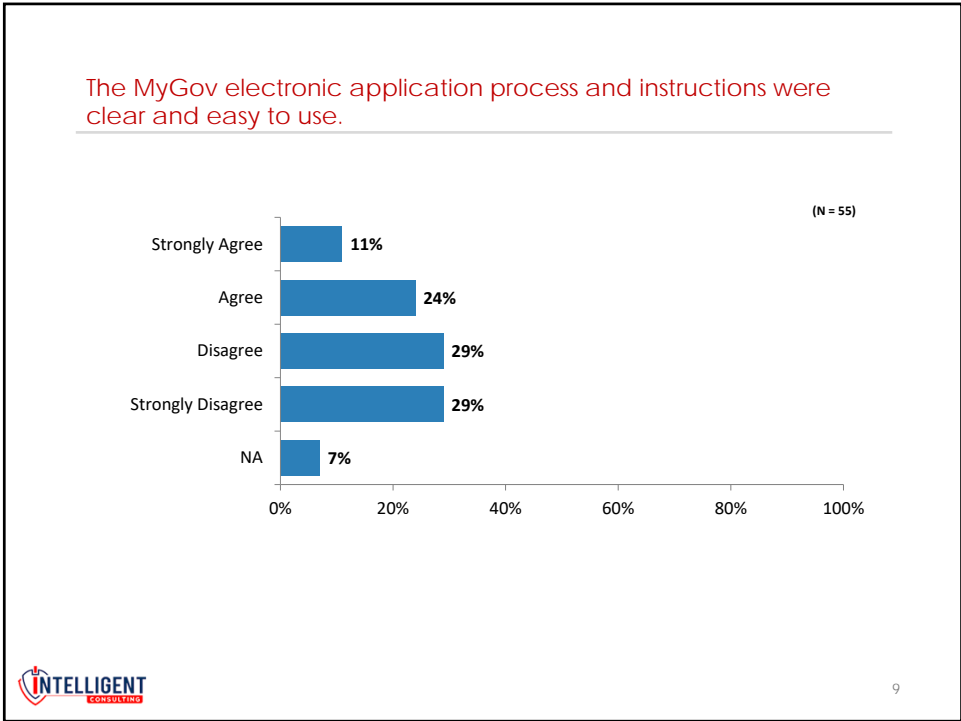
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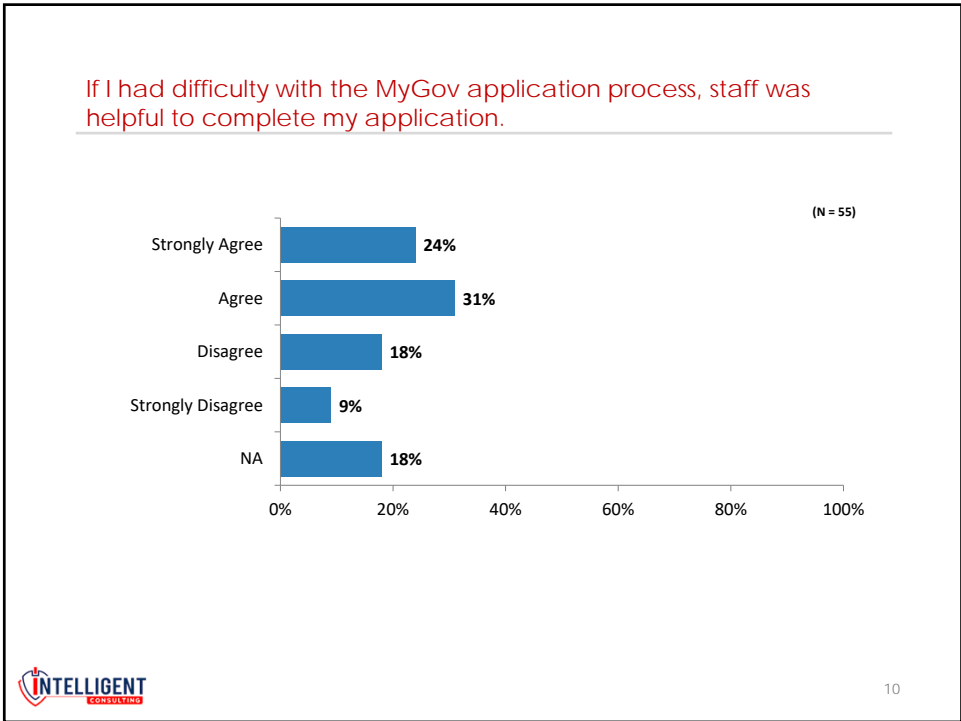
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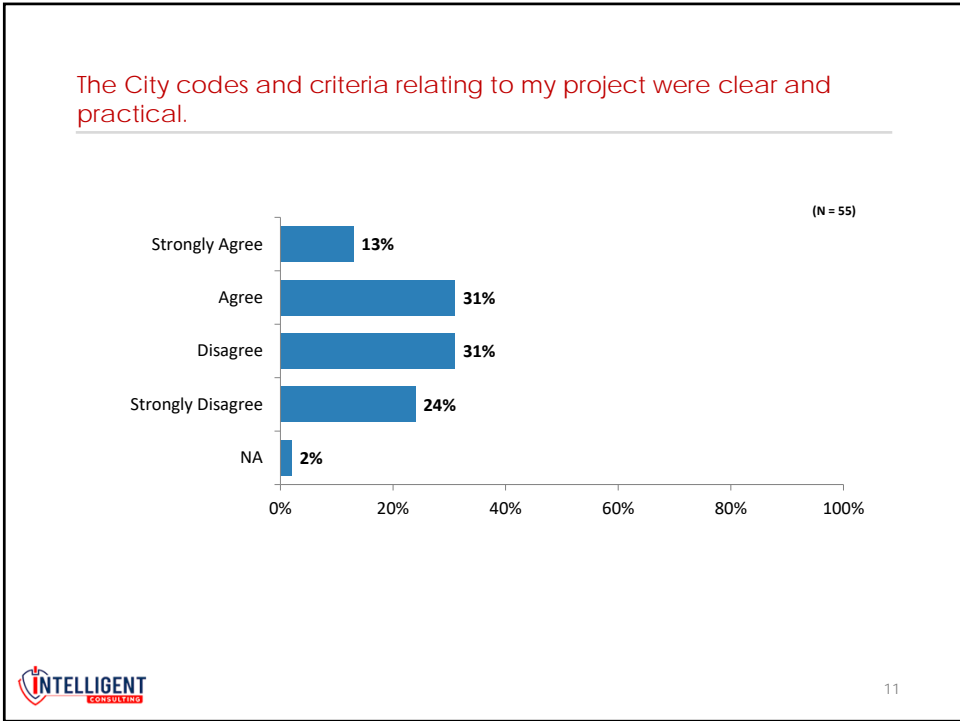
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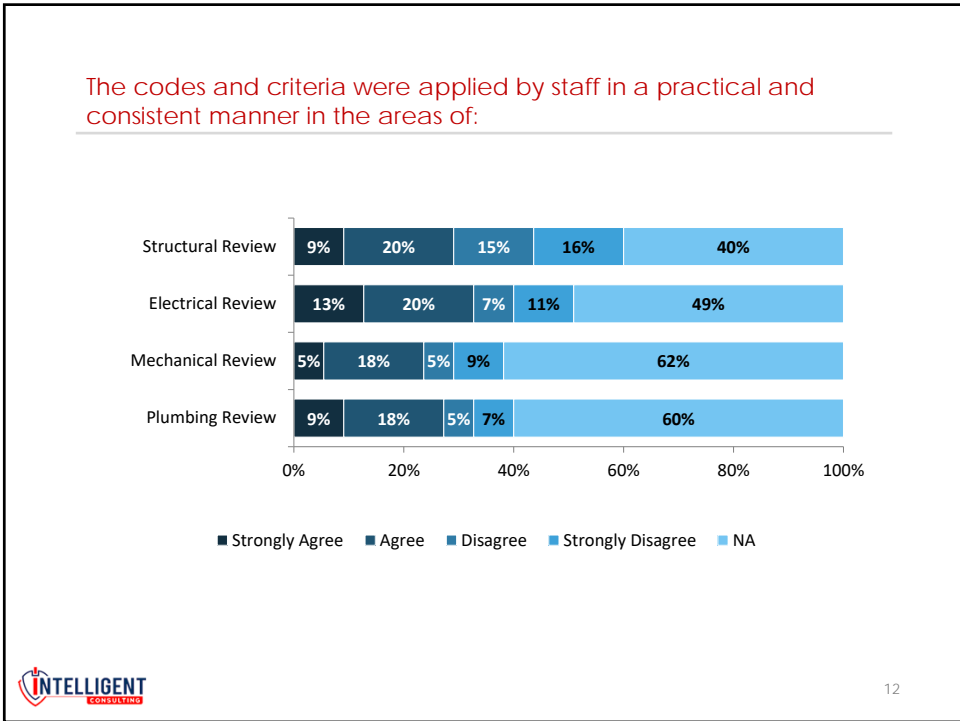
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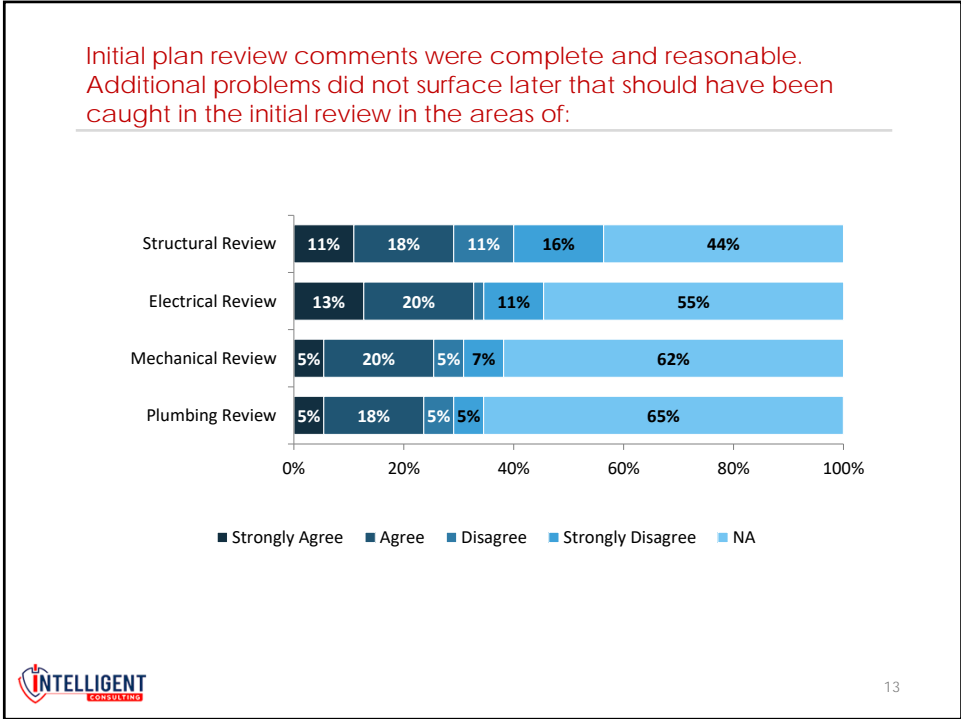
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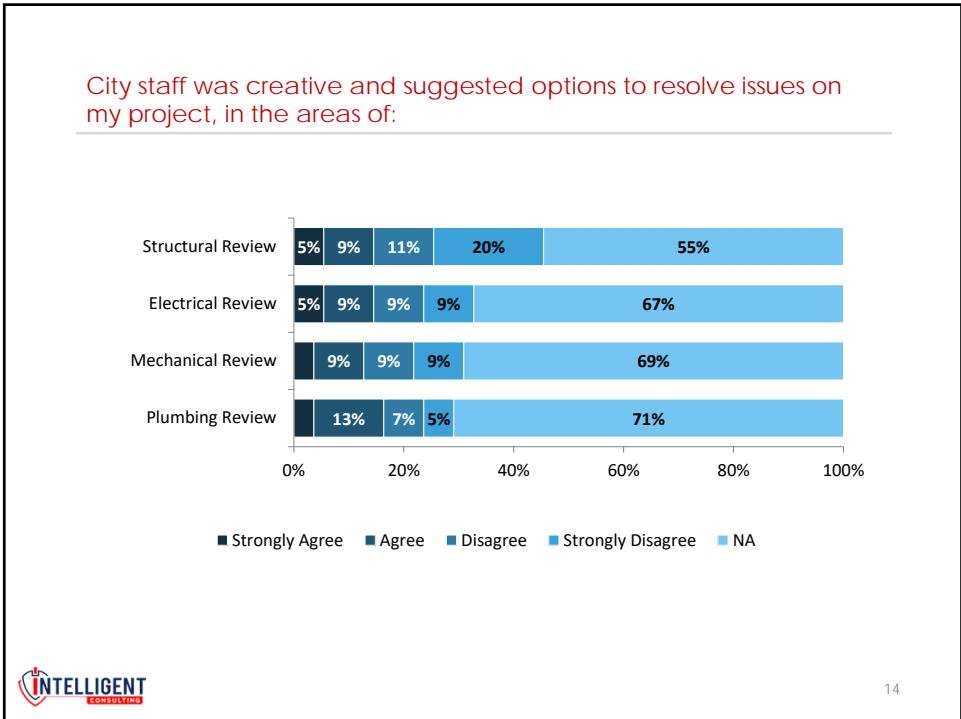
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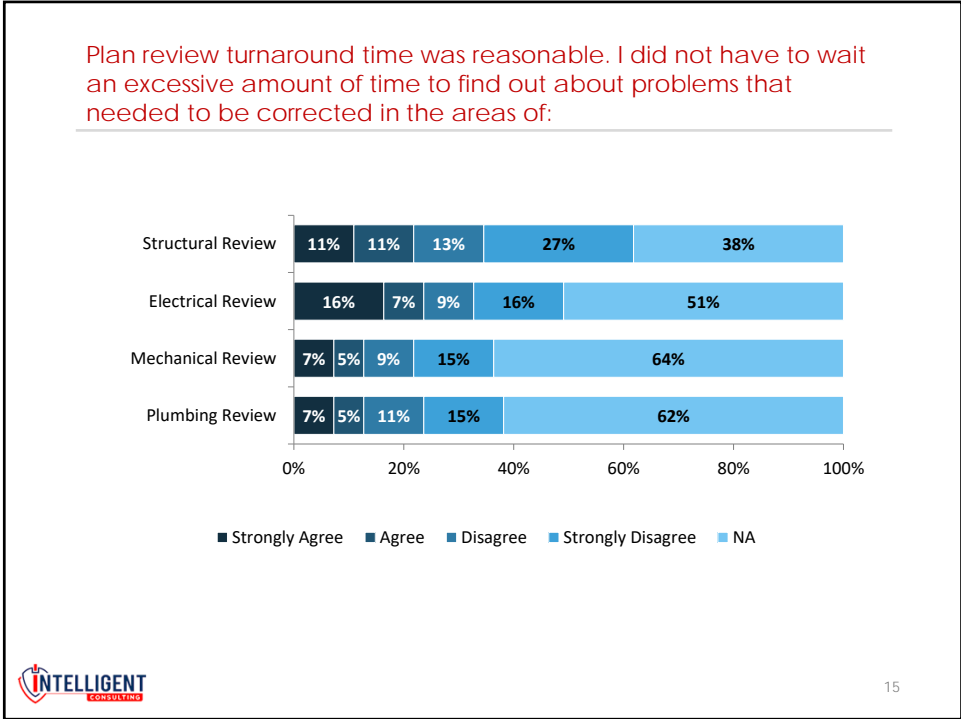
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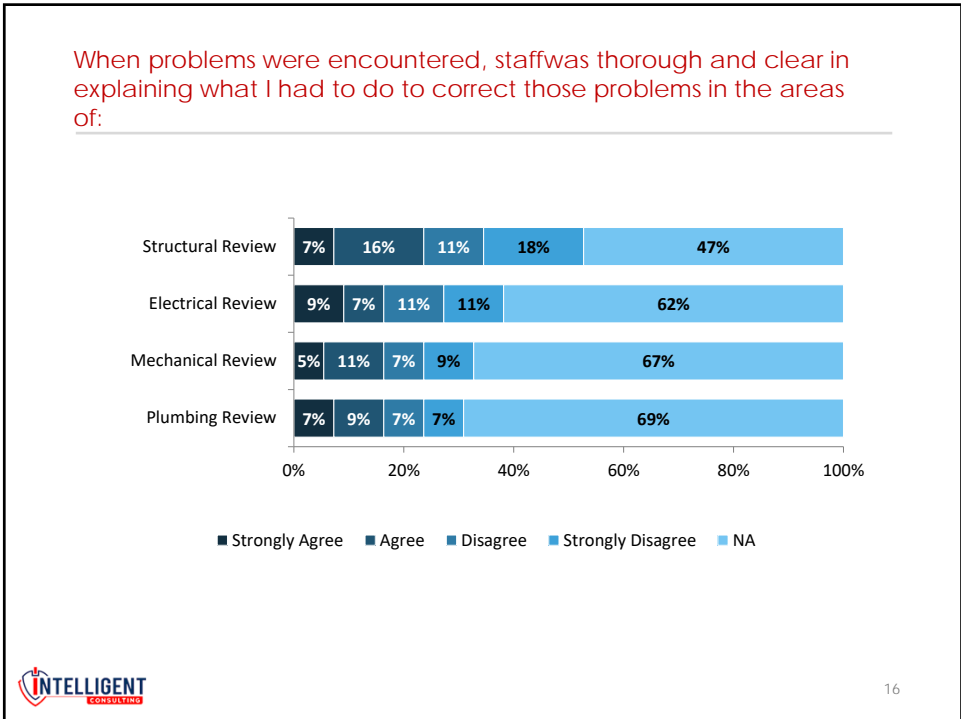
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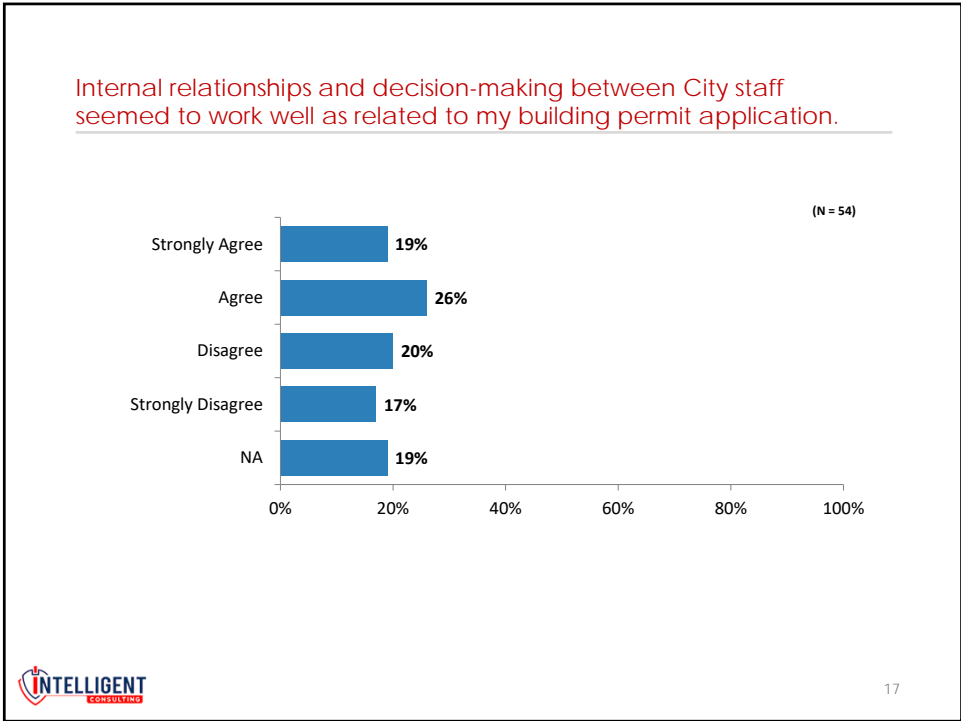
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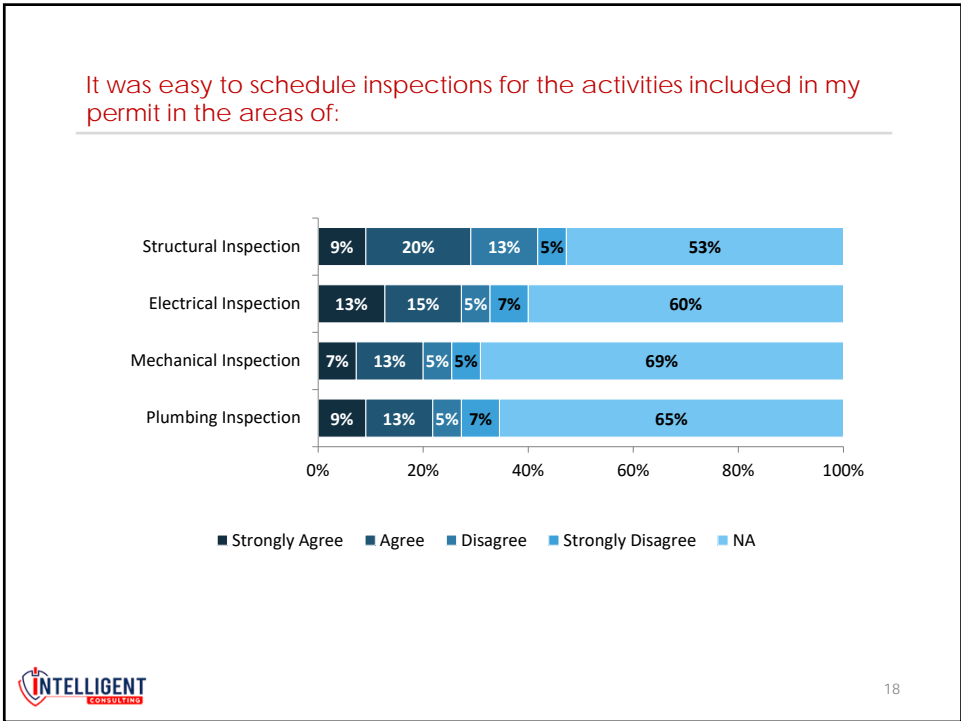
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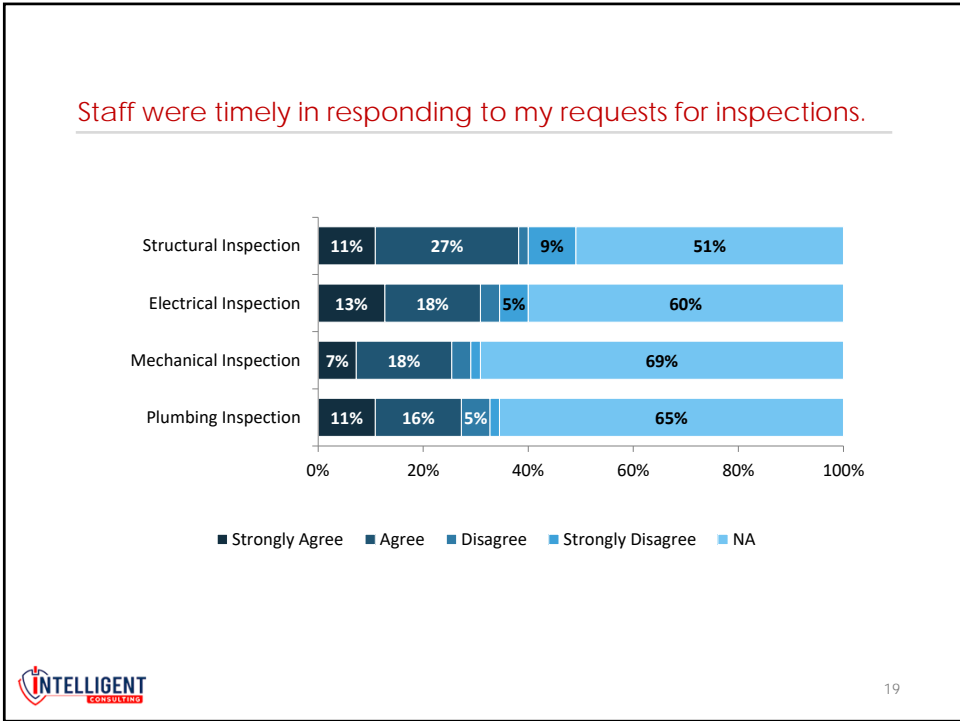
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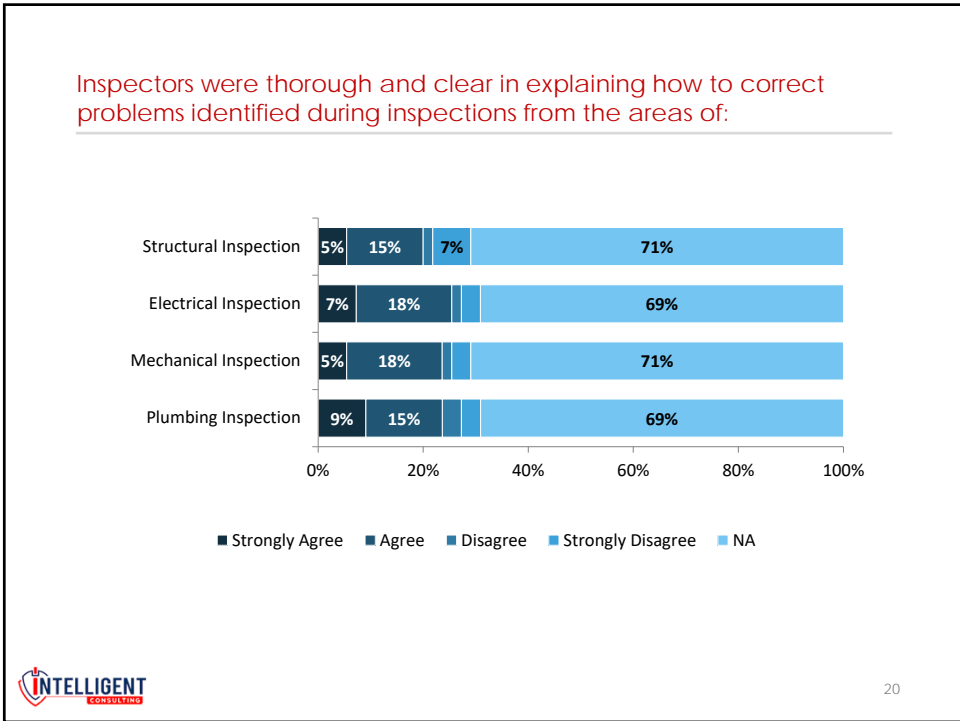
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19



20

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea.

Response No.	Answer text
3	I nearly lost my business and went bankrupt due to my dealings with this process on my project.
4	I want to be able to save my progress and come back to it.
5	The gentleman who came out twice to inspect our patio was great. Educated us further
6	The permitting staff were responsive and informative.
7	Way too many e-mails in the permit process. Working on application, invoice ready, invoice paid,
8	Remove the B-3 Code immediately and replace with the Bastrop code from 2019.
9	Remove the B-3 code.
13	Make the items requested from residents clearer on what is expected, use examples of what's needed.
15	The form links on the portal do not work so I am have to search for them. Too much paper work.
16	It took over 2 and half months to get a new construction housing permit.
20	Very very very slow on everything. Waiting months for answers.
22	MyGov was confusing to learn. Some of the field boxes were confusing, such as "Comments".



21

21

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea. (Continued)

Response No.	Answer text
23	We were required to take time of work to be present for inspections. Increasing cost of construction
24	Don't like dealing with MyGovonline. Liked it better when the city of Bastrop was taking care of permits
26	Do a better job scheduling your third party building inspectors.
28	Not telling the homeowner when the inspector will arrive or call first is EXTREMELY inconvenient
29	Send licensed inspectors to inspect - had a residential electrical inspector sent to commercial project
30	My main recommendation is response time and need an understanding on when committees meet
33	The permitting process & support are beyond frustrating. Staff is not helpful & takes way too long.
35	Purchased new house in bastrop to be near grandchildren Not permanent residence. Hired Wes Reed
37	After we met with staff in a pre construction discussion, we decided we could never get a permit
38	We could have saved a lot of time if given a yes (or no) in an in person meeting.
39	Survey too long



22

22

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea. (Continued)

Response No.	Answer text
40	Turned in my (2) ORR on march 10. Only received info on the contract documents. No response on the vacated ROW. Found out that my requests were not turned in on the day I submitted. Would me a week later.
41	We are charged every time the inspector comes out. This is the only city that we have encountered who charges this way, most give at least two inspections before charging for the permit fee again. This allows for the contractor to make corrections without being penalized on the initial inspection. The inspector is not a city employee, I feel this leads to conflict of interest for the residents and contractors.
43	It took 3 months to get a permit because the reviewer would find one issue at a time, resulting in multiple submissions. It would have been much faster to have a complete review with all comments at one time. Inspections in MyGov were not in logical order and were not a complete list. That required calling the City almost every time an inspection was needed. Users should be able to rearrange inspections without City intervention.
45	Only consideration would be to attach permits to the MyGovernmentOnline system . We get an email saying permit has been issued but need to contact the city to get a copy of the permit. It is not uploaded to the portal.
46	The website needs to easier to review & schedule inspections



23

23

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea. (Continued)

Response No.	Answer text
47	The website could be clearer and provide links to forms or definitions for terms used. The process felt like the city did not trust me or what I provided. For example, I had to provide a survey with details written on the survey on exactly where I would place my shed. I also had to provide a picture of the shed. Then I had to have an inspector come out so I could show him where it would be placed to ensure it matched my survey. Then I had to have him back out after delivery to show him that I put it where I put it was where I told him I would put out and that it matched what I put on my survey. This was a garden shed with no plumbing, electrical or cement foundation. It took a month to get the approval. HOA's at their worst aren't that bad.
48	We are not at the inspection stage yet.
50	The process for getting a permit to hang a banner from my building was tedious and required several pictures and uploaded documents. I am accustomed to using technology and it was a frustrating process. Simplifying the process, limiting the number of documents that need to be uploaded, and creating a user friendly form would help.
51	The user interface for the software used for this purpose is disorganized and at times impossible to use. I would recommend a professional evaluation and revision.
53	In general I feel like the entire process was inefficient. There was a lot of request for information with out guidance on how to obtain that information. A lot of redundancies, on the check list for all the projects I did, there was a line to complete the checklist... A couple times there was a bottle neck because provided instructions gave me the following situation, I had to complete form A to get form B, however on form A it stated I had to complete form B. In general the whole process and the My Gov platform was aggravating. To the point that I feel people will start to beg for forgiveness rather than ask yalls permission. All I wanted was a list of documents to fill out and what information was needed. It took my a full year to get a permit to build small structure, and many months to get a permit for a small structure and many months for a fence permit.



24

24

Please add any comments or suggestions you have that might improve developing permitting or customer service. Please give at least one idea. (Continued)

Response No.	Answer text
54	<p>If there are applicable code requirements for a project that must be fulfilled they shall be listed on the permit. For example if a concrete slab is being poured for a patio overhang the applicable items that will be inspected shall be listed on the permit to set clear expectations. Rebar size, spacing, footing requirements, etc. It should not be the contractors job to guess based on the IBC and the City Code what the inspector will be looking at upon inspection. As a building professional we understand or have an opinion of what should be done but it is up to the City to make it clear what exactly the expectations are. All details shall and must be lined out prior to approval we should not be getting approved permits trying to figure things out after the fact. For example if a special inspector is required for a project that should be a conversation prior to the need for the inspection so that inspector can be sourced and scheduled and it is clear who is responsible for providing and scheduling that inspector. We had this issue with a welding inspection in the past.</p> <p>General permits shall have a streamlined process. It took over 3 months to get a simple patio overhang project with a concrete slab approved. Even after approval there were delays due to lack of clarity on expectations. Simple projects should not be more than a 2 week turn around time assuming the workload for the City staff is reasonable at the time. Having a 3 month turn around time is unacceptable for small projects.</p>



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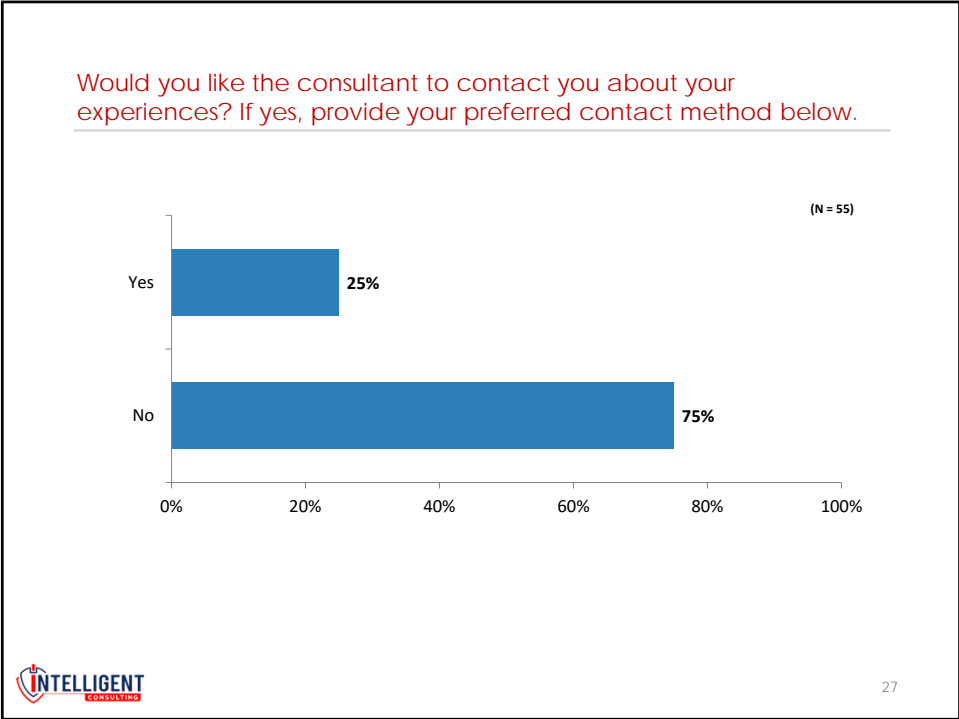
Please provide examples of other Cities that you feel provide excellent customer service.

Response No.	Answer text
8	Georgetown, Leander, Pflugerville, Hutto, Marble Falls
9	Pflugerville, Hutto, Georgetown, Marble Falls
11	Predominantly permits - roofing. Occasional porch. We don't get feedback from inspection. Pass/Fail
24	City of Lago Vista
30	The City of Smithville is very thorough in their communication and are very pleasant to deal with.
33	Smithville, TX
34	I only develop in Bastrop -- but clearly less issues working with Bastrop County than City.
37	The State of New Mexico where we are currently restoring a 160 year old adobe structure
38	No experience with other cities.
44	Austin, Kyle
45	Georgetown, Bastrop
54	Smithville is helpful (understanding they are smaller and have less regulations) Lagrange is easy to work with and has their stuff together.



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Attachment 3: Staff Feedback

The following staff feedback was collected through a series of staff group or one-on-one meetings. Staff members were interviewed from the Planning/Building, Public Works, Engineering, Bastrop Power & Light departments.

1. Core Business Processes

Building Process

1. Internal building permit review is 10 days, 3rd party review is minimum 15-20 days. There needs to be more internal staff to handle smaller projects for quick reviews.
2. Customer are frustrated that they can only submit simple building permits on Monday, for ex. – irrigation permits or other trade permits.
3. There is too much information requested from customer on a residential plot plan (i.e.- flood elevation, drainage, floor elevation, impervious cover, utilities, etc.). The information is available on final plat and site plan. There should be better access to records.
4. Trade permits are required at the time of the building plan approval, instead of at the time of construction component. There are up-front costs and subcontractor commitment before reaching that stage in construction.
5. The process is too complex for smaller projects. Building permit plot plan requirements and MyGov electronic submittal is not easy for residents or novice customers.
6. The Fire Chief is not involved during the Building Official's assignment of building permits to the 3rd party or in-house reviews. The Chief has limited knowledge of work coming through system (residential – streets & hydrants, commercial – fire codes).
7. The Fire Chief is not included (assigned) in the final walk through for issuance of certificate of occupancy (CO). There is a possibility of missed fire requirements.
8. The 3rd party building inspectors are only looking at construction within the building envelope. There appears to be limited inspections for grading, utility connections, landscaping on the site. Limited inspections may result in substandard construction on key site-related drainage and utility approval requirements.
9. A building certificate of occupancy (CO) is granted without grass or sod in place on the site. There is an erosion possibility without ground cover.

Planning Process

10. Engineering is not typically involved in the pre-application meetings and meetings with developers on significant development projects. This affects coordination of development with CIP projects.
11. There is unclear authority for floodplain determination and elevation certificates between Planning and Engineering. Currently, there is a lack of an engineer's oversight on the process.
12. The city should provide adequate time for the County's comment response. In some cases, comments are requested at the last moment.

13. With the turnover of County staff, requests for review comments are being sent to an old email address. Review requests should be sent to both Andre Betit and Aimee Robertson.

Construction Process

14. Standard working hours should be established for contractors performing work to comply with noise ordinance. Currently, construction occurs 7-days a week while oversight is Monday-Friday, 8-5pm. Noise complaints may not be responded to in a timely manner.
15. There is no standard sequence of testing during subdivision infrastructure construction. Construction inspections and testing occur more ad-hoc. The quality of streets and drainage structures vary widely, especially with the lack of approved construction details and standards.

2. People Interactions & Culture

1. There should be better forward & backward communication in Planning & Development of the work coming into the system.
2. There should be better coordination and assignment on providing onboard training for new board and commission members.
3. Human Resources (HR) needs to update onboarding forms for new employees. This will simplify getting new hires up to speed.
4. Staff should be more motivated to solve issues and not blame managers for problems. There should be more delegation and training to reduce staff frustration.
5. Staff tend to be risk-averse or rigid in interpretations. There should be more opportunity for staff training and delegation of authority.
6. There should be more training on the web information, like forms & checklists. Make all forms fillable with links at the appropriate location in the submittal process (Knowledge Items). Missing form example, Impervious Cover Letter.
7. There are recruitment challenges to find qualified candidates. Advertisements have been placed on TML, APA, and colleges. The result is extended vacancies due to lack of qualified people.
8. Communication on projects by the city is not consistent. The County finds out about roadway changes from developers before the city communicates the proposed changes. Aimee Robertson attendance at the DRC meetings will improve coordination.

3. Regulatory Framework

1. Customers are frustrated with the time frame to get a certificate of occupancy (CO) from the building 3rd party reviewer. The Certificate of Appropriateness should be removed for small projects like fences and sheds. Ten (10) working days to review separate permit application is excessive. This review can be performed during project review.
2. The drainage, wastewater, water and transportation masterplans and schedules need to be updated. This results in unclear direction to developers when preparing applications.

3. There is a lot of duplication on forms and checklists.
4. The B3 code allows/requires narrower streets thereby reducing access for emergency equipment.
5. There is a lack of standard specifications, including construction details, materials, and contracts resulting in inconsistent construction of public facilities.

4. Technology

MyGov Tracking System

1. MyGov does not have a save function once the application process starts. The customer must have all submittal requirements ready, or they lose the data and must start over. Customers can't input basic information ahead of time and then upload drawings and files later when ready.
2. Most staff and customers dislike the MyGov system. The IT group did not participate in the design and implementation of the product. Currently, the systems times out for customers. Credit card payments are available but not eChecks (ACH).
3. MyGov has a lot of repeated steps and is slow. Customers are frustrated, especially novice applicants.
4. MyGov is confusing on where to start for more novice customers. Not a "Start Here" button. There should be a breakdown of 1) am I in the City?, 2) Request, 3) Building Permit, 4) Planning Permit, etc.
5. MyGov should have more of a "tree" of approvals and related approvals based upon a "project". There is an estimated 50/50 percent split between novice and consultants making applications.
6. MyGov has limited building permit reporting for performance and workload tracking (or existing capabilities are not utilized). Approximately 3,400 building permits are in the system, with about 90 open projects.
7. The subdivision closeout process is not mapped in MyGov. Engineering staff must manually follow-up to gain sign offs from multiple team members. Signoff performance is not tracked. This results in delays for developers getting the final subdivision acceptance.
8. The final subdivision construction plans and bonds are not attached to MyGov for the City Engineer and inspector to use during the final acceptance punch list review. This increases time for staff to compare construction with the approved documents.
9. MyGov was not set up for code enforcement operations to enter actions and to access MyGov records. This results in inefficient work in the field.
10. MyGov building permits should include a sign-off (checkbox) for utility water fees paid, electric connection, etc. Utility staff was not brought in during the MyGov design process. This results in missed utility collections.
11. It is difficult to determine the change in units in MyGov to assess fees during the building permit and CO process. This hampers fee calculations in a timely fashion.
12. All MyGov projects should be assigned to Tim Goetz for further assignment to BPL staff to minimize duplication of effort and coordination.

13. MyGov does not have a current electronic plan review component. An initial system was used but it proved to be too “clunky” and inefficient. This limits the ability to reference review comments on the plans for clarity. Engineering CIP uses Bluebeam for consultants to mark up plans electronically.

GIS System

14. The GIS system is out of date. The vacant GIS position should be filled to begin updating new subdivisions layers.
15. Utility customers need a simple way to determine which electric provider their parcel is under (i.e.-BPL, Bluebonnet).
16. The Central Appraisal District’s parcel data is not integrated with the GIS mapping resulting in incomplete GIS information.
17. There is a delay for GIS records to be updated when subdivisions are submitted and accepted. There is poor information when coordinating CIP projects and asset management.

Electronic Records

18. Pre-application meeting notes are stored in folders on an internal drive. Meeting notes are not attached to a parcel or in MyGov for future reference. Staff must manually search through folders to find the information about a specific project or location.
19. The Laserfiche data is stored in folders on an internal drive. There is no metadata tagging. The data is not OCR scanned and thereby not searchable. Staff must manually search through folders to find the information about a specific project or location.
20. There is not an up-to-date electronic method to look at historic records connected to parcels, such as old site plans. Paper historic record requests delay the review process.

Website

21. The Planning & Development Department website doesn’t include a Code Enforcement section. Currently, Code Enforcement is listed on the Police website. There is not an online complaint form, making it more difficult for citizen violation reporting.
22. Customers requesting information must wait a 48-hour turnaround time for response. More weblinks should be provided on the website and/or MyGov to get customer quicker answers. Many times, the customer is just directed to a link on the website.

5. Physical Space

1. Estimated 80/20 percent of phone versus walk in customers. Walk in customer are typically novice. There is limited counter space for staff to work with smaller customer projects.
2. The physical space in the City Hall is nearly maxed out in Planning & Development. Currently, there is one (1) space for an additional staff member. There is no permit center counter space allowing walk-in customers to be easily assisted. There is limited room for staff co-locations and customer interactions.

6. Organization Structure

1. There should be funding for accreditation for building technicians and code enforcement officer to increase their qualifications.
2. The Planning Director should have a resource to delegate and perform site inspections.
3. There are limited or no annual fire inspections due to lack of staffing resources. Fire safety issues are handled reactively not proactively.
4. There are insufficient warranty inspections prior to release of subdivision bonds. Street or infrastructure failures are missed during the warranty period.
5. The City Engineer is not typically included in masterplan discussions and reviews due to him being 3rd party and on an hourly rate. This results in limited engineering review of draft documents.
6. Planning, Public Works, and Engineering have differing needs for GIS mapping. The vacant position in Planning should be filled, however, they should report to Public Works. Internal capacity is needed to update GIS maps.
7. There is not a resource in Finance/Purchasing to prepare RFPs and manage the bid process. Engineering is tasked to perform these typical purchasing functions. Engineering is spread thin managing CIP projects and master planning functions.
8. There is limited staff capacity to draft needed code amendments, including the sign code, B3 rewrites/restructuring to incorporate key documents. Updates to code will provide clear direction to customers and staff.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve City Council minutes from the June 13, 2023, Regular meeting; June 15, 2023, Town Hall meeting; and June 20, 2023, Canvassing.

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 June 13, 2023, Regular meeting; June 15, 2023, Town Hall meeting; and June 20, 2023, Canvassing.

ATTACHMENTS:

- June 13, 2023, DRAFT Regular Meeting Minutes.
- June 15, 2023, DRAFT Town Hall Meeting Minutes.
- June 20, 2023, DRAFT Canvassing Minutes



JUNE 13, 2023

The Bastrop City Council met in a regular meeting on Tuesday, June 13, 2023, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Plunkett, and Crouch. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mia, Christian, and Luke Chavez led the pledges.

INVOCATION

Phil Woods, Police Chaplain, gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing June 19, 2023, as Juneteenth Day.
Submitted by: Victoria Psencik, Assistant City Secretary
The presentation was made by Mayor Schroeder and received by members of the Juneteenth Committee.

WORK SESSIONS/BRIEFINGS

- 5A. Presentation and discussion on Land Use Assumptions and Capital Improvements Plan as it relates to the Traffic Impact Fee Study.
Submitted by, Trey Job, Assistant City Manager
Presentation was made by Jake Gutekunst, Kimley-Horn.

Public hearing opened.

Public hearing closed.

- 5B. Receive presentation on the Engineer's Intersection Improvements Traffic Analyses.
Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management
Presentation was given by Matthew Gaal, Kimley Horn.

STAFF AND BOARD REPORTS - NONE**CITIZEN COMMENTS - NONE**

Mayor Schroeder recessed the Council Meeting at 7:41 p.m.

Mayor Schroeder called the Council Meeting back to order at 7:45 p.m.

CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from the May 22, 2023, Leadership Summit and May 23, 2023, Regular Council meeting.
Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve Resolution No. R-2023-86 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to enter into certain agreements related to the sale of certain real property located at the 2000 Block of Mill Street, Building Block 142 East of Water Street, and the 2000 Block of South Street, Building Block 143 East of Water Street.
Submitted by: Trey Job, Assistant City Manager

- 8C. Consider action to approve Resolution No. R-2023-85 of the City Council of the City of Bastrop, Texas, approving the expenditure of Bastrop Economic Development Corporation funds for a target industry analysis in an amount not to exceed fifty thousand dollars (\$50,000.00); repealing all resolutions in conflict; and providing an effective date.
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager & Interim Executive Director Bastrop Economic Development Corporation

- 8F. Consider action to approve Resolution No. R-2023-87 of the City Council of the City of Bastrop, Texas, consenting to the creation and division of Garfield Municipal Utility District; providing for an open meetings clause; and providing for an effective date.
Submitted by Trey Job, Assistant City Manager

- 8G. Consider action to approve Resolution R 2023-89 approving appointment of Jacob Dannen, JD as Associate Municipal Judge, Bastrop Municipal Court, City of Bastrop and approving a contract to provide services, attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager

DISCUSSION ITEM

- 8D. Consider action to approve the first reading of Ordinance No. 2023-11, of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 14, of the Bastrop Building Block (B3) Code, Article 2.4 Administration, Sec. 2.4.001(c) (1), and (4) Nonconforming Uses and Structures; (d) hanging Nonconforming Use (1) (a) (i) (b) and (e); and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager
A motion was made by Council Member Meyer to approve the first reading of Ordinance No. 2023-11, seconded by Council Member Plunkett.

The following amendments were made by Mayor Pro Tem Kirkland and accepted by the maker and second of the motion.

- 1. Approve with new attachment provided by the City Attorney.**
- 2. E1 – include “the rebuilt structure after a disaster could be as large as 150% the size of the original structure”.**
- 3. C1 – replace 6 months with 18 months.**

A motion was made by Council Member Meyer to approve the first reading of Ordinance No. 2023-11 with the amendments, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 8E. Consider action to approve Resolution No. R-2023-88 of the City Council of the City of Bastrop, Texas, approving an Interlocal Agreement between the City of Bastrop and Bastrop County, as attached in Exhibit A, authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by, Trey Job, Assistant City Manager
A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. 2023-88, seconded by Council Member Crouch, motion was approved on a 4-0 vote. Council Member Meyer abstained.

ITEMS FOR INDIVIDUAL CONSIDERATION - NONE**EXECUTIVE SESSION**

This item was pulled from the agenda.

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Codes sections 551.071 and 551.072 to seek the advice of legal counsel regarding counteroffers for real estate acquisitions for the South Side Wastewater Collection System and related real estate matters.

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

No action taken.

PRESENTATIONS CONTINUED

4E. Recognition of outgoing Mayor Connie Schroeder.

RECEPTION FOR MAYOR SCHROEDER

Adjourned at 8:13 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie Schroeder

City Secretary Ann Franklin

The Minutes were approved on June 27, 2023, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.

MINUTES OF COUNCIL TOWN HALL MEETING

JUNE 15, 2023

The Bastrop City Council met in a town hall meeting on Thursday, June 15, 2023, at 6:00 p.m. at the Bastrop Convention and Exhibit Center, located at 1408 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Council Members Lee, Meyer, Plunkett, and Crouch. Officers present were: City Manager, Sylvia Carrillo; Assistant City Secretary, Victoria Pscenk; and Assistant City Attorney, Rezzin Pullum.

CALL TO ORDER

Mayor Schroeder called the meeting to order at 6:00 p.m. with a quorum present. Mayor Pro Tem Kirkland was absent.

PRESENTATIONS

- 3A. Presentation regarding the Building Bastrop Block (B3) Code, proposed amendments, and future land use and development in the City of Bastrop.
Presentation was made by Sylvia Carrillo, City Manager

Mayor Schroeder recessed the Town Hall Meeting at 6:43 p.m.

Mayor Schroeder called the Town Hall Meeting back to order at 6:50 p.m.

CITIZEN COMMENTS

SPEAKERS

**Herb Goldsmith
1105 Pecan Street
Bastrop, TX 78602
979-203-1150**

**Stephanie Jenkins
1302 Pecan Street
Bastrop, TX 78602
512-796-3938**

**Claire Maciques – Did not speak, In support of Item 3A
211 Tributary Way
737-278-0982**

**Nathan W Anderson – Did not speak, In support of Item 3A
805 Main Street
Bastrop, TX 78602
512-924-6810**

**Paula Clark – Did not speak, In support
1104 Pecan Street
Bastrop, TX 78602
512-740-6790**

Michael S McCoy – Did not speak, In support
213 River Front Drive
Cedar Creek
480-580-7208

Robert Hunt Carpenter
1303 Pecan Street
Bastrop, TX 78602
512-971-4933

Paula Pickering – Did not speak, In support
110 Fallow Way
Bastrop, TX 78602
512-985-5037
408-702-0039

Sarah Carr – Did not speak, In support of Item 3A
1318 Farm Street
Bastrop, TX 78602
512-415-3057

Sherri Gilmore – Did not speak, In support of Item 3A
1102 Pecan Street
Bastrop, TX 78602
512-924-3227

Reid Sharp – Did not speak, In support of Item 3A
489 Highway 71 W
Bastrop, TX 78602
512-332-6051

Amy Wadum – Did not speak, In support of Item 3A
605 Water Street
Bastrop, TX 78602
214-732-1552

Gary Moss – Did not speak, In support
1706 Wilson Street
Bastrop, TX 78602

Steve Durham
13220 Kerrville Folkway
Austin, TX 78729
512-751-6445

Deborah Jones
1606 Pecan Street
Bastrop, TX 78602

Richard Darren Kesselus
705 Farm Street
Bastrop, TX 78602

512-680-4444

**James Froncek – Did not speak
172 Sayers Road
Bastrop, TX 78602
512-497-6878**

**Dominique Barnett – Did not speak
203 KLBJ Road
Smithville, TX 78957
512-913-2607**

**Steven Barnett – Did not speak, In support
203 KLBJ Road
Smithville, TX 78957**

**Hanan Jones
1606 Pecan Street
Bastrop, TX 78602
512-406-1125**

**Eliana Lerma – Did not speak, In support
1109 Church Street
Bastrop, TX 78602
512-988-9077**

**Seth Jones
904 Spring Street
Bastrop, TX 78602
512-629-1651**

**Scott Mele – Did not speak, In support
801 Austin Street
Bastrop, TX 78602**

**Judith Hoover
1316 Wilson Street
Bastrop, TX 78602
512-304-5678**

**Donald Barron
169 Hofferek Road
Rosanky, TX 78953
PO Box 465
Bastrop, TX 78602**

**Emily Huth – Did not speak, In support of Item 3A
1303 Cedar Street
Bastrop, TX 78602
512-736-2259**

**Charles Huth – Did not speak, In support of Item 3A
1303 Cedar Street
Bastrop, TX 78602
512-303-1733**

**Nancy Huth – Did not speak, In support of Item 3A
1303 Cedar Street
Bastrop, TX 78602
512-303-1733**

**JK Jones
Lampasas, TX
512-556-2076**

**Debbie Moore
1306 Church Street
Bastrop, TX 78602**

**Joe Grady Tuck
1503 Wilson Street
Bastrop, TX 78602**

**Cheryl Long – Did not speak, In support of Item 3A
1501 Church Street
Bastrop, TX 78602**

**Lindy Larson
1320 Farm Street
Bastrop, TX 78602
432-770-5969**

**Edward Smith – Did not speak, In support of Item 3A
1504 Cedar Street
Bastrop, TX 78602
512-303-2945**

**Mike Gibbons – Did not speak, In support of Item 3A
1501 Pecan Street
Bastrop, TX 78602
512-332-0318**

**Jerod D. Hruska – Did not speak, In support of Item 3A
1105 Buttonwood Road
Bastrop, TX 78602
512-658-5975**

**Linda C. Smith – Did not speak, In support of Item 3A
1504 Cedar Street
Bastrop, TX 78602
512-303-2945**

Sherri Hoskins – Did not speak, In support of Item 3A
1210 Chambers Street
Bastrop, TX 78602
512-797-7843

Renee Parker – Did not speak, In support of Item 3A
1501 Pecan Street
Bastrop, TX 78602
512-332-0318

Daniel Smith – Did not speak, In support of Item 3A
1504 Cedar Street
Bastrop, TX 78602
512-303-2945

Jared P. Smith – Did not speak, In support of Item 3A
1504 Cedar Street
Bastrop, TX 78602

John Larson – Did not speak, In support of Item 3A
1320 Farm Street
Bastrop, TX 78602

Katherine K. Albers – Did not speak, In support of Item 3A
1307 Pecan Street
Bastrop, TX 78602
512-484-9877

James C. Foreman – Did not speak, In support of Item 3A
1504 Farm Street
Bastrop, TX 78602

Christy Foreman – Did not speak, In support of Item 3A
1504 Farm Street
Bastrop, TX 78602

Selvin Kesselus – Did not speak, In support of Item 3A
705 Farm Street
Bastrop, TX 78602
737-500-2266

Alex Kesselus – Did not speak, In support of Item 3A
705 Farm Street
Bastrop, TX 78602

Allison Bumsted
Farm Street
Bastrop, TX 78602

Kristi Koch – Did not speak, In support
1408 Water Street
Bastrop

ITEMS FOR INDIVIDUAL CONSIDERATION

- 4A. Discuss and potentially provide direction to the City Manager to bring back items of importance related to the B3 Code and future development in the City of Bastrop. **No action was taken.**

Adjourned at 7:56 p.m. without objection.

APPROVED:

ATTEST:

Mayor **Connie B. Schroeder**

Assistant City Secretary Victoria Psencik

The Minutes were approved on June 27, 2023, by Council Member **Name**'s motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.

JUNE 20, 2023

The Bastrop City Council met in a special meeting on Tuesday, June 20, 2023, at 6:00 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Council Members Lee, Plunkett, Crouch, and Kirkland. Officers present were City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and Assistant City Attorney, Rezzin Pullum.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Elijah Valdez, led the pledges.

INVOCATION

Dale Burke, Bastrop Police Chaplain, gave the invocation.

CITIZEN COMMENTS – NONE**INDIVIDUAL CONSIDERATION**

- 5A. Consider action to approve Resolution No. R-2023-90 of the City Council of the City of Bastrop, Texas, to canvass the June 10, 2023, Runoff Election for Mayor of the Bastrop City Council; and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Plunkett to approve Resolution No. R-2023-90, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

OATH OF OFFICE

- 5A. Incoming Mayor Lyle Nelson

- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
- Signature of official documents, Ann Franklin, City Secretary
- Welcome by Council
- Comments by Mayor Lyle Nelson

- 5B. Incoming Associate Judge Jacob Dannen

- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
- Signature of official documents, Ann Franklin, City Secretary
- Welcome by Council
- Comments by Judge Jacob Dannen

Adjourned at 5:00 p.m. without objection.

RECEPTION IMMEDIATELY FOLLOWED MEETING.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on June 27, 2023, by Council Member motion, Council Member second. The motion was approved on a vote.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-93 of the City Council of the City of Bastrop to award the contract to Vortex Lining Systems, LLC. for Tahitian Village Manhole Rehabilitation Project, in the sum not to exceed One Hundred Fifty Thousand Dollars, (\$150,000.00) as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Curtis Hancock, Director of Public Works

BACKGROUND/HISTORY:

The subject project area lies within Tahitian Village, Section 6, and is comprised of a total of 9 manholes. This portion of the City's wastewater collection system is used to convey wastewater from Loop 150 (between SH-71 & SH-21), Bastrop County Water Control Improvement District #2, the Lakeside Professional Building, the St. David's Hospital Campus, and Section 6 of Tahitian Village.

The manholes in this area are subjected to a gaseous and corrosive environment which has caused premature deterioration to the point of structural failure, contributing to exfiltration, inflow, and infiltration of our wastewater collection and treatment system. The City has experienced catastrophic structural failure on one of these manholes as recently as April 12, 2023.

City Staff has selected Vortex Lining Systems, LLC through the BuyBoard purchasing cooperative system to perform the required work.

Upon approval, Vortex Lining Systems would be expected to mobilize and complete the project within 2 months, providing structural rehabilitation and corrosion inhibitor lining to extend the life expectancy of the manholes based on a 50-year design. Vortex is also providing a 2-year craftsmanship warranty in their proposal.

FISCAL IMPACT:

Proposed funding in an amount not to exceed \$150,000.00 (One Hundred Fifty Thousand Dollars) is to be utilized from the W/WW Capital Improvement Project Fund.

RECOMMENDATION:

Curtis Hancock, Director of Public Works recommends approval of the City Council to award the contract to Vortex Lining Systems, LLC in Resolution R-2023-93 for Tahitian Village Manhole Rehabilitation Project, in the sum not to exceed \$150,000.00 (One Hundred Fifty Thousand Dollars), as attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

1. Resolution R-2023-93
2. Project Area Map

RESOLUTION NO. R-2023-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS TO AWARD THE CONTRACT TO VORTEX LINING SYSTEMS, LLC. FOR THE TAHITIAN VILLAGE MANHOLE REHABILITATION PROJECT, IN THE SUM NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS, (\$150,000.00) AS ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

WHEREAS, The City Manager is responsible for the proper administration of all affairs of the City; and

WHEREAS, The City Council has the steadfastness to ensure the quality of our City water supply; and

WHEREAS, The City of Bastrop City Council to award the contract to Vortex Lining Systems, LLC.

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

Section 1: That the City Manager is hereby authorized to award the contract to Vortex Lining Systems for the Tahitian Village Manhole Rehabilitation, in the sum not to exceed One Hundred Fifty Thousand Dollars, (\$150,000.00).

Section 2: All orders, ordinances, and resolutions, or parts thereof, which 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 resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 27th day
of June, 2023.

Item 11B.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

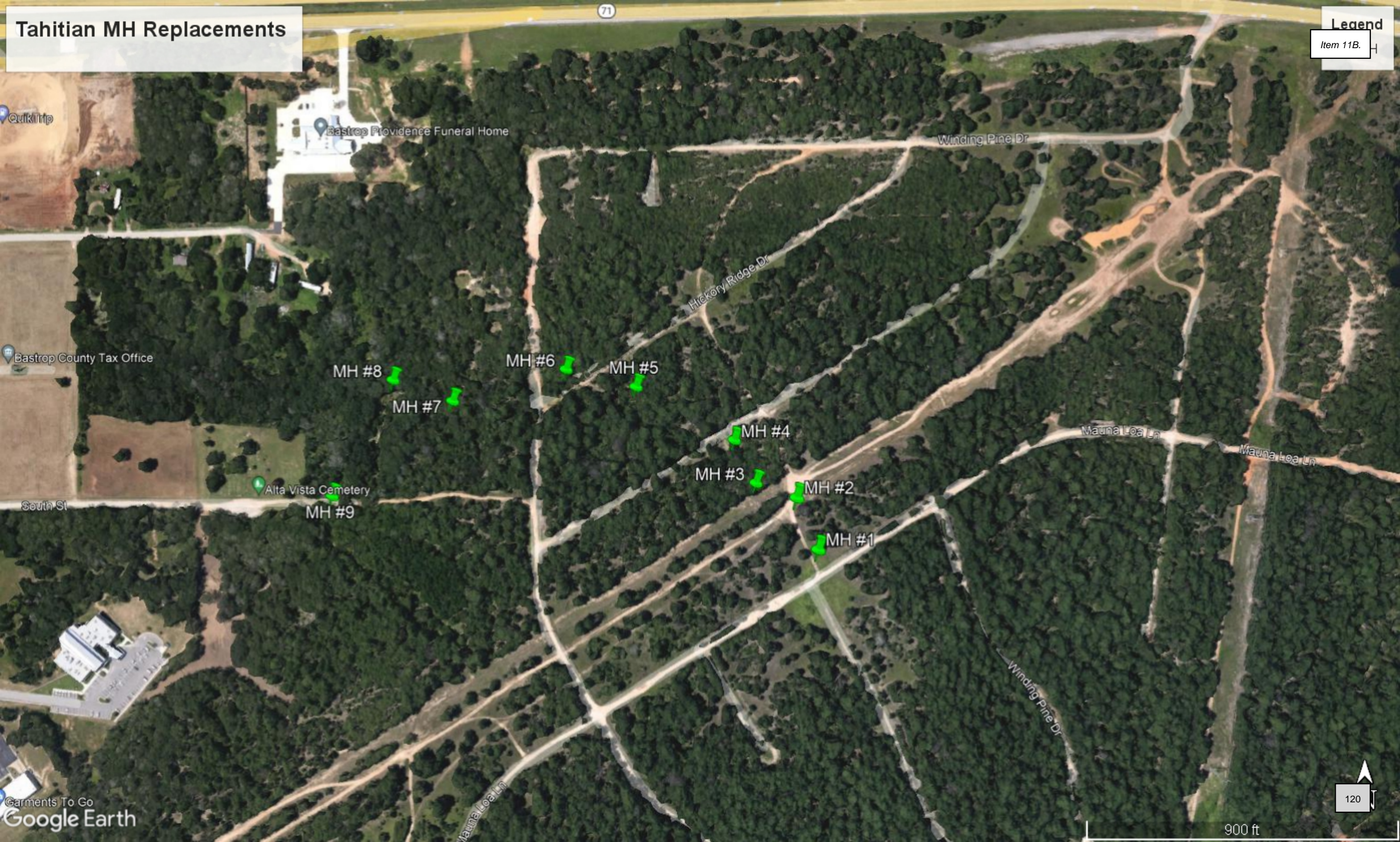
Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Tahitian MH Replacements

Legend
Item 11B.



MH #8

MH #6

MH #5

MH #7

MH #4

MH #3

MH #2

South St

MH #9

MH #1

Alta Vista Cemetery

Bastrop Providence Funeral Home

Winding Pine Dr

Hickory Ridge Dr

Mauna Loa Ln

Mauna Loa Ln

Winding Pine Dr

Mauna Loa Ln



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve the second reading of Ordinance No. 2023-11, of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 14, of the Bastrop Building Block (B3) Code, Article 2.4 Administration, Sec. 2.4.001(c) (1), and (4) Nonconforming Uses and Structures; (d) hanging Nonconforming Use (1) (a) (i) (b) and (e); and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

AGENDA ITEM SUBMITTED BY:

Submitted by: Sylvia Carrillo, City Manager

BACKGROUND/HISTORY

All changes in zoning cause a certain structure, uses, or buildings to be designated as non-conforming status. The B3 code, as adopted, is no different and, requires all existing uses and structures who do not meet the B3 standard to be considered nonconforming, also known as Nonconforming uses are intended to move the community into current planning, building code, and design standards.

An unexpected consequence of the B3 code was the disparate impact it would have on residents in predominantly low-income areas, or the large extent of the town that would be considered nonconforming and what that actually would mean to residents.

This item was originally heard by City Council on April 11, 2023, and staff was directed to get input from the planning and zoning commission in regard to the proposed administrative relief that could be determined within a 200' radius of the Nonconforming structure, use, or lot. Assistant City Manager Job workshopped "Continued lawful use of a nonconforming structure" with the City of Bastrop Planning and Zoning Commission twice in the month of May.

During the workshop all of section 2.4.001 Nonconforming Uses and Structures was discussed in an effort to provide increased administrative relief for nonconforming structures, uses, and lots. with that in mind the P&Z commission proposed amendments that not only addressed the radius in which an administrative determination could be made but included extending the time a Nonconforming Structure could be discontinued from six months to eighteen months.

A proposed change is also the ability to expand, or restoration of a nonconforming structure can be increase when the expansion doesn't exceed 50% of the square footage and is no longer tied to the value of the property. Lastly administrative relief to reoccupy a nonconforming structure was added. It allows a structure to be reoccupied as long as the Fire and Building Officials agree all life safety concerns are addressed.

This agenda item seeks to provide administrative relief to residents and businesses in that section of the code.

RECOMMENDATION:

Staff recommends amendment to amending Continuing Lawful Use of Property & Existence of Structures by adding an administrative relief component for residents.

ATTACHMENTS:

Ordinance No. 2023-11

Proposed code amendment documents.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP CODE OF ORDINANCES CHAPTER 14, THE BASTROP BUILDING BLOCK (B3) CODE, ARTICLE 2.4 ADMINISTRATION, SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES; 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 (City Council) 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, pursuant to Texas Local Government Code Chapters 211, 212, 214, and 217, the City Council has general authority to regulate planning, zoning, subdivisions, and the construction of buildings; and

WHEREAS, the City Council finds certain amendments to Bastrop Code of Ordinances necessary to meet changing conditions and are in the best interest of the City; and

WHEREAS, the City Council finds the attached amendments reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Article 2.4 [Administration], Section 2.4.001 [Nonconforming Uses and Structures] is hereby amended, and after such amendment, shall read in accordance with *Attachment "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.

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 13th of June, 2023.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the 27th day of June 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop

Code of Ordinances Chapter 14

Bastrop Building Block (B3) Code

Chapter 2: Zoning Procedures

ARTICLE 2.4 ADMINISTRATION

The Code of Ordinances is amended by modifying Section 2.4.001 by inserting and/or deleting the following language:

Sec. 2.4.001 Nonconforming Uses and Structures

...

(c) Continuing Lawful Use of Property & Existence of Structures

(3) When a nonconforming use or Structure that does not meet the Development Standards in this Code ceases to be used for a period of ~~6~~ 18 months or longer, such use shall not be resumed and proof of such event shall constitute prima facie evidence of an act of abandonment. Any nonconforming use that does not involve a permanent type of Structure or operation and that is moved from the Premises shall be CHAPTER 2: ZONING PROCEDURES 43 of 249 considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

(4) No nonconforming use or Structure may be expanded, reoccupied with another nonconforming use, or increased as of the effective date of this Code, unless:

(a) an application is authorized by the ZBA; or

(b) an application is administratively approved by the Director of Development Services. Administrative approval can be made by the Director of Development Services if:

(1) properties within 500 feet of the adjacent structures have similar encroachments, building standards, lot standards, setbacks, or build to lines and the application is generally consistent with the surrounding built environment; or

(2) the application is for an Accessory Structure that does not directly increase or expand the characteristics that render the use or structure nonconforming; or

(3) the expansion to the structure does not directly increase or expand the characteristics that render the use or structure nonconforming.

...

(d) Changing Nonconforming Use:

(1) An expansion of a nonconforming Structure is allowed in accordance with the following:

A. A nonconforming use located within a Building may be extended throughout the existing Building, provided:

i. No structural alteration of over 50% the total square footage as determined by the Bastrop County Central Appraisal District, may be made on or in the Building except those required by law to preserve such Building in a structurally sound condition.

ii. No nonconforming use within a Building may be extended to occupy any land outside the Building.

B. Buildings or Structures that have been vacant or abandoned for more than 18 months and do not meet the Standards of this Code shall be allowed to be reoccupied if compliant with ICC, adopted Bastrop County Health District, and Fire Code and allowed by the Place Type, as determined by the ZBA. Or administratively resolved by the Building Official and Fire Official agreeing all life safety measures are being met in accordance with the existing building code, if the requisite conditions exist. This determination can be made by the Director of Development Services.

...

(e) Restoration of Nonconforming Structure:

(1) If a nonconforming structure or structure occupied by nonconforming uses are destroyed by fire, the elements, or other unavoidable casualty, it may be rebuilt or repaired if the necessary permits are sought and repairs commence within 2 years of the damage. In rebuilding or repairing the structure it may be expanded by up to 50% beyond the initial footprint. The construction to rebuild or repair structure must comply with current national or international building codes as adopted by the City.

...

(g) Miscellaneous

(1) Routine repairs and nonstructural alterations shall be permitted if not extending or enlarging the characteristics that render the use or structure nonconforming.

(2) The act of real estate acquisition of the subject property or nearby property by a government agency shall not render a use or structure nonconforming.

CITY OF BASTROP, TX

ORDINANCE NO. 2023-11

Draft “G” by Cty Atty Alan B Approved on 1st Reading June 13, 2023
NONCONFORMING USES & STRUCTURES

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING THE BASTROP CODE OF ORDINANCES CHAPTER 14, THE BASTROP BUILDING BLOCK (B3) CODE, ARTICLE 2.4 ADMINISTRATION, SEC. 2.4.001 NONCONFORMING USES AND STRUCTURES; 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 (City Council) 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, pursuant to Texas Local Government Code Chapters 211, 212, 214, and 217, the City Council has general authority to regulate planning, zoning, subdivisions, and the construction of buildings; and

WHEREAS, the City Council finds certain amendments to Bastrop Code of Ordinances necessary to meet changing conditions and are in the best interest of the City; and

WHEREAS, the City Council finds the attached amendments reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Article 2.4 [Administration], Section 2.4.001 [Nonconforming Uses and Structures] is hereby amended, and after such amendment, shall read in accordance with *Attachment “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.

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 13th of June, 2023.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the ___ day of ____ 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop

Code of Ordinances Chapter 14

Bastrop Building Block (B3) Code

Chapter 2: Zoning Procedures

ARTICLE 2.4 ADMINISTRATION

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(c) Continuing Lawful Use of Property & Existence of Structures

(3) When a nonconforming use or Structure that does not meet the Development Standards in this Code ceases to be used for a period of ~~6~~ 18 months or longer, such use shall not be resumed and proof of such event shall constitute prima facie evidence of an act of abandonment. Any nonconforming use that does not involve a permanent type of Structure or operation and that is moved from the Premises shall be CHAPTER 2: ZONING PROCEDURES 43 of 249 considered to have been abandoned. Manufactured homes and mobile homes may be replaced once per the Texas Occupations Code.

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ii. No nonconforming use within a Building may be extended to occupy any land outside the Building.

B. Buildings or Structures that have been vacant or abandoned for more than 18 months and do not meet the Standards of this Code shall be allowed to be reoccupied if compliant with ICC, adopted Bastrop County Health District, and Fire Code and allowed by the Place Type, as determined by the ZBA. Or administratively resolved by the Building Official and Fire Official agreeing all life safety measures are being met in accordance with the existing building code, if the requisite conditions exist. This determination can be made by the Director of Development Services.

...

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(1) If a nonconforming structure or structure occupied by nonconforming uses are destroyed by fire, the elements, or other unavoidable casualty, it may be rebuilt or repaired if the necessary permits are sought and repairs commence within 2 years of the damage. In rebuilding or repairing the structure it may be expanded by up to 50% beyond the initial footprint. The construction to rebuild or repair structure must comply with current national or international building codes as adopted by the City.

...

(g) Miscellaneous

(1) Routine repairs and nonstructural alterations shall be permitted if not extending or enlarging the characteristics that render the use or structure nonconforming.

(2) The act of real estate acquisition of the subject property or nearby property by a government agency shall not render a use or structure nonconforming.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Hold Public Hearing on the Hunters Crossing Public Improvement District ongoing service plan and proposed assessment levy, consider any objections to the proposed assessments and, consider action to approve the first reading of Ordinance No. 2023-20 of the City Council of the City of Bastrop, Texas approving the Fiscal Year 2024 Annual Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a Fiscal Year 2024 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunter's Crossing Local Government Corporation; providing for an effective date and move to include on the July 11, 2023 City Council Meeting for a second reading.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Hunters Crossing Public Improvement District (the "PID") was created by the City of Bastrop, Texas and is operating under the authority of Chapter 372, Texas Local Government Code. The City previously determined the estimated cost of certain public improvements for the PID and the method of assessment for the costs of such Public Improvements and adopted a Service and Assessment Plan for the PID.

Texas Local Government Code Section 372.013 requires the ongoing service plan to be presented to the governing body of the municipality for review and approval, which was done in 2003. The statute further requires the ongoing service plan be reviewed and updated annually to determine the annual budget for improvements.

City Staff has prepared a proposed Fiscal Year 2024 Budget and Proposed Assessments for the Operations and Maintenance Project Costs for Fiscal Year 2024 based on the updated service plan and presented it to the public and the Hunters Crossing Local Government Corporation (LGC) for consideration. The LGC on May 24, 2023, by Resolution of the Board, recommended approval of its proposed service plan, assessment levy and annual budget for Fiscal Year 2024. The LGC recommended that the assessment roll is incorporated into the Ordinance for City Council adoption as required by law.

The updated Service & Assessment Plan reflects no increase for all property assessments.

Texas Local Government Code section 372.016-.017 requires the governing body to prepare an assessment roll and adopt it by ordinance or order. The required procedure provided by law is:

- 1) Give proper notice;
- 2) Conduct a public hearing;

- 3) At the close of the hearing, hear and pass on any objection to the proposed assessments;
- 4) Amend any proposed assessment if warranted; and
- 5) Pass the ordinance to levy the assessment.

FISCAL IMPACT:

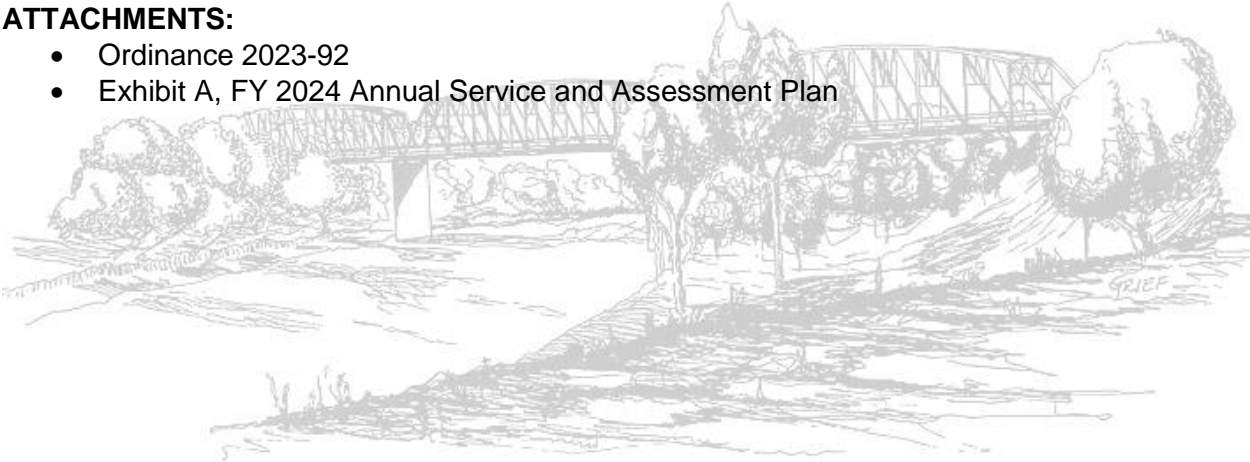
PID Assessments for FY2024

RECOMMENDATION:

Tracy Waldron, CFO recommends approval of the first reading of Ordinance No. 2023-XX of the City Council of the City of Bastrop, Texas approving the Fiscal Year 2024 Annual Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a Fiscal Year 2024 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunter’s Crossing Local Government Corporation; providing for an effective date and move to include on the July 11, 2023 City Council Meeting for a second reading.

ATTACHMENTS:

- Ordinance 2023-92
- Exhibit A, FY 2024 Annual Service and Assessment Plan



ORDINANCE NO. 2023-20

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS RELATED TO THE HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT; APPROVING THE FISCAL YEAR 2024 ANNUAL SERVICE PLAN UPDATE, INCLUDING PROVISIONS RELATED TO ASSESSMENTS FOR THE HUNTER’S CROSSING PUBLIC IMPROVEMENT DISTRICT; APPROVING A FISCAL YEAR 2024 ASSESSMENT ROLL FOR THE DISTRICT; AND CONTAINING OTHER PROVISIONS RELATED TO THE HUNTER’S CROSSING PUBLIC IMPROVEMENT DISTRICT AND THE HUNTER’S CROSSING LOCAL GOVERNMENT CORPORATION; PROVIDING FOR RATIFICATION OF PRIOR COUNCIL ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas (the “City”), pursuant to and in accordance with the terms, provisions, and requirements of the Public Improvement District Assessment Act, Chapter 372, Texas Local Government Code, as amended (the “PID Act”), has previously established the “Hunters Crossing Public Improvement District” (the “District”), pursuant to Resolution No. R-2001-19 adopted by the City Council of the City (the “City Council”) on September 11, 2001 (the "Original Creation Authorization"); and

WHEREAS, on November 11, 2003, the City Council passed and approved Resolution No. R-2003-34 amending the Original Creation Authorization by reducing the estimated costs of the public improvements for the PID (the "Public Improvements") and modifying the method of assessment; and

WHEREAS, on December 9, 2003, the City Council passed and approved Ordinance No. 2003-35 (the "Original Assessment Ordinance") levying assessments and adopting the Service and Assessment Plan, including the Assessment Roll for the PID attached thereto (collectively, the “Service and Assessment Plan”); and

WHEREAS, on December 14, 2004, the City Council passed and approved Ordinance No. 2004-42 (the Original Assessment Ordinance as amended by Ordinance No. 2004-42, and as the same may be amended from time to time, is referred to collectively as the “Assessment Ordinance”), to correct omissions or mistakes discovered in the Assessment Roll consisting of scrivener's and mathematical errors as well as a failure to denote the effects of rounding in the conversion of square feet; and

WHEREAS, the service plan and assessment roll contained in the Service and Assessment Plan are required to be reviewed and updated annually pursuant to the PID Act; and

WHEREAS, the Hunter’s Crossing Local Government Corporation “HCLGC” was established by the City Council to operate the District and make recommendations to the City Council regarding District operation which is controlled by the City Council, including the District’s annual service plan update and assessment roll.

WHEREAS, the HCLGC met on May 24, 2023, where the Board deliberated upon the Annual Service Plan Update, including the FY2024 Assessment Roll item and unanimously

approved its recommendation to the City Council for adoption as the Fiscal Year 2024 annual update to the Service Plan and FY2024 Assessment Roll.

WHEREAS, after staff and consultant preparation, public hearing was conducted in accordance with the Texas Open Meetings Act on June 27, 2023, where the Hunters Crossing Public Improvement District Fiscal Year 2024 Annual Service Plan Update, including the FY2024 Assessment Roll (attached hereto as Exhibit A) was presented; where opportunity for public testimony was provided; and

WHEREAS, the City Council now desires to proceed with the adoption of this Ordinance to conduct the annual update to the Service and Assessment Plan and set forth the FY2024 Assessment Roll, in conformity with the requirements of the PID Act; and

WHEREAS, the City Council finds the passage of this Ordinance is required by the PID Act and is in the best interest of the citizens of Bastrop.

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

Section 1. **Terms.** Terms not otherwise defined herein, including in the preambles to this Ordinance, have the meanings ascribed thereto as set forth in the FY2024 Annual Service Plan Update.

Section 2. **Findings.** The findings and determinations set forth in the recitals hereof are hereby incorporated by reference and made a part of this Ordinance for all purposes as if the same were restated in full in this Section.

Section 3. **Ratification of Previous City Council Actions.** The City Council does hereby approve and ratify all prior actions of the City Council taken related to the Hunters Crossing Public Improvement District, including the creation of the District and the levy of assessments.

Section 4. **Service and Assessment Plan.** The City Council of the City of Bastrop, Texas does hereby approve and adopt the Service and Assessment Plan, dated June 27, 2023, as the FY2024 Annual Service Plan Update for the District, a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes.

Section 5. **Assessment Roll.** The Assessment Roll attached to the FY2024 Annual Service Plan Update is hereby accepted and approved pursuant to the PID Act as the assessment roll of the District.

Section 6. **Method of Assessment.** The method of apportioning the Costs of the Authorized Improvements is set forth in the FY2024 Annual Service Plan Update.

Section 7. **Penalties and Interest on Delinquent Assessments.** Delinquent Assessments shall be subject to the penalties, interest, procedures, and foreclosure sales set forth in the Amended and Restated Service and Assessment Plan and as allowed by law.

Section 8. **Lien Priority.** The City Council intends for the obligations, covenants and burdens on the landowners of the Assessed Property, including without limitation such landowners' obligations related to payment of the Assessment and the Annual Installments

thereof, to constitute covenants that shall run with the land. The Assessment and Annual Installments thereof, which were levied by the Assessment Ordinance and which are described in and apportioned by the FY 2024 Annual Service Plan Update, shall be binding upon the landowners of the Assessed Property, and their respective transferees, legal representatives, heirs, devisees, successors and assigns in the same manner and for the same period as such parties would be personally liable for the payment of ad valorem taxes under applicable law. The Assessment shall have lien priority as specified in the PID Act.

Section 9. Appointment of Administrator and Collector of Assessments.

(a) Appointment of Administrator.

The Hunters Crossing Local Government Corporation was designated by the City as the Administrator of the Service and Assessment Plan and of the Assessment levied by the Assessment Ordinance (the "Administrator"). The Administrator shall perform the duties of the Administrator described in Service and Assessment Plan and in this Ordinance. The Administrator's fees, charges and expenses for providing such service shall constitute an Operational and Maintenance Supplemental Service. The City delegates authority to the City Manager (or her designee) to appoint the Administrator or a replacement Administrator.

(b) Appointment of Collector.

The Bastrop County Tax Assessor-Collector is hereby appointed and designated as the collector of the Assessment (the "Collector"). The City Manager, or her assignee, is directed to provide the Assessment Roll to the Collector no later than close of business on September 30, 2023, and to request that such assessments be assessed to and collected from Assessed Property in the PID.

Section 10. Applicability of Tax Code. To the extent not inconsistent with this Ordinance, and not inconsistent with the PID Act or the other laws governing public improvement districts, the provisions of the Texas Tax Code shall be applicable to the imposition and collection of Assessment by the City.

Section 11. Filing in Land Records. The City Secretary is directed to cause a copy of this Ordinance, including the FY2024 Annual Service Plan Update and Assessment Roll, to be recorded in the real property records of Bastrop County. The City Secretary is further directed to similarly file each Annual Service Plan Update approved by the City Council.

Section 12. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity or any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 13. Conflict. All other ordinances in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency.

Section 14. Public Meeting. The City Council met in two public meetings conducted in compliance with the Texas Open Meetings Act, and which allowed the public to address the City Council on the passage of this Ordinance, the first on June 27, 2023 and the second on July 11, 2023, and took all necessary action to adopt this ordinance by majority vote of the City Council.

Section 15. Effective Date. This Ordinance shall take effect and the provisions and terms of the FY2024 Annual Service Plan Update and Assessment Roll shall be and become effective upon passage and execution hereof.

READ and ACKNOWLEDGED on First Reading on the 27th day of June 2023.

READ and ADOPTED on the Second Reading on the 11th day of July 2023.

ADOPTED:

By: _____
Lyle Nelson, Mayor

ATTEST:

By: _____
Ann Franklin, City Secretary

APPROVED AS TO FORM AND LEGALITY:

By: _____
George Hyde, Special Legal Counsel to City of Bastrop, Texas

EXHIBIT A

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT
FY 2024 Annual Service Plan Update and Assessment Roll
[Attached]**



HUNTERS CROSSING
PUBLIC IMPROVEMENT DISTRICT
FY 2024 ANNUAL SERVICE PLAN UPDATE

June 27, 2023

INTRODUCTION

Capitalized terms used in this Annual Service Plan Update shall have the meanings set forth in the Hunters Crossing Public Improvement District 2019 Amended and Restated Service and Assessment Plan, dated September 24, 2019 (the “2019 Amended and Restated SAP”).

On September 11, 2001, the City passed and approved Resolution No. R-2001-19 authorizing the establishment of the Bastrop Hunters Crossing Public Improvement District in accordance with the Act, which authorization was effective upon publication as required by the Act. On November 11, 2003, the City Council approved Resolution No. R-2003-34 amending the Original Creation Authorization by reducing the estimated costs of the Authorized Improvements from \$14,500,000 to \$12,476,000 and modifying the method of assessment.

On December 9, 2003 the City passed and approved Ordinance No. 2003-35, the initial levy of assessments on the approximately 283.001 acre parcel comprising the District, at \$11,961,260 for Capital Assessments and \$5,400,000 for the operation and maintenance of the District (Assessment levied is a grand total of \$17,361,260 in the aggregate). The purpose of the District is to finance certain public improvement projects that confer a special benefit on approximately 283.001 acres within the corporate limits of the City, located south of State Highway No. 71, west of State Highway No. 304, and east of Bear Hunter Drive.

Incorporated in the Original Assessment Ordinance was the 2003 SAP and Assessment Roll for the District and levied in lump sum the assessments shown on the 2003 Assessment Roll. On December 14, 2004, the City Council passed and approved Ordinance No. 2004-42 to correct omissions or mistakes discovered in the Assessment Roll consisting of scrivener's and mathematical errors as well as a failure to denote the effects of rounding in the conversion of square feet. Section 4 of Ordinance No. 2004-42 states: All ordinances, parts of ordinances or resolutions in conflict herewith are expressly repealed.

Under the 2003 SAP, assessments were levied in lump sum on a 283.001-acre parcel of property comprising the District. Under the 2019 Amended and Restated SAP, the assessments were allocated on a parcel-by-parcel basis to 27.434 acres of commercial property, 24.523 acres of multi-family property, 510 single family lots, and 37.937 acres of undeveloped land. Parcel 90301 was excluded from the Capital Assessment portion of the 2019 Amended and Restated SAP because that property's Capital Assessment was reduced to zero by a developer contribution payment. Parcel 98555 was also excluded from the 2019 Amended and Restated SAP because its use is limited to drainage, so its Assessment was reduced to zero as it is non-benefitted property. The 37.937 acres of undeveloped property is anticipated to be developed with multi-family uses.

In the Fall of 2017, property owner inquiries regarding the operation of the District resulted in the Hunters Crossing Local Government Corporation and the new City Council to engage professionals to examine the state of the District and engage with the Original Developer and subsequently the current Developer to reconcile the District operation. Contemporaneously, approximately 15 residents of the District initiated legal action against a host of civil defendants alleging liability for flood damage to their homes in the District. The legal action placed the City, Hunters Crossing Local Government Corporation, the Original Developer, among several others in litigation as Defendants.

Municipal records prior to the Fall of 2017 do not clearly demonstrate statutory compliance in the operation of the District. Legal counsel for the City, the Hunters Crossing Local Government Corporation and the Developer found several provisions of the existing 2003 SAP unworkable, necessitating the 2019 Amended and Restated SAP.

The Original Developer issued written notice of assignment of the District Development and Reimbursement Agreement to TF Hunters Crossing, LP., the current Developer in February 2018, placing additional complexities into the examination. After months of examination, evaluation, and development of materials to reconcile the District operation, the preparation of amended and restated documentation including the 2019 Amended and Restated SAP, were necessary to support the continued operation of the District to its conclusion.

On September 10, 2019, the City Council approved Ordinance No. 2019-40, and on September 24, 2019, City Council adopted Ordinance No. 2019-40 , which approved and accepted the 2019 Amended and Restated SAP, including the updated Assessment Roll, which replaced the 2003 SAP in its entirety.

On October 29, 2019, three property owners within the District challenged Ordinance No. 2019, by filing claims in the U.S. District Court, Western District, Austin Division.

On August 25, 2020, the City Council approved Ordinance No. 2020-23 which updated the Assessment Roll for 2020.

On July 13, 2021, the City Council approved Ordinance No. 2021-08 which updated the Assessment Roll for 2021.

On September 29, 2021, U.S. District Judge Pitman entered judgment in favor of the city and the District, dismissing all claims.

On October 28, 2021, two of the three property owners who challenged the ordinance, appealed the judgment in favor of the city and the District to the U.S. Fifth Circuit Court of appeals. Oral argument in this matter is set to take place on July 6, 2022, as the appeal is still pending.

On July 12, 2022, the City Council approved Ordinance No. 2022-17 which updated the Assessment Roll for 2022.

Pursuant to the PID Act, the 2019 Amended and Restated SAP must be reviewed and updated annually. This document is the Annual Service Plan Update for 2023. This Annual Service Plan Update also updates the Assessment Roll for 2023.

AUTHORIZED IMPROVEMENTS

The Authorized Improvements consist of water distribution system improvements, wastewater collection system improvements, storm drainage and detention improvements, public street improvements, and landscaping, open space, recreational, and park improvements. The Authorized Improvements are all complete.

OUTSTANDING ASSESSMENTS

The Fiscal Year 2023 SAP Update identified the total unpaid Capital Assessment as \$3,850,017.21. A total of \$351,287.12¹ in Capital Assessment installments were billed for FY 2023, resulting in \$3,498,730.09 in Capital Assessments outstanding. The outstanding Capital Assessment per parcel is shown in the table below.

Property ID	Capital Assessment Unpaid	Capital Assessment FY 2023 Installment	Capital Assessment Unpaid After FY 2023 Installment
Commercial Lots			
.071/square foot			
90301	\$ -	\$ -	\$ -
90754	\$ 24,810.10	\$ 3,544.30	\$ 21,265.80
90302	\$ 21,887.46	\$ 3,126.78	\$ 18,760.68
97463	\$ 12,794.74	\$ 1,827.82	\$ 10,966.92
97464	\$ 20,826.68	\$ 2,975.24	\$ 17,851.44
90303	\$ 43,116.15	\$ 4,790.69	\$ 38,325.46
92325	\$ 27,472.97	\$ 3,924.71	\$ 23,548.26
95378	\$ 24,222.50	\$ 3,027.81	\$ 21,194.69
95379	\$ 33,772.97	\$ 4,824.71	\$ 28,948.26
115192	\$ 51,064.57	\$ 4,642.23	\$ 46,422.34
30102	\$ 218,527.24	\$ 19,862.96	\$ 198,664.28
114958	\$ 248,899.99	\$ 22,626.63	\$ 226,273.36
127995 [a]	\$ 165,564.35	\$ 9,593.74	\$ 155,970.61
114957	\$ 964.92	\$ 80.41	\$ 884.51
Multi-Family Lots			
.068/square foot			
104899	\$ 681,733.59	\$ 37,141.52	\$ 644,592.07
113268 [b]	\$ 723,958.98	\$ 35,497.57	\$ 688,461.41
Undeveloped Lots			
.068/square foot			
47760	\$ -	\$ -	\$ -
Single Family Lots			
Per Lot	\$ 3,040.00	\$ 380.00	\$ 2,660.00
Total (510 Lots)	\$ 1,550,400.00	\$ 193,800.00	\$ 1,356,600.00
DISTRICT TOTAL	\$ 3,850,017.21	\$ 351,287.12	\$ 3,498,730.09

[a] Per the 2019 Amended and Restated Service and Assessment Plan, the annual installment for the Capital Assessment was established to be \$9,593.74 and will be collected through 2034. This will result in an amount of \$50,439.47 that will not be paid.

[b] Per the 2019 Amended and Restated Service and Assessment Plan, the annual installment for the Capital Assessment was established to be \$35,497.57 and will be collected through 2041. This will result in an amount of \$49,505.15 that will not be paid.

¹ Does not account for delinquencies.

ANNUAL INSTALLMENTS DUE 1/31/2024

- **Capital Assessment** - The Fiscal Year 2019 SAP Update identified annual installment for each property type for the Capital Assessment. Commercial Property is billed at \$0.071 per square foot of land area, Multifamily Property is billed at \$0.068 per square foot of land area, and residential lots are billed at \$380 per unit. The undeveloped lot prepaid the Capital Assessment. The total installment relating to the Capital Assessment due January 31, 2024 equals \$351,287.12, and a breakdown by parcel is shown in the table below.
- **Operation and Maintenance Supplemental Services Assessment** - The Fiscal Year 2023 SAP Update identified annual installment for each property type for the Operation and Maintenance Supplemental Services Assessment. Commercial, Multifamily, and Undeveloped Property is billed at \$0.045 per square foot of land area, and residential lots are billed at \$35.00 per unit. The total installment relating to the Operation and Maintenance Supplemental Services Assessment due January 31, 2024 equals \$221,566.54, and a breakdown by parcel is shown in the table below. A summary of the anticipated operation and maintenance expenses for Fiscal Year 2024 is attached as **Exhibit B**.

Property ID	Square Feet	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
Commercial Lots				
		.071/square foot	.045/square foot	
90301	611,233.92	\$ -	\$ 27,505.53	\$ 27,505.53
90754	49,919.76	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
90302	44,039.16	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
97463	25,743.96	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
97464	41,904.72	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
90303	67,474.44	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
92325	55,277.64	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
95378	42,645.24	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
95379	67,953.60	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
115192	65,383.56	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
30102	279,760.00	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
114958	318,684.96	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
127995	135,123.12	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
114957	1,132.56	\$ 80.41	\$ 50.97	\$ 131.38
Multi-Family Lots				
		.068/square foot	.045/square foot	
104899	546,198.84	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
113268	522,023.04	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
Undeveloped Lots				
		.068/square foot	.045/square foot	
47760	1,652,535.72	\$ -	\$ 74,364.11	\$ 74,364.11
Single Family Lots				
Per Lot	NA	\$ 380.00	\$ 35.00	\$ 415.00
Total (510 Lots)	NA	\$ 193,800.00	\$ 17,850.00	\$ 211,650.00
DISTRICT TOTAL		\$ 351,287.12	\$ 221,566.54	\$ 572,853.66

SERVICE PLAN - FIVE YEAR BUDGET FORECAST

The PID Act requires the annual indebtedness and projected costs for the improvements to be reviewed and updated in the Annual Service Plan Update, and the projection shall cover a period of not less than five years.

Installment Due	1/31/2024	1/31/2025	1/31/2026	1/31/2027	1/31/2028
Capital Assessment Installment	\$ 351,287.12	\$ 351,287.12	\$ 351,287.12	\$ 351,287.12	\$ 351,287.12
O&M Assessment Installment	\$ 221,566.54	\$ 221,566.54	\$ 221,566.54	\$ 221,566.54	\$ 221,566.54
	\$ 572,853.66	\$ 572,853.66	\$ 572,853.66	\$ 572,853.66	\$ 572,853.66

ASSESSMENT ROLL

The list of Parcels within the District, the corresponding outstanding Assessments, and current Annual Installment are shown on the Assessment Roll attached hereto as **Exhibit A**. The Parcels shown on the Assessment Roll will receive the bills for the FY 2024 Annual Installments which will be delinquent if not paid by January 31, 2024.

EXHIBIT A – ASSESSMENT ROLL

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
90301	\$ -	\$ -	\$ 27,505.53	\$ 27,505.53
90754	\$ 21,265.80	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
90302	\$ 18,760.68	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
97463	\$ 10,966.92	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
97464	\$ 17,851.44	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
90303	\$ 38,325.46	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
92325	\$ 23,548.26	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
95378	\$ 21,194.69	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
95379	\$ 28,948.26	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
115192	\$ 46,422.34	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
30102	\$ 198,664.28	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
114958	\$ 226,273.36	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
127995 [a]	\$ 155,970.61	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
114957	\$ 884.51	\$ 80.41	\$ 50.97	\$ 131.38
104899	\$ 644,592.07	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
113268 [b]	\$ 688,461.41	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
47760	\$ -	\$ -	\$ 74,364.11	\$ 74,364.11
98372	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98370	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95416	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98355	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98380	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98354	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95395	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95386	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98373	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95415	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95390	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98356	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95396	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98374	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95414	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95389	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98359	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98352	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95397	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95384	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98351	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95398	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95412	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
95387	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98350	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95399	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95411	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98627	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95400	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95410	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98626	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95401	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95409	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98625	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95402	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98601	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95408	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95407	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95404	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98622	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98621	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98619	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98617	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104777	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98338	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98346	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104871	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95391	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98361	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98369	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95392	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98347	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98337	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98345	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104870	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98371	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98360	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98379	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104854	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98353	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95381	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95385	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95393	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98336	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98344	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98357	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98378	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95394	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98335	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98343	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98375	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95413	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95388	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
98358	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98377	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98366	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98342	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98376	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98365	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98333	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98341	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98364	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98340	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98602	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98339	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104857	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104856	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98624	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95403	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98600	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98623	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98599	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95405	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98598	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98638	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98620	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98628	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98597	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98604	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98639	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98596	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98640	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98618	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98630	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98595	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98641	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98631	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98594	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98616	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98632	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98593	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98643	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98615	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98592	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98644	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98614	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98634	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98591	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98645	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98613	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98635	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98590	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98646	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
98612	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98647	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98611	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98637	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98648	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95202	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104881	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99616	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98362	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104855	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104889	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104872	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104863	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104882	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99617	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104890	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98368	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104873	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104869	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104862	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104883	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99618	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104853	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104891	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98367	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104874	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104868	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104861	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104884	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99619	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104852	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104892	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104875	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98334	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104867	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104860	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104885	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99620	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104851	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104893	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104876	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104859	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104886	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99621	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104850	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109244	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104877	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104865	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104858	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104887	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
99622	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104849	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109243	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104846	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104878	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104888	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
99623	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104847	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104879	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109241	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104848	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109240	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95406	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98629	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98605	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98606	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98607	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98642	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98608	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109258	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98633	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98609	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98610	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98636	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98589	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104809	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104766	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104773	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104767	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104774	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104768	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104791	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104812	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104769	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104792	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104813	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104793	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104814	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104771	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104794	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104815	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104772	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104795	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104796	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104834	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104797	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104833	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104798	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104832	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104799	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
104831	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104800	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104830	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104801	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104829	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104828	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104802	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104827	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104803	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104826	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104804	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104825	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104806	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104866	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104864	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95380	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95383	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
95382	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104845	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109242	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109263	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109251	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109239	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109262	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109252	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109238	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109261	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109253	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109237	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109260	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109254	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109236	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109259	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109250	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109255	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109235	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109249	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109256	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109234	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109248	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109221	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109233	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104819	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104810	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109222	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109228	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109232	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104820	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104811	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109223	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
103255	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104786	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104775	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109227	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109231	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104821	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109224	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109246	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104787	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104776	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109226	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109230	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104822	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104770	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109225	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109247	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109229	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104823	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104778	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104824	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104779	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104816	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104780	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104817	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104781	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104818	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104782	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104783	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104785	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104805	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
98603	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104788	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104789	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104790	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
104784	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111961	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111986	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111987	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111974	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111988	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111973	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111989	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111971	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111970	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111991	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111964	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111966	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111968	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111983	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111969	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
111982	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111980	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111979	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111978	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115217	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115218	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115219	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115220	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115221	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115222	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115240	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115223	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115224	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115242	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115243	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115226	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111976	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115227	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111975	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111972	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111990	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
109644	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111962	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111992	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111963	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111965	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111967	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111984	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111981	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
111977	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115215	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115230	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115213	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115231	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115214	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115254	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115253	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115256	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115252	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115216	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115257	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115234	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115251	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115258	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115235	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115250	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115259	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115236	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115249	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115260	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
115237	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115261	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115238	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115247	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115262	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115239	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115246	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115263	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115245	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115241	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115244	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115229	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115228	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124637	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124639	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124640	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124642	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124643	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124644	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124645	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124648	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115233	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115248	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115265	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124660	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124673	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124661	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124674	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124659	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124662	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124638	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124675	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124663	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124676	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124657	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124664	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124677	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124656	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124665	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124641	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124678	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124655	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124666	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124679	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124654	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124667	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124680	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124653	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124668	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124681	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
124652	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124669	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124682	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124651	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124670	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124646	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124650	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124671	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124647	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124684	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124649	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124685	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127971	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127978	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127946	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127917	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127990	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127979	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127922	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127947	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127969	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127918	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127989	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127980	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127921	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127948	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127968	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127919	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127988	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127949	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127967	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127966	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127951	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127965	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127952	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127964	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127953	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127955	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127987	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127945	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
115232	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127986	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127944	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127957	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127985	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127943	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127984	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127942	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127959	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127983	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00

Property ID	Outstanding Capital Assessment	Capital Assessment FY 2024 Installment	O&M Assessment FY 2024 Installment	Total FY 2024 Installment
127941	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127960	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127991	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127982	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127940	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127961	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127981	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127939	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127962	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
113267	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127938	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127963	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127937	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127935	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127934	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127933	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124658	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
124683	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127924	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127923	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127910	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127911	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127915	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127914	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127913	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127936	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127970	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127920	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127950	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127954	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127956	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127958	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127992	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127908	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127909	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127916	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
127912	\$ 2,660.00	\$ 380.00	\$ 35.00	\$ 415.00
Total	\$ 3,498,730.09	\$ 351,287.12	\$ 221,566.54	\$ 572,853.66

[a] Per the 2019 Amended and Restated Service and Assessment Plan, the annual installment for the Capital Assessment was established to be \$9,593.74 and will be collected through 2034. This will result in an amount of \$50,439.47 that will not be paid.

[b] Per the 2019 Amended and Restated Service and Assessment Plan, the annual installment for the Capital Assessment was established to be \$35,497.57 and will be collected through 2041. This will result in an amount of \$49,505.15 that will not be paid.

Note: Totals may not sum due to rounding.

EXHIBIT B – OPERATION AND MAINTENANCE EXPENSES

	Fiscal Year 2024 [a]
Maintenance & Repairs	
Irrigation	\$ 10,000
Miscellaneous Repairs	1,000
Miscellaneous Projects	-
Total Maintenance & Repairs	\$ 11,000
Contractual Services	
Mowing Services	\$ 88,380
Maintenance Services	-
Professional Services/ Audit	6,000
Legal Fees	5,000
Legal Fees-Taxes	250
Admin Support-PID Consultant	5,000
Property Tax Fees	1,725
Total Contractual Services:	\$ 106,355
Occupancy	
Utilities	\$ 10,500
Well User Fees	764
Total Occupancy:	\$ 11,264
Miscellaneous & Other	
Miscellaneous Expenses	\$ 500
	\$ 500
Transfers Out	
Transfer to Debt Service	\$ 74,900
	\$ 74,900
Contingency	
Contingency	\$ 17,548
	\$ 17,548
Total	\$ 221,567

[a] Expenditures were determined by proposed Fiscal Year 2024 budget provided by City on 5/17/23.

HOMEBUYER DISCLOSURES

Homebuyer Disclosures for each Parcel within the District are found in this Exhibit:

- Residential Lot
- Parcel 90301
- Parcel 90754
- Parcel 90302
- Parcel 97463
- Parcel 97464
- Parcel 90303
- Parcel 92325
- Parcel 95378
- Parcel 95379
- Parcel 115192
- Parcel 30102
- Parcel 114958
- Parcel 127995
- Parcel 114957
- Parcel 104899
- Parcel 113268
- Parcel 47760

HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – RESIDENTIAL LOT BUYER DISCLOSURE

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

RESIDENTIAL LOT PRINCIPAL ASSESSMENT: \$2,695.00²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

§

§

COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - RESIDENTIAL LOT

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 380.00	\$ 35.00	\$ 415.00
2025	\$ 380.00	\$ 35.00	\$ 415.00
2026	\$ 380.00	\$ 35.00	\$ 415.00
2027	\$ 380.00	\$ 35.00	\$ 415.00
2028	\$ 380.00	\$ 35.00	\$ 415.00
2029	\$ 380.00	\$ 35.00	\$ 415.00
2030	\$ 380.00	\$ 35.00	\$ 415.00
Total	\$ 2,660.00	\$ 245.00	\$ 2,905.00

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2023 SAP Update showed an outstanding balance of \$3,040 per lot, with an annual installment of \$380. Following the payment due 1/31/23, \$2,660 remains outstanding per residential lot.

[b] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is a total of \$650.00 per Single Family Residential Lot. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 90301 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 90301 PRINCIPAL ASSESSMENT: \$27,505.53²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

§

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 90301

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ -	\$ 27,505.53	\$ 27,505.53
2025	\$ -	\$ 27,505.53	\$ 27,505.53
2026	\$ -	\$ 27,505.53	\$ 27,505.53
2027	\$ -	\$ 27,505.53	\$ 27,505.53
2028	\$ -	\$ 27,505.53	\$ 27,505.53
2029	\$ -	\$ 27,505.53	\$ 27,505.53
2030	\$ -	\$ 27,505.53	\$ 27,505.53
2031	\$ -	\$ 27,505.53	\$ 27,505.53
2032	\$ -	\$ 27,505.53	\$ 27,505.53
2033	\$ -	\$ 27,505.53	\$ 27,505.53
2034	\$ -	\$ 27,505.53	\$ 27,505.53
Total	\$ -	\$ 302,560.79	\$ 302,560.79

[a] Parcel 90301 assessment was reduced to zero by a developer contribution payment.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 90754 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 90754 PRINCIPAL ASSESSMENT: \$23,512.19²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 90754

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2025	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2026	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2027	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2028	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2029	\$ 3,544.30	\$ 2,246.39	\$ 5,790.69
2030	\$ -	\$ 2,246.39	\$ 2,246.39
2031	\$ -	\$ 2,246.39	\$ 2,246.39
2032	\$ -	\$ 2,246.39	\$ 2,246.39
2033	\$ -	\$ 2,246.39	\$ 2,246.39
2034	\$ -	\$ 2,246.39	\$ 2,246.39
Total	\$ 21,265.80	\$ 24,710.28	\$ 45,976.08

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 90302 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 90302 PRINCIPAL ASSESSMENT: \$23,742.44²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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§

COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 90302

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2025	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2026	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2027	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2028	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2029	\$ 3,126.78	\$ 1,981.76	\$ 5,108.54
2030	\$ -	\$ 1,981.76	\$ 1,981.76
2031	\$ -	\$ 1,981.76	\$ 1,981.76
2032	\$ -	\$ 1,981.76	\$ 1,981.76
2033	\$ -	\$ 1,981.76	\$ 1,981.76
2034	\$ -	\$ 1,981.76	\$ 1,981.76
Total	\$ 18,760.68	\$ 21,799.38	\$ 40,560.06

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 97463 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 97463 PRINCIPAL ASSESSMENT: \$12,125.40²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

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§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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§

COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 97463

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2025	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2026	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2027	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2028	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2029	\$ 1,827.82	\$ 1,158.48	\$ 2,986.30
2030	\$ -	\$ 1,158.48	\$ 1,158.48
2031	\$ -	\$ 1,158.48	\$ 1,158.48
2032	\$ -	\$ 1,158.48	\$ 1,158.48
2033	\$ -	\$ 1,158.48	\$ 1,158.48
2034	\$ -	\$ 1,158.48	\$ 1,158.48
Total	\$ 10,966.92	\$ 12,743.26	\$ 23,710.18

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 97464 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 97464 PRINCIPAL ASSESSMENT: \$19,737.15²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 97464

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2025	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2026	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2027	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2028	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2029	\$ 2,975.24	\$ 1,885.71	\$ 4,860.95
2030	\$ -	\$ 1,885.71	\$ 1,885.71
2031	\$ -	\$ 1,885.71	\$ 1,885.71
2032	\$ -	\$ 1,885.71	\$ 1,885.71
2033	\$ -	\$ 1,885.71	\$ 1,885.71
2034	\$ -	\$ 1,885.71	\$ 1,885.71
Total	\$ 17,851.44	\$ 20,742.84	\$ 38,594.28

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 90303 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 90303 PRINCIPAL ASSESSMENT: \$41,361.81²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 90303

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2025	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2026	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2027	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2028	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2029	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2030	\$ 4,790.69	\$ 3,036.35	\$ 7,827.04
2031	\$ 4,790.63	\$ 3,036.35	\$ 7,826.98
2032	\$ -	\$ 3,036.35	\$ 3,036.35
2033	\$ -	\$ 3,036.35	\$ 3,036.35
2034	\$ -	\$ 3,036.35	\$ 3,036.35
Total	\$ 38,325.46	\$ 33,399.85	\$ 71,725.31

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 92325 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 92325 PRINCIPAL ASSESSMENT: \$26,035.75²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

§

COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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§

COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 92325

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2025	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2026	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2027	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2028	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2029	\$ 3,924.71	\$ 2,487.49	\$ 6,412.20
2030	\$ -	\$ 2,487.49	\$ 2,487.49
2031	\$ -	\$ 2,487.49	\$ 2,487.49
2032	\$ -	\$ 2,487.49	\$ 2,487.49
2033	\$ -	\$ 2,487.49	\$ 2,487.49
2034	\$ -	\$ 2,487.49	\$ 2,487.49
Total	\$ 23,548.26	\$ 27,362.43	\$ 50,910.69

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 95378 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 95378 PRINCIPAL ASSESSMENT: \$23,113.73²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 95378

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2025	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2026	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2027	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2028	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2029	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2030	\$ 3,027.81	\$ 1,919.04	\$ 4,946.85
2031	\$ 0.02	\$ 1,919.04	\$ 1,919.06
2032	\$ -	\$ 1,919.04	\$ 1,919.04
2033	\$ -	\$ 1,919.04	\$ 1,919.04
2034	\$ -	\$ 1,919.04	\$ 1,919.04
Total	\$ 21,194.69	\$ 21,109.39	\$ 42,304.08

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 95379 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 95379 PRINCIPAL ASSESSMENT: \$32,006.17²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 95379

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2025	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2026	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2027	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2028	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2029	\$ 4,824.71	\$ 3,057.91	\$ 7,882.62
2030	\$ -	\$ 3,057.91	\$ 3,057.91
2031	\$ -	\$ 3,057.91	\$ 3,057.91
2032	\$ -	\$ 3,057.91	\$ 3,057.91
2033	\$ -	\$ 3,057.91	\$ 3,057.91
2034	\$ -	\$ 3,057.91	\$ 3,057.91
Total	\$ 28,948.26	\$ 33,637.03	\$ 62,585.29

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 115192 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 115192 PRINCIPAL ASSESSMENT: \$49,364.60²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 115192

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2025	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2026	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2027	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2028	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2029	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2030	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2031	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2032	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2033	\$ 4,642.23	\$ 2,942.26	\$ 7,584.49
2034	\$ 0.04	\$ 2,942.26	\$ 2,942.30
Total	\$ 46,422.34	\$ 32,364.86	\$ 78,787.20

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 30102 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 30102 PRINCIPAL ASSESSMENT: \$211,253.48²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

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§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 30102

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2025	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2026	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2027	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2028	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2029	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2030	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2031	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2032	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2033	\$ 19,862.96	\$ 12,589.20	\$ 32,452.16
2034	\$ 34.68	\$ 12,589.20	\$ 12,623.88
Total	\$ 198,664.28	\$ 138,481.20	\$ 337,145.48

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 114958 BUYER DISCLOSURE

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 114958 PRINCIPAL ASSESSMENT: \$240,614.18²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 114958

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2025	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2026	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2027	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2028	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2029	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2030	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2031	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2032	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2033	\$ 22,626.63	\$ 14,340.82	\$ 36,967.45
2034	\$ 7.06	\$ 14,340.82	\$ 14,347.88
Total	\$ 226,273.36	\$ 157,749.06	\$ 384,022.42

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 127995 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 127995 PRINCIPAL ASSESSMENT: \$162,051.15²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 127995

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2025	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2026	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2027	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2028	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2029	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2030	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2031	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2032	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2033	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
2034	\$ 9,593.74	\$ 6,080.54	\$ 15,674.28
Total	\$ 105,531.14	\$ 66,885.94	\$ 172,417.08

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 114957 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 114957 PRINCIPAL ASSESSMENT: \$935.48²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 114957

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 80.41	\$ 50.97	\$ 131.38
2025	\$ 80.41	\$ 50.97	\$ 131.38
2026	\$ 80.41	\$ 50.97	\$ 131.38
2027	\$ 80.41	\$ 50.97	\$ 131.38
2028	\$ 80.41	\$ 50.97	\$ 131.38
2029	\$ 80.41	\$ 50.97	\$ 131.38
2030	\$ 80.41	\$ 50.97	\$ 131.38
2031	\$ 80.41	\$ 50.97	\$ 131.38
2032	\$ 80.41	\$ 50.97	\$ 131.38
2033	\$ 80.41	\$ 50.97	\$ 131.38
2034	\$ 80.41	\$ 50.97	\$ 131.38
Total	\$ 884.51	\$ 560.62	\$ 1,445.13

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.071 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 104899 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 104899 PRINCIPAL ASSESSMENT: \$669,171.02²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

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COUNTY OF BASTROP

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The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 104899

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2025	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2026	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2027	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2028	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2029	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2030	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2031	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2032	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2033	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2034	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2035	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2036	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2037	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2038	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2039	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2040	\$ 37,141.52	\$ 24,578.95	\$ 61,720.47
2041	\$ 13,186.23	\$ 24,578.95	\$ 37,765.18
Total	\$ 644,592.07	\$ 442,421.06	\$ 1,087,013.13

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.068 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 113268 BUYER DISCLOSURE

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 113268 PRINCIPAL ASSESSMENT: \$711,952.45²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

§

COUNTY OF BASTROP

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§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 113268

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2025	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2026	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2027	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2028	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2029	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2030	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2031	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2032	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2033	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2034	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2035	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2036	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2037	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2038	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2039	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2040	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
2041	\$ 35,497.57	\$ 23,491.04	\$ 58,988.61
Total	\$ 638,956.26	\$ 422,838.66	\$ 1,061,794.92

[a] Pursuant to Ordinance No. 2003-35 levying the assessments on December 9, 2003 and as amended by Ordinance No. 2004-42 on December 14, 2004, the levied amount is calculated as the aggregate annual installment payments. The Fiscal Year 2024 SAP Update collects the Capital Assessments at a rate of \$0.068 per square foot.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.

**HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT – PARCEL 47760 BUYER
DISCLOSURE**

NOTICE OF OBLIGATIONS RELATED TO PUBLIC IMPROVEMENT DISTRICT

A person who proposes to sell or otherwise convey real property that is located in a public improvement district established under Subchapter A, Chapter 372, Local Government Code (except for public improvement districts described under Section 372.0035), or Chapter 382, Local Government Code, shall first give to the purchaser of the property this written notice, signed by the seller.

For the purposes of this notice, a contract for the purchase and sale of real property having a performance period of less than six months is considered a sale requiring the notice set forth below.

This notice requirement does not apply to a transfer:

- 1) under a court order or foreclosure sale;
- 2) by a trustee in bankruptcy;
- 3) to a mortgagee by a mortgagor or successor in interest or to a beneficiary of a deed of trust by a trustor or successor in interest;
- 4) by a mortgagee or a beneficiary under a deed of trust who has acquired the land at a sale conducted under a power of sale under a deed of trust or a sale under a court-ordered foreclosure or has acquired the land by a deed in lieu of foreclosure;
- 5) by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
- 6) from one co-owner to another co-owner of an undivided interest in the real property;
- 7) to a spouse or a person in the lineal line of consanguinity of the seller;
- 8) to or from a governmental entity; or
- 9) of only a mineral interest, leasehold interest, or security interest

The following notice shall be given to a prospective purchaser before the execution of a binding contract of purchase and sale, either separately or as an addendum or paragraph of a purchase contract. In the event a contract of purchase and sale is entered into without the seller having provided the required notice, the purchaser, subject to certain exceptions, is entitled to terminate the contract.

A separate copy of this notice shall be executed by the seller and the purchaser and must be filed in the real property records of the county in which the property is located at the closing of the purchase and sale of the property.

AFTER RECORDING¹ RETURN TO:

NOTICE OF OBLIGATION TO PAY IMPROVEMENT DISTRICT ASSESSMENT TO
BASTROP, TEXAS
CONCERNING THE FOLLOWING PROPERTY

PROPERTY ADDRESS

PARCEL 47760 PRINCIPAL ASSESSMENT: \$74,364.11²

As the purchaser of the real property described above, you are obligated to pay assessments to Bastrop, Texas, for the costs of a portion of a public improvement or services project (the "Authorized Improvements") undertaken for the benefit of the property within *Hunters Crossing Public Improvement District* (the "District") created under Subchapter A, Chapter 372, Local Government Code.

AN ASSESSMENT HAS BEEN LEVIED AGAINST YOUR PROPERTY FOR THE AUTHORIZED IMPROVEMENTS, WHICH MAY BE PAID IN FULL AT ANY TIME. IF THE ASSESSMENT IS NOT PAID IN FULL, IT WILL BE DUE AND PAYABLE IN ANNUAL INSTALLMENTS THAT WILL VARY FROM YEAR TO YEAR DEPENDING ON THE AMOUNT OF INTEREST PAID, COLLECTION COSTS, ADMINISTRATIVE COSTS, AND DELINQUENCY COSTS.

The exact amount of the assessment may be obtained from the City of Bastrop. The exact amount of each annual installment will be approved each year by the Bastrop City Council in the annual service plan update for the district. More information about the assessments, including the amounts and due dates, may be obtained from the City of Bastrop.

Your failure to pay any assessment or any annual installment may result in penalties and interest being added to what you owe or in a lien on and the foreclosure of your property.

¹ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County when updating for the Current Information of Obligation to Pay Improvement District Assessment.

² Includes all outstanding capital assessment installments and the O&M assessment installment due 1/31/24. The amount of the O&M annual installment shall be updated annually by the City Council.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

The undersigned seller acknowledges providing this notice to the potential purchaser before the effective date of a binding contract for the purchase of the real property at the address described above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER]²

² To be included in copy of the notice required by Section 5.014, Tex. Prop. Code, to be executed by seller in accordance with Section 5.014(a-1), Tex. Prop. Code.

[The undersigned purchaser acknowledges receipt of this notice before the effective date of a binding contract for the purchase of the real property at the address described above. The undersigned purchaser acknowledged the receipt of this notice including the current information required by Section 5.0143, Texas Property Code, as amended.

DATE:

DATE:

SIGNATURE OF PURCHASER

SIGNATURE OF PURCHASER

STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]³

³ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

[The undersigned seller acknowledges providing a separate copy of the notice required by Section 5.014 of the Texas Property Code including the current information required by Section 5.0143, Texas Property Code, as amended, at the closing of the purchase of the real property at the address above.

DATE:

DATE:

SIGNATURE OF SELLER

SIGNATURE OF SELLER

STATE OF TEXAS

§

COUNTY OF BASTROP

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§

The foregoing instrument was acknowledged before me by _____ and _____, known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he or she executed the same for the purposes therein expressed.

Given under my hand and seal of office on this _____, 20__.

Notary Public, State of Texas]⁴

⁴ To be included in separate copy of the notice required by Section 5.0143, Tex. Prop. Code, to be executed at the closing of the purchase and sale and to be recorded in the deed records of Bastrop County.

ANNUAL INSTALLMENTS - PARCEL 47760

Installment Due 1/31	Capital Assessment Installments [a]	O&M Assessment Installments [b]	Total
2024	\$ -	\$ 74,364.11	\$ 74,364.11
2025	\$ -	\$ 74,364.11	\$ 74,364.11
2026	\$ -	\$ 74,364.11	\$ 74,364.11
2027	\$ -	\$ 74,364.11	\$ 74,364.11
2028	\$ -	\$ 74,364.11	\$ 74,364.11
2029	\$ -	\$ 74,364.11	\$ 74,364.11
2030	\$ -	\$ 74,364.11	\$ 74,364.11
2031	\$ -	\$ 74,364.11	\$ 74,364.11
2032	\$ -	\$ 74,364.11	\$ 74,364.11
2033	\$ -	\$ 74,364.11	\$ 74,364.11
2034	\$ -	\$ 74,364.11	\$ 74,364.11
2035	\$ -	\$ 74,364.11	\$ 74,364.11
2036	\$ -	\$ 74,364.11	\$ 74,364.11
2037	\$ -	\$ 74,364.11	\$ 74,364.11
2038	\$ -	\$ 74,364.11	\$ 74,364.11
2039	\$ -	\$ 74,364.11	\$ 74,364.11
2040	\$ -	\$ 74,364.11	\$ 74,364.11
2041	\$ -	\$ 74,364.11	\$ 74,364.11
Total	\$ -	\$ 1,338,553.93	\$ 1,338,553.93

[a] Parcel 47760 prepaid the Capital Assessment and is only subject to the O&M Assessment.

[b] The City Council has adjusted the Operational and Maintenance Supplemental Services to \$0.045 per square foot, beginning in Fiscal Year 2022. It is anticipated to be levied in the same amount each year unless the City Council determines that the Costs of the Operational and Maintenance Supplemental Services should be adjusted in an Annual Service Plan Update. To date, the District has collected \$2,012,670.22 in the aggregate for the payment of Operational and Maintenance Supplemental Services. Of the original \$5,400,000 of the estimated Costs of the Operational and Maintenance Supplemental Services, 62.73% remains to be levied on an annual basis for the maintenance and operation of the District. The O&M assessments levied may be adjusted annually by City Council, and may extend beyond 2030.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-94 of the City Council of the City of Bastrop, Texas, approving the adoption of the land use assumptions and capital improvements plan related to the Transportation impact fee study that was presented and discussed at the public hearing held on Tuesday, June 13, 2023.

STAFF REPRESENTATIVE:

Trey Job, Assistant City Manager

BACKGROUND/HISTORY:

The City of Bastrop has been experiencing steady growth in population and development. This increased development leads to an increase in vehicles that drive in and around Bastrop. All development, residential and commercial, creates an impact on the existing street network and causes the need for new streets and improvements (stop lights, acceleration lanes, turn lanes, etc.). Kimley-Horn has provided a presentation on Transportation Impact Fees, Maximum Fee Calculation and Policy Information for discussion.

The Master Transportation Plan and historic growth trends to determine the maximum assessable Transportation impact fee that may be assessed per Chapter 395 of the Texas Local Government Code. With this information, the City can adopt the Transportation impact fee to implement the Transportation Master Plan through future Capital Improvement Plan projects. This study was funded for FY2023, and Kimley-Horn and Associates was awarded the project in October.

Jake Gutekunst with Kimley-Horn presented on the Transportation Impact Fees, Maximum Fee Calculation and Policy Information at the public hearing held during the June 13, 2023 City Council meeting.

RECOMMENDATION:

Assistant City Manager Job recommends approval of Resolution No. R-2023-94.

ATTACHMENTS:

- Resolution 2023-94

RESOLUTION NO. R-2023-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, ADOPTING THE LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN RELATED TO THE TRANSPORTATION IMPACT FEE STUDY

Whereas, on October 25, 2022, City Council authorized the preparation of a Transportation Impact Fee Study (“Study”); and,

Whereas, the Study is being developed with the intent to implement a Transportation impact fee for the City of Leander in accordance with Chapter 395 of the Code; and,

Whereas, the Land Use Assumptions (“LUAs”) and Capital Improvements Plan (the “Plan”) to be considered in the Study, were completed by the professional engineering firm of Kimley Horn and Associates; and,

Whereas, Sec. 395.042 of the Code requires a municipality to conduct a public hearing to consider LUAs and the Plan relating to possible adoption of Transportation impact fees;

Whereas, on May 9, 2023, City Council set a public hearing on the land use assumptions and capital improvement plan related to the Transportation Impact Fee Study; and,

Whereas, on June 13, 2023, City Council received information of the Capital Improvements Plan and LUAs related to the Transportation Impact Fee study from Kimley-Horn and Associates; and,

Whereas, on June 13, 2023, City Council conducted a public hearing on the land use assumptions and capital improvement plan related to the Transportation Impact Fee Study; and

Whereas, Sec. 395.045 of the Code requires a municipality to approve or disapprove the land use assumptions and capital improvements plan within 30 days after the date of the public hearing.

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

SECTION 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

SECTION 2. The land use assumptions and capital improvements plan for the Transportation impact fee study is hereby approved.

SECTION 3. This Resolution shall take effect immediately from and after its passage in accordance with the provisions of the Tex. Loc. Gov’t. Code and the City Charter.

SECTION 4. It is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 27th day of June 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-96 and Resolution No. R-2023-99 of the City Council of the City of Bastrop, Texas, removing D. Moore and C. Caylor from Planning and Zoning Commission.

AGENDA ITEM SUBMITTED BY:

Submitted by: Mayor Pro Tem John Kirkland and Councilmember Plunkett

FISCAL IMPACT:

None

RECOMMENDATION:

Approve the resolution as presented.

ATTACHMENTS:

1. Resolution

CITY OF BASTROP

RESOLUTION NO. R-2023 - 99

REMOVAL OF CARRIE CAYLOR FROM THE PLANNING & ZONING COMMISSION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE REMOVAL OF PLANNING & ZONING COMMISSIONER CARRIE CAYLOR

WHEREAS, the City’s Planning & Zoning Commission serves the City *at will*; and

WHEREAS, pursuant to Section 211.007 of the Texas Local Government Code and Section 12.01 of the City’s Charter, and Chapter 14 of the Bastrop Code of Ordinances [Section 2.4.002 of the B3 Code] the City Council has the discretion to remove members of the Planning & Zoning Commission; and

WHEREAS, the City Council appreciates Carrie Caylor’s service on the Planning & Zoning Commission and thanks her for her public service.

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

Section 1: The City Council hereby removes Carrie Caylor from the Planning & Zoning Commission effective immediately.

Section 2: 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 Texas Open Meetings Act.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas, on this, the 27th day of June 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

CITY OF BASTROP

RESOLUTION NO. R-2023 - 96

REMOVAL OF DEBBIE MOORE FROM THE PLANNING & ZONING COMMISSION

A RESOLUTION OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE REMOVAL OF PLANNING & ZONING COMMISSIONER AND CHAIRPERSON DEBBIE MOORE

WHEREAS, the City’s Planning & Zoning Commission serves the City *at will*; and

WHEREAS, pursuant to Section 211.007 of the Texas Local Government Code and Section 12.01 of the City’s Charter, and Chapter 14 of the Bastrop Code of Ordinances [Section 2.4.002 of the B3 Code] the City Council has the discretion to remove members of the Planning & Zoning Commission; and

WHEREAS, the City Council appreciates Debbie Moore’s service on the Planning & Zoning Commission and thanks her for her public service.

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

Section 1: The City Council hereby removes Debbie Moore from the Planning & Zoning Commission effective immediately.

Section 2: 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 Texas Open Meetings Act.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas, on this, the 27th day of June 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve the first reading of Ordinance No.2023-19 of the City Council of the City of Bastrop, Texas, requiring members of the Planning and Zoning, Zoning Board of Adjustment, and Historic Landmark Commission to resign their seat when running for other elected office.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

Section 3.06 Vacancies, Forfeiture of Office, and Filling of Vacancies states that a council member who is running for elected office must resign their position on the city council upon filing for that office. This is often known as “resign to run”. This item does not apply to boards and commissions who are subject to the ethics ordinance.

Members on the Planning Commission, Zoning Board of Adjustment, and Historic Landmark Commission are particularly susceptible to a perceived conflict of interest when running and fundraising for elected office when contributions from interested parties may also be presented as a case before the body.

This item seeks to remove any perceived conflict of interest that may be present.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve the resolution as presented.

ATTACHMENTS:

1. Text Amendment
2. Ordinance

Sec. 1.04.002 Membership, terms.

Unless otherwise controlled and mandated by state or federal law and/or City Charter, the following overarching provisions shall apply to the city's boards, commissions, task forces, committees and advisory bodies ("board(s)," "body" or "advisory bodies"):

- (1) Board members shall be appointed by the mayor and confirmed by the Council, for terms of three (3) years. No board member shall serve more than two (2) consecutive terms on a particular advisory body. An individual that has previously served two (2) consecutive terms on a particular advisory body, must wait one full year before being reappointed to the same advisory body. The Mayor, upon a finding of good cause, has the authority to waive this one-year waiting period.
- (2) All city advisory bodies shall consist of seven (7) members and each seat shall be assigned a "place."
- (3) Advisory body members' terms of service shall be "staggered" three-year terms, so that the entire membership of the board will not be subject to replacement at any single point in time. If necessary, to establish initial staggering of the membership Place 1 and Place 2 shall initially serve a three-year term, Place 3 and Place 4 shall initially serve a two-year term, and Place 5, Place 6 and Place 7 shall initially serve one-year terms.
- (4) In the event of a vacancy, an individual appointed to fill the vacant place will serve only the remaining term of the individual who is being replaced by the appointee, so that the staggering of terms shall remain intact.
- (5) All advisory body members shall reside within the city limits or the city's Extraterritorial Jurisdiction (ETJ). No more than two (2) members of a particular advisory body can be from the ETJ. Upon a showing of good cause, the Mayor may waive the residency requirement.
- (6) Each advisory body will have a City Council Member assigned as Council Liaison. This will facilitate the transfer of information from the advisory bodies to the City Council.

(7) Members of advisory boards that are subject to the Code of Ethics, Article 1.15 of the Code of Ordinances, shall be deemed to have resigned and automatically vacated their place immediately upon filing an application for a place on the ballot to run for city council.

(Ord. No. 2012-13, pt. 1, 6-26-12; Ord. No. 2019-44 , § 2(Exh. A), 11-26-19)

CITY OF BASTROP, TX
ORDINANCE NO. 2023-19

RESIGN TO RUN

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 1 OF THE BASTROP CODE OF ORDINANCES, CHAPTER 2, ARTICLE 1.04, SECTION 1.04.002, PROVING FOR AUTOMATIC RESIGNATIONS OF MEMBERS OF CERTAIN BOARDS, COMMITTEES AND COMMISSIONS WHO RUN FOR CITY COUNCIL; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING

WHEREAS, pursuant to Article 3, Section 3.01 of the City of Bastrop’s Home Rule Charter, and Chapter 1, Article 1.04 of the Bastrop Code of Ordinances, the City Council of the City of Bastrop (City Council) may provide for boards and commissions, and appoint or remove members serving on those boards and commissions; and

WHEREAS, pursuant to Section 51.072 of the Texas Local Government Code, as a Home-Rule Municipality the City of Bastrop has the full power of self-government and the authority incident to local self-government; and

WHEREAS, the City Council finds that it is in the best interest of the City to protect and preserve the integrity of certain boards, commissions and committees from the pressures and compromises that often accompany political campaigns and the act of running for elected office; and

WHEREAS, the City Council finds the attached ordinance provisions to be reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Chapter 1 of the Bastrop Code of Ordinances, Article 1.04 [Boards, Committees and Commissions], Section 1.4.002 [Membership, Terms] is hereby amended, and shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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.

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 27th day of June 2023.

PASSED & APPROVED on Second Reading by the City Council of the City of Bastrop, on this, the ____ day of _____ 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop

Code of Ordinances

Chapter 1. General Provisions

Article 1.04. Boards, Committees and Commissions

The Code of Ordinances is amended by amending Section 1.04.002 and inserting the following language:

Sec. 1.04.002 - Membership, terms.

Unless otherwise controlled and mandated by state or federal law and/or City Charter, the following overarching provisions shall apply to the city's boards, commissions, task forces, committees and advisory bodies ("board(s)," "body" or "advisory bodies"):

(7) Members of advisory boards that are subject to the Code of Ethics, Article 1.15 of the Code of Ordinances, shall be deemed to have resigned and automatically vacated their place immediately upon filing an application for a place on the ballot to run for city council.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve the first reading of Ordinance No. 2023-16 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for a supermajority vote of the City Council to approve certain Place Type zoning changes; and move to include on the July 11, 2023, agenda for second reading.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

The B3 code as adopted, provides for a required five (5) affirmative votes from planning commission to make a recommendation to the city council. A simple majority is required of Council to approve.

In accordance with the Texas Local Government Code 211.006 PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES, the code allows for a municipality to adopt, by ordinance, a required supermajority of City Council to overrule a recommended denial of the Planning and Zoning Commission.

“(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied.”

As we move forward with various amendments and the creation of a development code that is pragmatic and works for the City of Bastrop, it is important to protect the residents when, such a showing of support to prevent or deny a change is so apparent, that a unanimous vote of the planning commission ends in a recommendation of denial to the City Council. That protection comes in the form of a required super majority, or 4 of the 5 city council members, be required to overturn a recommended denial of the Planning and Zoning Commission.

This amendment is consistent with state law.

FISCAL IMPACT:

\$0

RECOMMENDATION:

Recommend approval

ATTACHMENTS:

1. B3 Code Changes
2. Texas Local Government Code
3. Ordinance

CITY OF BASTROP, TX
ORDINANCE NO. 2023-16

SUPERMAJORITY TO OVERRULE P&Z DENIAL

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 14 OF THE BASTROP CODE OF ORDINANCES, THE B3 CODE, CHAPTER 2, ARTICLE 2.4, SECTION 2.4.007, PROVIDING FOR A SUPERMAJORITY VOTE OF COUNCIL TO APPROVE A ZONING CHANGE FOR WHICH A UNANIMOUS P&Z RECOMMENDED DENIAL; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 211.007, to exercise the zoning powers authorized by statute the City Council of the City of Bastrop (City Council) must appoint a zoning commission; and

WHEREAS, pursuant to Section 12.01 of the Bastrop Home Rule Charter, the Planning and Zoning Commission was established; and

WHEREAS, pursuant to Texas Local Government Code Section 211.006(f), the City Council is authorized to provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the Planning and Zoning Commission that a proposed change to a regulation or zoning district boundary be denied; and

WHEREAS, the City Council finds that it is in the best interest of the City to specify a range of preferred qualifications for a certain number of members of the Planning and Zoning Commission; and

WHEREAS, the City Council finds the attached ordinance provisions to be reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Chapter 14 of the Bastrop Code of Ordinances [Bastrop Building Block (B3) Code], Chapter 2 [Zoning], Article 2.4 [Administration], Section 2.4.007 [Zoning Concept Scheme] is hereby amended, and shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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.

PASSED & APPROVED on *First Reading* by the City Council of the City of Bastrop, on this, the 27th day of June 2023.

PASSED & APPROVED on *Second Reading* by the City Council of the City of Bastrop, on this, the ____ day of _____ 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop

Code of Ordinances

Chapter 14: Bastrop Building Block (B3) Code

Chapter 2: Zoning

Article 2.4: Administration

Section 2.4.007: Zoning Concept Scheme

The Code of Ordinances is amended by amending Section 2.4.007 as follows:

Section 2.4.007 Zoning Concept Scheme

(i) Three-Fourths Vote:

- (3) When the Planning & Zoning Commission makes a unanimous recommendation~~(s)~~ that a proposed Place Type Zoning change be denied, the request (in its original form) shall require a three-fourths majority vote from City Council for it to be approved.

nonconforming use may not be changed to another nonconforming use.

(e) Restoration of Nonconforming Structure:

(1) If a Structure occupied by a nonconforming use is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this Code. In the case of partial destruction of a nonconforming Structure not exceeding 50% of its total appraised value as determined by the Bastrop County Central Appraisal District, Reconstruction will be permitted, but the existing square footage or function of the nonconforming use cannot be expanded.

(f) Completion of Structures:

- (1) Nothing herein contained shall require any change in the plans, Construction, or designated use of:
 - A. Buildings or Structures that a building permit has been issued or a Site Plan approved prior to the effective date of the adopted B³ Code, or
 - B. A Building or Structure for which a complete Application for a building permit was accepted by the Building Official on or before the effective date

of these Standards, provided however that such building permit shall comply with all applicable Codes of the City effective on the date such Application was Filed.

SEC. 2.4.002 PLANNING & ZONING COMMISSION

(a) General:

The Planning & Zoning Commission shall function according to the following criteria that establishes membership and operating procedures.

(b) Created Membership, Officers and Alternates:

(1) There is hereby created, in accordance with Subchapter 211.007 of the Texas Local Government Code and the City's Charter, a Planning & Zoning Commission that shall consist of 9 citizens who reside in the City Limits. Members shall be appointed by the Mayor and confirmed by City Council for a term of 3 years. Terms of 1/3 of the Planning & Zoning Commission shall expire each year upon September 30th, or until a successor is appointed. Vacancies and unexpired terms of members shall be filled by the appointment of the Mayor and confirmed by City Council. These appointments shall be for the remainder of the term.

- (2) Members may be removed from office at any time by a majority vote of the City Council for any reason. All members serve without compensation.
- (3) Attendance requirements for the Planning & Zoning Commission members are set forth in the Code of Ordinances, Section 1.02.002(b), et seq.
- (4) The City staff shall keep minutes of all meetings held by the Planning & Zoning Commission and full record of all recommendations to be made by the Planning & Zoning Commission to the City Council. Minutes shall constitute a report and record of all Planning & Zoning Commission meetings, including hearings.
- (5) A Chair and Vice-chairman shall be elected by the Planning & Zoning Commission from its membership, each to hold office for 1 year or until replaced by a majority vote of the Planning & Zoning Commission.
- (6) Members of the Zoning Board of Adjustment (ZBA) serve as alternates to the Planning and Zoning Commission.
- (7) Additional alternates may be appointed by the Council when it's deemed necessary and occurs in the same manner as the appointment of members.

(c) Quorum and Voting:

- (1) Five members of the Planning & Zoning Commission shall constitute a quorum, and all members, including the presiding chairman, shall have the right of 1 vote each, a quorum being present.
- (2) All actions by the Planning & Zoning Commission shall be by a majority vote of those members present and an affirmative vote of 5 members shall be necessary for the passage of any recommendation to the City Council.

(a) A unanimous vote of the Planning & Zoning Commission shall require a super majority of the City Council to overturn a recommendation of denial.

- (3) If any member has a conflict of interest, as defined by Chapter 171 of Local Government Code, in review of any item on the Planning & Zoning Commission's agenda, the member shall state such for the record and abstain from any discussion and from voting on the matter.

(ci) Meetings:

- (1) The Planning & Zoning Commission shall convene for regular meetings on the last Thursday of January through October, and on the last Thursday prior to Thanksgiving and Christmas holidays in November and December.

(2) The meetings shall be in the City Hall or other specified locations as may be designated by the Chair or Vice Chair, in the absence of the Chair. Special meetings shall be held at such intervals as may be necessary to orderly and properly transact the business of the Planning & Zoning Commission as called by the Chair or the Director of Planning & Development.

(e) Powers and Duties:

- (1) The Planning & Zoning Commission shall be an advisory body to the City Council and shall make recommendations regarding amendments to the Comprehensive Plan, changes of Place Type Zoning and shall be the final authority for certain plats, as specified in Chapter 1, and they may review and recommend other planning related matters.
- (2) The Planning & Zoning Commission shall conduct an annual review of the City's Comprehensive Plan and the B³ Code and be prepared to make such recommendations to the City Council as deemed necessary to keep the City's Comprehensive Plan and B³ Code current with the needs and uses of the City. The Planning & Zoning Commission shall serve in an

advisory capacity on any planning related item(s) in the City.

(f) Procedure on Place Type Zoning Hearings:

- (1) The procedure and process for Place Type Zoning changes and/or amendments shall be completed in accordance with Section 2.4.005 - Changes & Amendments to All Zoning Ordinances and Districts, and in accordance with Chapter 211 of Local Government Code.

SEC. 2.4.003 ZONING BOARD OF ADJUSTMENTS (ZBA)

(a) Creation:

There is hereby created and established a Board to be called the City of Bastrop Zoning Board of Adjustment (ZBA). The ZBA shall hear Appeals from Administrative decisions regarding Zoning, and in appropriate cases, subject to appropriate conditions and safeguards, may authorize Variances from the terms of City of Bastrop B³ Code.

LOCAL GOVERNMENT CODE

TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES

SUBTITLE A. MUNICIPAL REGULATORY AUTHORITY

CHAPTER 211. MUNICIPAL ZONING AUTHORITY

SUBCHAPTER A. GENERAL ZONING REGULATIONS

Sec. 211.001. PURPOSE. The powers granted under this subchapter are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.002. ADOPTION OF REGULATION OR BOUNDARY INCLUDES AMENDMENT OR OTHER CHANGE. A reference in this subchapter to the adoption of a zoning regulation or a zoning district boundary includes the amendment, repeal, or other change of a regulation or boundary.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 211.003. ZONING REGULATIONS GENERALLY. (a) The governing body of a municipality may regulate:

- (1) the height, number of stories, and size of buildings and other structures;
- (2) the percentage of a lot that may be occupied;
- (3) the size of yards, courts, and other open spaces;
- (4) population density;
- (5) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and
- (6) the pumping, extraction, and use of groundwater by persons other than retail public utilities, as defined by Section 13.002, Water Code, for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health.

(b) In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.

(c) The governing body of a home-rule municipality may also regulate the bulk of buildings.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2003, 78th Leg., ch. 731, Sec. 2, eff. Sept. 1, 2003.

Sec. 211.0035. ZONING REGULATIONS AND DISTRICT BOUNDARIES APPLICABLE TO PAWNSHOPS.

(a) In this section, "pawnshop" has the meaning assigned by Section 371.003, Finance

Code.

(b) For the purposes of zoning regulation and determination of zoning district boundaries, the governing body of a municipality shall designate pawnshops that have been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code, as a permitted use in one or more zoning classifications.

(c) The governing body of a municipality may not impose a specific use permit requirement or any requirement similar in effect to a specific use permit requirement on a pawnshop that has been licensed to transact business by the Consumer Credit Commissioner under Chapter 371, Finance Code.

Added by Acts 1991, 72nd Leg., ch. 687, Sec. 18, eff. Sept. 1, 1991. Amended by Acts 1999, 76th Leg., ch. 62, Sec. 7.81, eff. Sept. 1, 1999.

Sec. 211.004. COMPLIANCE WITH COMPREHENSIVE PLAN. (a) Zoning regulations must be adopted in accordance with a comprehensive plan and must be designed to:

- (1) lessen congestion in the streets;
- (2) secure safety from fire, panic, and other dangers;
- (3) promote health and the general welfare;
- (4) provide adequate light and air;
- (5) prevent the overcrowding of land;
- (6) avoid undue concentration of population; or
- (7) facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public requirements.

(b) Repealed by Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 458, Sec. 1, eff. Aug. 28, 1989; Acts 1997, 75th Leg., ch. 459, Sec. 2, eff. Sept. 1, 1997.

Sec. 211.005. DISTRICTS. (a) The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best for carrying out this subchapter. Within each district, the governing body may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.

(b) Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. The regulations shall be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate use of land in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

The following section was amended by the 88th Legislature. Pending publication of the current statutes, see S.B. 929, 88th Legislature, Regular Session, for amendments affecting the following section.

Sec. 211.006. PROCEDURES GOVERNING ADOPTION OF ZONING REGULATIONS AND DISTRICT BOUNDARIES. (a) The governing body of a municipality wishing to exercise the authority

relating to zoning regulations and zoning district boundaries shall establish procedure for adopting and enforcing the regulations and boundaries. A regulation or boundary is not effective until after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard. Before the 15th day before the date of the hearing, notice of the time and place of the hearing must be published in an official newspaper or a newspaper of general circulation in the municipality.

(b) In addition to the notice required by Subsection (a), a general-law municipality that does not have a zoning commission shall give notice of a proposed change in a zoning classification to each property owner who would be entitled to notice under Section 211.007(c) if the municipality had a zoning commission. That notice must be given in the same manner as required for notice to property owners under Section 211.007(c). The governing body may not adopt the proposed change until after the 30th day after the date the notice required by this subsection is given.

(c) If the governing body of a home-rule municipality conducts a hearing under Subsection (a), the governing body may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing. Notice requirements prescribed under this subsection are in addition to the publication of notice required by Subsection (a).

(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

- (1) the area of the lots or land covered by the proposed change; or
- (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

(e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied. Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

The following section was amended by the 88th Legislature. Pending publication of the current statutes, see H.B. 1381, 88th Legislature, Regular Session, for amendments affecting the following section.

Sec. 211.007. ZONING COMMISSION. (a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning

commission unless the governing body by ordinance provides that a public hearing i
be held, after the notice required by Section 211.006(a), jointly with a public hearing
required to be held by the zoning commission. In either case, the governing body may
not take action on the matter until it receives the final report of the zoning
commission.

(c) Before the 10th day before the hearing date, written notice of each public
hearing before the zoning commission on a proposed change in a zoning classification
shall be sent to each owner, as indicated by the most recently approved municipal tax
roll, of real property within 200 feet of the property on which the change in
classification is proposed. The notice may be served by its deposit in the
municipality, properly addressed with postage paid, in the United States mail. If the
property within 200 feet of the property on which the change is proposed is located in
territory annexed to the municipality and is not included on the most recently approved
municipal tax roll, the notice shall be given in the manner provided by Section
211.006(a).

(c-1) Before the 10th day before the hearing date, written notice of each public
hearing before the zoning commission on a proposed change in a zoning classification
affecting residential or multifamily zoning shall be sent to each school district in
which the property for which the change in classification is proposed is located. The
notice may be served by its deposit in the municipality, properly addressed with postage
paid, in the United States mail.

(c-2) Subsection (c-1) does not apply to a municipality the majority of which is
located in a county with a population of 100,000 or less, except that such a
municipality must give notice under Subsection (c-1) to a school district that has
territory in the municipality and requests the notice. For purposes of this subsection,
if a school district makes a request for notice under Subsection (c-1), the municipality
must give notice of each public hearing held following the request unless the school
district requests that no further notices under Subsection (c-1) be given to the school
district.

(d) The governing body of a home-rule municipality may, by a two-thirds vote,
prescribe the type of notice to be given of the time and place of a public hearing held
jointly by the governing body and the zoning commission. If notice requirements are
prescribed under this subsection, the notice requirements prescribed by Subsections (b)
and (c) and by Section 211.006(a) do not apply.

(e) If a general-law municipality exercises zoning authority without the
appointment of a zoning commission, any reference in a law to a municipal zoning
commission or planning commission means the governing body of the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 640 (H.B. 674), Sec. 1, eff. September 1, 2013.

Sec. 211.0075. COMPLIANCE WITH OPEN MEETINGS LAW. A board or commission
established by an ordinance or resolution adopted by the governing body of a
municipality to assist the governing body in developing an initial comprehensive zoning
plan or initial zoning regulations for the municipality, or a committee of the board or
commission that includes one or more members of the board or commission, is subject to

Chapter 551, Government Code, regardless of whether the board, commission, or commission has rulemaking or quasi-judicial powers or functions only in an advisory capacity.

Item 12E.

Added by Acts 1993, 73rd Leg., ch. 381, Sec. 1, eff. Aug. 30, 1993. Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(82), eff. Sept. 1, 1995.

Sec. 211.008. BOARD OF ADJUSTMENT. (a) The governing body of a municipality may provide for the appointment of a board of adjustment. In the regulations adopted under this subchapter, the governing body may authorize the board of adjustment, in appropriate cases and subject to appropriate conditions and safeguards, to make special exceptions to the terms of the zoning ordinance that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

(b) A board of adjustment must consist of at least five members to be appointed for terms of two years. The governing body must provide the procedure for appointment. The governing body may authorize each member of the governing body, including the mayor, to appoint one member to the board. The appointing authority may remove a board member for cause, as found by the appointing authority, on a written charge after a public hearing. A vacancy on the board shall be filled for the unexpired term.

(c) The governing body, by charter or ordinance, may provide for the appointment of alternate board members to serve in the absence of one or more regular members when requested to do so by the mayor or city manager. An alternate member serves for the same period as a regular member and is subject to removal in the same manner as a regular member. A vacancy among the alternate members is filled in the same manner as a vacancy among the regular members.

(d) Each case before the board of adjustment must be heard by at least 75 percent of the members.

(e) The board by majority vote shall adopt rules in accordance with any ordinance adopted under this subchapter and with the approval of the governing body. Meetings of the board are held at the call of the presiding officer and at other times as determined by the board. The presiding officer or acting presiding officer may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.

(f) The board shall keep minutes of its proceedings that indicate the vote of each member on each question or the fact that a member is absent or fails to vote. The board shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the board's office and are public records.

(g) The governing body of a Type A general-law municipality by ordinance may grant the members of the governing body the authority to act as a board of adjustment under this chapter.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1993, 73rd Leg., ch. 126, Sec. 1, eff. Sept. 1, 1993; Acts 1995, 74th Leg., ch. 724, Sec. 1, eff. Aug. 28, 1995; Acts 1997, 75th Leg., ch. 363, Sec. 1, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 820 (H.B. 2497), Sec. 1, eff. September 1, 2019.

Sec. 211.009. AUTHORITY OF BOARD. (a) The board of adjustment may:

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STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve the first reading of Ordinance No. 2023-17 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for a simple majority vote of the Planning and Zoning Commission to make recommendations to the City Council.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

The B3 code as adopted, provides for a required five (5) votes from planning commission to recommend an amendment to the City Council. However, five (5) members constitutes a quorum, and a majority of 5 present does not allow an item to move forward to City Council. So while a meeting can be held, technically, an item cannot move forward to the City Council.

SEC. 2.4.002 PLANNING & ZONING COMMISSION (C) in the B3 code reads

(2) All actions by the Planning & Zoning Commission shall be by a majority vote of those members present and an affirmative vote of 5 members shall be necessary for the passage of any recommendation to the City Council.

This agenda items seeks to clarify that a simple majority of the planning commission is enough to advance an item that has been either denied or approved to the City Council for action.

The amendment would read as follows:

(2) All actions by the Planning & Zoning Commission shall be by a majority vote of those members present, and in a quorum, for the passage of any recommendation to the City Council.

This item seeks to simplify the code and the intent of the legislative process that an item is heard and then moved to the City Council in as expeditious a manner as possible.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve the ordinance as presented.

ATTACHMENTS:

1. Proposed text amendment
2. Ordinance

CITY OF BASTROP, TX
ORDINANCE NO. 2023-17

RECOMMENDATIONS OF PLANNING & ZONING COMMISSION

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 14 OF THE BASTROP CODE OF ORDINANCES, THE B3 CODE, CHAPTER 2, ARTICLE 2.4, SECTION 2.4.002, PROVIDING FOR RECOMMENDATIONS FROM PLANNING AND ZONING TO THE CITY COUNCIL; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 211.007, to exercise the zoning powers authorized by statute the City Council of the City of Bastrop (City Council) must appoint a zoning commission; and

WHEREAS, pursuant to Section 12.01 of the Bastrop Home Rule Charter, the Planning and Zoning Commission was established; and

WHEREAS, the City Council finds that it is in the best interest of the City simplify the process for the Planning and Zoning Commission to make recommendations to the City Council; and

WHEREAS, the City Council finds the attached ordinance provisions to be reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Chapter 14 of the Bastrop Code of Ordinances [Bastrop Building Block (B3) Code], Chapter 2 [Zoning], Article 2.4 [Administration], Section 2.4.002 [Planning & Zoning Commission] is hereby amended, and shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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.

PASSED & APPROVED on *First Reading* by the City Council of the City of Bastrop, on this, the 27th day of June 2023.

PASSED & APPROVED on *Second Reading* by the City Council of the City of Bastrop, on this, the ____ day of _____ 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop

Code of Ordinances

Chapter 14: Bastrop Building Block (B3) Code

Chapter 2: Zoning

Article 2.4: Administration

Section 2.4.002: Planning & Zoning Commission

The Code of Ordinances is amended by amending Section 2.4.002 and inserting the following language:

Section 2.4.002. Planning & Zoning Commission

(c) Quorum and Voting:

- (2) All actions by the Planning & Zoning Commission shall be by a majority vote of those members present ~~and an affirmative vote of 5 members shall be necessary for~~ including the passage of any recommendation to the City Council.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve on first reading Ordinance No. 2023-18 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Code of Ordinances, Chapter 2 of the B3 Code, providing for qualifications for Planning and Zoning Commission members.

AGENDA ITEM SUBMITTED BY:

Submitted by: Mayor Pro-tem John Kirkland and Councilmember Plunkett

BACKGROUND & HISTORY:

Section 2.4.002. Planning & Zoning Commission is amended to read as follows:

(b) Created Membership, Officers and Alternates:

(1) There is hereby created, in accordance with Subchapter 211.007 of the Texas Local Government Code and the City's Charter, a Planning & Zoning Commission that shall consist of 9 citizens who reside in the City Limits. At least 3 members shall have a known and demonstrated interest, competence, or knowledge in land use and development as may be exhibited by the following professions: attorney, architect, city planner, design professional, landscape architect, real estate developer, civil engineer, construction project manager, and construction superintendent. Members shall be appointed by the Mayor and confirmed by City Council for a term of 3 years. Terms of 1/3 of the Planning & Zoning Commission shall expire each year upon September 30th, or until a successor is appointed. Vacancies and unexpired terms of members shall be filled by the appointment of the Mayor and confirmed by City Council. These appointments shall be for the remainder of the term.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve the ordinance as presented.

ATTACHMENTS:

1. Text amendment
2. Ordinance amendment

CITY OF BASTROP, TX
ORDINANCE NO. 2023-18

QUALIFICATIONS OF PLANNING & ZONING COMMISSIONERS

AN ORDINANCE OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 14 OF THE BASTROP CODE OF ORDINANCES, THE B3 CODE, CHAPTER 2, ARTICLE 2.4, SECTION 2.4.002, PROVIDING FOR QUALIFICATIONS FOR P&Z MEMBERS; AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 211.007, to exercise the zoning powers authorized by statute the City Council of the City of Bastrop (City Council) must appoint a zoning commission; and

WHEREAS, pursuant to Section 12.01 of the Bastrop Home Rule Charter, the Planning and Zoning Commission was established; and

WHEREAS, the City Council finds that it is in the best interest of the City to specify a range of preferred qualifications for a certain number of members of the Planning and Zoning Commission; and

WHEREAS, the City Council finds the attached ordinance provisions to be reasonable and necessary.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bastrop, TX:

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: Chapter 14 of the Bastrop Code of Ordinances [Bastrop Building Block (B3) Code], Chapter 2 [Zoning], Article 2.4 [Administration], Section 2.4.002 [Planning & Zoning Commission] is hereby amended, and shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

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.

PASSED & APPROVED on *First Reading* by the City Council of the City of Bastrop, on this, the 27th day of June 2023.

PASSED & APPROVED on *Second Reading* by the City Council of the City of Bastrop, on this, the ____ day of _____ 2023.

APPROVED:

by: _____
Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

City of Bastrop**Code of Ordinances****Chapter 14: Bastrop Building Block (B3) Code****Chapter 2: Zoning****Article 2.4: Administration****Section 2.4.002: Planning & Zoning Commission**

The Code of Ordinances is amended by amending Section 2.4.002 and inserting the following language:

Section 2.4.002. Planning & Zoning Commission

(b) Created Membership, Officers and Alternates:

(1) There is hereby created, in accordance with Subchapter 211.007 of the Texas Local Government Code and the City's Charter, a Planning & Zoning Commission that shall consist of 9 citizens who reside in the City Limits. At least 3 members shall have a known and demonstrated interest, competence, or knowledge in land use and development as may be exhibited by the following professions: attorney, architect, city planner, design professional, landscape architect, real estate developer, civil engineer, construction project manager, and construction superintendent. Members shall be appointed by the Mayor and confirmed by City Council for a term of 3 years. Terms of 1/3 of the Planning & Zoning Commission shall expire each year upon September 30th, or until a successor is appointed. Vacancies and unexpired terms of members shall be filled by the appointment of the Mayor and confirmed by City Council. These appointments shall be for the remainder of the term.



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-97 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to designate thirty parking spaces in the parking lot located at the corner of Willow Street and Farm Street at Fisherman's Park as parking for disabled patrons of the Big Bang event taking place on July 1, 2023; and providing an effective date.

STAFF REPRESENTATIVE:

Terry Moore, Recreation Manager

BACKGROUND/HISTORY:

The City of Bastrop is holding their first annual Big Bang event celebrating July 4th at Fisherman's Park.

With the different events that will be taking place, staff feel that it will be appropriate to have parking accommodations for disabled patrons that will be in attendance.

RECOMMENDATION:

Staff recommends approval of resolution R-2023-97.

ATTACHMENTS:

- Resolution 2023-97



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-98 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to sell certain real property located at the 2000 Block of Mill Street, Building Block 142 East of Water Street, and the 2000 Block of South Street, Building Block 143 East of Water Street.

AGENDA ITEM SUBMITTED BY:

Trey Job, Assistant City Manager

BACKGROUND/HISTORY:

Assistant City Manager Trey Job has had previous conversations with City Council about these properties and City Attorney Alan Bojorquez has been consulted and confirmed that these properties have been legally owned by the City of Bastrop since 1986, and the City of Bastrop has the legal authority to sell them.

RECOMMENDATION:

Assistant City Manager Job recommends approval of Resolution No. R-2023-98 of the City Council of the City of Bastrop, Texas, approving the sale of 2000 Mill Street, Building Block 142 and 2000 South Street, Building Block 143.

ATTACHMENTS:

- Resolution R-2023-98
- Exhibit A – Property location map

RESOLUTION NO. R-2023-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE CITY MANAGER TO SELL CERTAIN REAL PROPERTY LOCATED AT THE 2000 BLOCK OF MILL STREET, BUILDING BLOCK 142 EAST OF WATER STREET, AND THE 2000 BLOCK OF SOUTH STREET, BUILDING BLOCK 143 EAST OF WATER STREET.

WHEREAS, the City Council of the City of Bastrop ("City Council") finds it to be in the public interest and necessary to explore opportunities to convey certain interests in real property;

WHEREAS, the Capstick Development Group, Ltd, partnership has expressed interest in purchasing the property.

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

Section 1: The City desires to sell certain real property that it owns located at the 2000 Block of Mill Street, Building Block 142 East of Water Street, and the 2000 Block of South Street, Building Block 143 East of Water Street and as further depicted in the Property location map which is attached and incorporated herein as, "Attachment A".

Section 2: The City Council hereby authorizes the City Manager to sell the aforementioned real property in accordance with direction and parameters outlined by the City Council, subject to approval as to form by the City Attorney.

Section 3: The City Council directs City staff to engage with the Capstick Development Group, Ltd., in a mutually cooperative manner to perform due diligence and prepare the necessary documentation to effectuate an eventual sale and establish applicable regulations to the construction and development of the property.

Section 3: That this Resolution shall take effect immediately upon its passage.

Section 4: 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.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 27th day of June 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit A

Property Map 2.5 Acres 2000 Block of south Street, Building Block 143 East of Water Street

Bastrop CAD Web Map



10/20/2022, 2:53:50 PM

- Abstracts Lot Lines
- Parcels Bastrop Roads

1:2,257

0	0.01	0.03	0.06 mi
0	0.03	0.05	0.1 km

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Bastrop County Appraisal District, EIS Consulting - eisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

Property Map
2000 Block of Mill Street,
Building Block 142 East of Water Street

Bastrop CAD Web Map



10/20/2022, 2:56:33 PM

- Abstracts Lot Lines
- Parcels Bastrop Roads

1:2,257
0.01 0.03 0.06 mi
0.03 0.05 0.1 km

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STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-101 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with Blakey Owner Apartments, LLC, a Delaware Limited Liability Company for Pearl River, Phase One, Lot 1 & 2 as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Trey Job, Assistant City Manager of Development Services

BACKGROUND/HISTORY:

The Public Improvement Plan Agreement was developed as part of the City of Bastrop's Development Manual. This standardized agreement is a tool that can be used by staff. It allows a developer to final plat lots within the approved section of the subdivision prior to the completion of all public improvements.

The cost estimates and scope of work included in the attached agreement has been reviewed by the necessary city staff. The Public Improvement Plans and final drainage plan has been approved by the City Engineer.

POLICY EXPLANATION:

Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or policy regulations that are 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.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Trey Job, Assistant City Manager of Development Services recommends approval of Resolution No. R-2023-101.

ATTACHMENTS:

- Resolution No. R-2023-101
- Pearl River Phase One, Public Improvement Plan Agreement

RESOLUTION NO. R-2023-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING A PUBLIC IMPROVEMENT PLAN AGREEMENT WITH BLAKEY OWNER APARTMENTS, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR PEARL RIVER PHASE ONE LOTS ONE AND TWO AS ATTACHED IN EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Blakey Owner Apartments, LLC, a Delaware Limited Liability Company, hereinafter referred to as, "Developer", is the developer of the following described property and desires to make certain improvements to the following lots and blocks in Pearl River, Phase One Lots 1 & 2, a development in the City of Bastrop, Texas; and

WHEREAS, the said Developer has requested the City of Bastrop, a Home Rule Municipality of Bastrop County, Texas, hereinafter referred to as, "City", to provide approvals and cooperative arrangements in connection with said improvements:

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

Section 1: That the City Manager will execute the Public Improvement Plan Agreement attached as Exhibit A.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which 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 resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 27th day of June 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

CITY OF BASTROP, TEXAS
Public Improvement Plan Agreement
Pearl 75

The State of Texas
County of Bastrop

WHEREAS, BLAKEY OWNER APARTMENTS, LLC, a Delaware limited liability company ("Developer"), is the developer of the following described property and desires to make certain improvements to the following lots and blocks in the Alta Blakey – Public Phase One Public Improvements Plans, (Permit Case Number 23-000014) (the "PIP"), a development in the City of Bastrop, Texas: being Lots One and Two of the Replat Establishing Pearl 75 – Phase One; and

WHEREAS, the said Developer has requested the City of Bastrop, a Home Rule Municipality of Bastrop County, Texas, hereinafter referred to as, "City", to provide approvals and cooperative arrangements in connection with said improvements:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That said Developer, acting herein by and through Bart Barrett, Vice President of WP Texas, LLC, a Delaware limited liability, the manager of WS Blakey Lane, LLC, a Delaware limited liability company, the manager of Blakey Owner Holdings, LLC, a Delaware limited liability company, the duly authorized manager of Developer, and the City, acting herein by and through Sylvia Carrillo, its City Manager, for and in consideration of the covenants and agreements herein performed and to be performed, do hereby covenant and agree as follows regarding assurance of construction of the public improvements reflected in and permitted pursuant to the PIP (collectively, the "Public Infrastructure Improvements"), including without limitation, sanitary sewer facilities, streets, public drainage and stormwater management facilities, street lights and street signs; summary of applicable infrastructure (development)

amounts; assurance payments to the City; payment of inspection fees; and miscellaneous provisions relating to the acceptable completion of said construction according to the plans for the Public Infrastructure Improvements pursuant to the PIP approved by the City on _____, 2023.

1.00 Assurance of Infrastructure Construction

1.10 Employment of Contractors

In accordance with this agreement, the Developer agrees to employ a general contractor or contractors in accordance with the conditions set forth in Section 4.00 for work for which the Developer is providing as stated herein and indicated in the Summary of Infrastructure (Development) Assurance Amounts, Section 2.30 on page 4 of this agreement.

1.11 Public Infrastructure Construction and Acceptance Process

- a) The Developer and the City/County agree that a pre-construction meeting will not be held and notice to proceed issued until the payment of the Public Improvement Inspection fees are paid to the City/County and a copy of the approved plan set provided to the City Construction Manager. The Public Improvement Inspection fees will be three- and one-half percent (3.5%) of the total Public Infrastructure Improvements costs Attachment 1 (Engineers Estimate of Probable Costs), per the Master Fee Schedule adopted with Ordinance Number 2022-22.

- b) Upon completion of the Infrastructure, the developer must furnish the City with the following prior to acceptance and release of fiscal guarantee (if provided):
 - 1. As-Built/Record Drawings of Public Infrastructure Improvements in pdf format and in CAD/GIS format;

2. The Developer agrees to require the contractor(s) to furnish the City and County with a two (2) year maintenance bond in the name of the City, subject to City approval, for twenty five percent (25%) of the contract price of the public streets, sidewalk, and drainage improvements. The maintenance bond(s) shall be submitted and approved prior to the final acceptance of the improvements;
 3. Letter of Concurrence from the Design Engineer;
 4. Close out documents required by the Engineering Department
(Attachment 2).
- c) Once these items are provided, the City will provide a Letter of Acceptance from the City Engineer.
- d) In order to record the Final Plat of Replat Establishing Pearl 75 – Phase One (City Permit Number 23-000012) (the “Final Plat”), the Developer must complete one of the following:
1. Have received a Letter of Acceptance from the City Engineer; or
 2. Provide fiscal guarantee for 125% of the outstanding Infrastructure (Development) Improvement Costs, with Engineer’s Opinion of Probable Costs. This guarantee will not be released until acceptance of the Infrastructure by the City Engineer as evidenced by the Letter of Concurrence referenced in subsection (b)(3) above.

1.12 Payment of Miscellaneous Construction Costs

It is further agreed and understood that additional costs may be required of the Developer to cover such additional work, materials and/or other costs as may be made necessary by conditions encountered during construction and within the scope

of this project.

1.13 Compliance with Tree Preservation Ordinance

The Developer is responsible to fully comply with the City’s Tree Preservation Ordinance and Construction Standards during all phases of construction. The Developer submitted a tree protection plan and protected tree survey showing the protected trees on site and the measures of tree protection to be employed prior to any site work on the project with Public Improvement Plans approved on _____, 2023. The chart below reflects the proposed tree mitigation (the "Phase 1 Tree Mitigation") that will be the obligation of Developer in connection with its construction of non-public site work for development of the real property being the subject of the Final Plat. Contemporaneously with the Developer's execution of this Agreement and the City's approval of the Final Plat and the PIP, Developer shall deliver a fiscal surety bond to secure Developer's Phase 1 Tree Mitigation obligation (the "Tree Mitigation Bond") in the amount stated under "Full Mitigation Cost" below. Such Tree Mitigation Bond shall be released at such time as Developer's work under City site development case number 23-000064 (the "SDP") has been completed and accepted by the City. Notwithstanding the foregoing, following the date Developer pays the payment to the City's Tree Fund prior to and in connection with the City's issuance of the SDP, the Developer may elect to deliver a replacement bond equal only to the costs attributable to the on-site mitigation inches required under such SDP.

	Full Mitigation Cost	Proposed On-Site Mitigation Inches	Proposed Payment to Tree Fund
Trees (Inches)	146 Trees (4" Caliper Trees)	81 Trees (324 Inches)	65 Trees (260 Inches)
Dollar Equivalent	\$87,600	\$48,600	\$39,000
Proposed Mitigation	-	81 On-Site Trees	\$39,000

2.00 Infrastructure (Development) Improvement Costs

All infrastructure (development) improvement costs of the Public Infrastructure Improvements are the full responsibility of the Developer unless otherwise noted, or unless otherwise funded with a public improvement district revenue, tax increment reinvestments zone revenue, or a Chapter 380 grant, pursuant to a separate agreement. The following improvement costs for the Public Infrastructure Improvements have been developed using the Developer’s plans and specifications and recommendations by the City in accordance with the construction guidelines set forth by the City:

2.10 Water Improvements

The distribution of costs between the City and the Developer for all domestic and fire water facilities are as follows:

	Full Project Cost	Developer Amount	City Participation
Water Facilities	\$649, 692	\$649, 692	\$0.00
Total Construction Cost	\$649, 692	\$649, 692	\$0.00

2.10 Sanitary Sewer Improvements

The distribution of costs between the City and the Developer for all sanitary sewer are as follows:

	Full Project Cost	Developer Amount	City Participation
Sanitary Sewer Facilities	\$339,174	\$339,174	\$0.00
Total Construction Cost	\$339,174	\$339,174	\$0.00

2.20 Drainage Improvements

The distribution of costs between the City and the Developer for drainage improvements are as follows:

	Full Project Cost	Developer Amount	City Participation
Storm Drainage Facilities	\$503,179.18	\$503,179.18	\$0.00

2.30 Street Improvements

The distribution of costs between the City and the Developer for all street improvements being part of the Public Infrastructure Improvements are as follows:

	Full Project Cost	Developer Amount	City Participation
Streets & Sidewalks	\$118,611	\$118,611	\$0.00
Erosion Control Items	\$48,059	\$48,059	\$0.00
Total Construction Cost	\$166,670	\$166,670	\$0.00

2.40 Summary of Infrastructure (Development) Costs Amounts

	Final Assurance Amount
Water Facilities	\$649, 692
Sewer Facilities	\$339,174
Storm Drainage Facilities	\$503,179.18
Streets, Sidewalks & Erosion Control Improvements	\$166,670
Total Infrastructure Development Cost Amounts	\$1,658,715.18

INSPECTION FEES TO BE PAID PRIOR TO PRE-CONSTRUCTION MEETING:

Percentage Final of Construction Improvement

	Construction Cost Amount	Inspection Fee

3.00 Miscellaneous Improvements

3.10 Drainage Operation and Maintenance Plan

The Developer will provide the City with a Drainage Operation and Maintenance Plan (plan) in accordance with the Stormwater Drainage Manual. The plan shall provide detailed information regarding the obligation of responsible parties for any drainage system, stormwater system, or other improvement being part of the Public Infrastructure Improvements (the "Drainage Facilities") which will not be dedicated to the City as part of this agreement. Proof of payment to the surety and that all other obligations of the developer or contractor have been met in order for the bonds to be binding upon the surety. The obligations of maintenance shall be the responsibility of the owners of all of the property served by the Drainage Facilities, and the City agrees that Developer and/or such benefited owners may establish a property owners association in accordance with Texas laws (the "POA") in order to complete such maintenance obligations.

3.10 Sidewalks

The Developer shall be responsible for installing sidewalks along rights-of-way on open space lots and other lots that will not contain single family residential units as shown on the approved PIP. All sidewalks shall be in compliance with the City's and County's Master Transportation Plan and conform to the City of Bastrop Standard Construction Details.

3.20 Screening Wall, Landscaping, and Irrigation

The Developer shall be responsible for installing screening walls, retaining walls, landscaping, and irrigation in accordance with the approved PIP approved on _____, 2023.

3.30 Street Lights [(Bluebonnet Electric Cooperation OR Bastrop Power & Light)]

The Developer is responsible for the initial installation and maintenance of all street lights. Once established, the POA will be responsible or obligated to maintain and/or replace any standard or non-standard street light poles.

3.40 Street Name and Regulatory Signs [(City of Bastrop OR Bastrop County)]

Street name and regulatory signs shall be installed by the Developer at the Developer's expense at locations specified by the City's Director of Public Works per the signage regulations in the City of Bastrop Construction Standards Manual. The signs shall conform to The State of Texas Manual on Uniform Traffic Control Devices and City requirements, including but not limited to, exact placement, sign height and block numbers. The City and County shall not be responsible or obligated to maintain and/or replace any non-standard sign poles, street name signs, or regulatory signs. Installation shall be completed prior to the acceptance of the subdivision.

RECOMMENDED:

Curtis Hancock Date
Public Works Director

3.50 Land Dedication

The Developer shall dedicate to the City the area shown as public open space on the Final Plat approved on _____, 2023. A private homeowners association or property owners association shall maintain the public open space.

3.60 Impact Fees

Water Impact Fees and Wastewater Impact Fees as set forth by City ordinances will

be assessed at the time of Final Plat recording and shall be paid by the builder, property owner, or developer at the time of Building Permit issuance for each individual lot within the Final Plat and shall be based on the Water and Wastewater Impact Fee for Service as set forth in the City of Bastrop Impact Fee Ordinance that is in effect as of the this agreement.

Impact Fees to be paid are as follows:

	Number Lots	Fee per Lot	Final Assessment Amount
Water Impact Fee	2	\$261,824	\$523,648
Wastewater Impact Fee	2	\$122,136	\$244,272
Total Impact Fees			\$767,920

4.00 Miscellaneous Provisions

4.10 Bonds

The Developer will provide the City with proof of payment to the surety and that all other obligations of the developer or contractor have been met in order for the bonds to be binding upon the surety.

4.20 Public Liability

The Developer shall further require the contractor(s) to secure Public Liability Insurance. The amount of Insurance required shall include Public Liability, Bodily Injury and Property Damage of not less than \$100,000 one person, \$300,000 one accident and \$100,000 property damage. The minimum requirements for automobile and truck public liability, bodily injury and property damage shall also include not less than \$100,000 one person, \$300,000 one accident, and \$100,000 property damage.

The Contractor shall provide Worker's Compensation Insurance in accordance with the most recent Texas Workers' Compensation Commission's rules.

4.30 General Indemnity Provisions

The Developer shall waive all claims, fully release, indemnify, defend and hold harmless the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from any and all liability, claims, suits, demands or causes of action, including all expenses of litigation and/or settlement which may arise by injury to property or person occasioned by error, omission, intentional or negligent act of Developer, its officers, agents, consultants, employees, invitees, or other person, arising out of or in connection with the Agreement, or on or about the property, and Developer will, at its own cost and expense, defend and protect the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from any and all such claims and demands. Also, Developer agrees to and shall indemnify, defend and hold harmless the City and all of its officials, officers, agents, consultants, employees and invitees in both their public and private capacities, from and against any and all claims, losses, damages, causes of action, suit and liability of every kind (each a "Claim" and collectively, the "Claims"), including all expenses of litigation, court costs and reasonable attorney fees for injury to or death of any person or for any damage to any property, but not including special, punitive or consequential damages, arising out of or in connection with this Agreement or any and all activity or use pursuant to the Agreement, or on or about the property. This indemnity shall apply whether the Claims arise in whole or in part from the intentional acts or negligence of developer or any of its officers, officials, agents, consultants, employees or invitees, whether said negligence is contractual, comparative

negligence, concurrent negligence, or any other form of negligence, but not for Claims resulting or arising from the City's sole negligence, gross negligence or willful misconduct. The City shall be responsible only for any Claims resulting or arising from the City's sole negligence, gross negligence . Provided, however, that nothing contained in this Agreement shall waive the City's defenses or immunities under Section 101.001 et seq. of the Texas Civil Practice and Remedies Code or other applicable statutory or common law. Notwithstanding anything to the contrary in this section, the Developer shall not be required to indemnify the City in the event the Claims arise in whole or in part as a result of the City's breach of this agreement or a separate agreement pertaining to the property governed by this agreement.

4.31 Indemnity Against Design Defects

Approval of the City Engineer or other City employee, official, consultant, employee, or officer of any plans, designs or specifications submitted by the Developer under this Agreement shall not constitute or be deemed to be a release of the responsibility and liability of the Developer, its engineer, contractors, employees, officers, or agents for the accuracy and competency of their design and specifications. Such approval shall not be deemed to be an assumption of such responsibility or liability by the City for any defect in the design and specifications prepared by the consulting engineer, his officers, agents, servants, or employees, it being the intent of the parties that approval by the City Engineer or other City employee, official, consultant, or officer signifies the City's approval of only the general design concept of the improvements to be constructed. In this connection, the Developer shall indemnify and hold harmless the City, its officials, officers, agents, servants and employees, from any

loss, damage, liability or expense on account of damage to property and injuries, including death, but excluding any special, punitive or consequential damages, to any and all persons which may arise out of any defect, deficiency or negligence of the engineer’s designs and specifications incorporated into any improvements constructed in accordance therewith, and the Developer shall defend at his own expense any suits or other proceedings brought against the City, its officials, officers, agents, servants or employees, or any of them, on account thereof, to pay all expenses and satisfy all judgments which may be incurred by or rendered against them, collectively or individually, personally or in their official capacity, in connection herewith. Notwithstanding anything to the contrary in this section, the Developer shall not be required to indemnify the City in the event the claims, suits, losses, damages, causes of action or liability arise in whole or in part as a result of the City's breach of this agreement or a separate agreement pertaining to the property governed by this agreement.

4.32 Approval of Plans

The Developer and City agree that the approval of plans and specifications by the City shall not be construed as representing or implying that improvements built in accordance therewith shall be free of defects. Any such approvals shall in no event be construed as representing or guaranteeing that any improvement built in accordance therewith will be designed or built in a good and workmanlike manner.

Neither the City or County, nor its elected officials, officers, employees, contractors and/or agents shall be responsible or liable in damages or otherwise to anyone submitting plans and specifications for approval by the City for any defects in any

plans or specifications submitted, revised, or approved, in the loss or damages to any person arising out of approval or disapproval or failure to approve or disapprove any plans or specifications, for any loss or damage arising from the non-compliance of such plans or specifications with any governmental ordinance or regulation, nor any defects in construction undertaken pursuant to such plans and specifications.

4.33 Venue

Venue of any action brought hereunder shall be in the City of Bastrop, Bastrop County, Texas.

4.40 Dedication of Infrastructure Improvements

Upon final acceptance of, the public streets and sidewalks shall become the property of the City.

4.60 Assignment

This agreement, any part hereof, or any interest herein shall not be assigned by the Developer without written consent of the City Manager, said consent shall not be unreasonably withheld, and it is further agreed that such written consent will not be granted for the assignment, transfer, pledge and/or conveyance of any refunds due or to become due to the Developer except that such assignment, transfer, pledge and/or conveyance shall be for the full amount of the total of all such refunds due or to become due hereunder nor shall assignment release assignor or assignee from any and all Development assurances and responsibilities set forth herein.

Signature Page Follows

IN TESTIMONY WHEREOF, the City of Bastrop has caused this instrument to be executed in duplicate in its name and on its behalf by its City Manager, attested by its City Secretary, with the corporate seal of the City affixed, and said Developer has executed this instrument in duplicate, at the City of Bastrop, Texas this the ___ day of _____, 2023.

BLAKEY OWNER APARTMENTS, LLC,
a Delaware limited liability company

CITY OF BASTROP, TEXAS

By: Blakey Owner Holdings, LLC,
a Delaware limited liability company,
its manager

By: _____
Name: Sylvia Carrillo, ICMA-CM, CPM
Title: City Manager

By: WS Blakey Lane, LLC,
a Delaware limited liability company,
its manager

By: WP Texas, LLC,
a Delaware limited liability company, its manager

By:
Name: Bart Barrett
Title: Vice President

ATTEST:

Ann Franklin
City Secretary

Date

APPROVED AS TO FORM:

Alan Bojorquez
City Attorney

Date

Distribution of Originals: Developer
 City Secretary
 Planning and Development Department



STAFF REPORT

MEETING DATE: June 27, 2023

TITLE:

Consider action to approve Resolution No. R-2023-100 of the City Council of the City of Bastrop, Texas, approving a License agreement for encroachment onto the Water Street right of way between the City of Bastrop and Howards Design Limited LLC, as attached in Exhibit A, authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Trey Job, Assistant City Manager

BACKGROUND/HISTORY:

The City of Bastrop manages all encroachments within rights of way and easements. The new downtown location of Found art is a project that culminated from an economic development performance agreement with the Howards owners of Deep in the Hearty Art Foundry. Part of the agreement contemplated a downtown improvement to what was once a cabinet shop.

Now that the interior is near completion the owners have turned their attention to the exterior of the building. The requested Gallery (encroachment) will encroach into the existing right of way. The improvement will add an architectural feature that will be consistent with the downtown area and does not require a certificate of appropriateness as the building is outside of the historic district.

FISCAL IMPACT:

None

RECOMMENDATION:

Trey Job, Assistant City Manager of Development Services recommends approval of Resolution No. R-2023-100.

ATTACHMENTS:

- Resolution No. R-2023-100
- Agreement

RESOLUTION NO. R-2023-100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING A LICENSE AGREEMENT FOR ENCROACHMENT ONTO THE WATER STREET RIGHT OF WAY. BETWEEN THE CITY OF BASTROP AND HOWARDS DESIGN LIMITED LLC, AS ATTACHED IN EXHIBIT A, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Owners wish to enter into an agreement to encroach into a portion of the Water Street right of way to provide enhanced architectural feature to the building; and,

WHEREAS, the place type 5 zoning allows the proposed gallery style encroachment; and

WHEREAS, the proposed encroachment does not prohibit the city from performing necessary maintenance and repair to sidewalk, utilities and other right of way improvements.

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

Section 1: That the Director of Public Works has the authority to execute a License agreement for encroachment onto the Water Street right of way between the City of Bastrop and Howards Design Limited LLC, as attached in Exhibit A,

Section 2: All orders, ordinances, and resolutions, or parts thereof, which 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 resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 27th day of June, 2023.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney



J
S **4** **C**

DESIGN AND DRAFTING
SMITHVILLE, TX
PH: 512.237.0824
JEFFREY@ASCDESIGN.COM

COMMERCIAL REMODEL:
FOUND FINE ART
910 WATER STREET
BASTROP, TEXAS 78602

DATE	ISSUE
05.07.23	ENTRY AWNING DESIGN
SCALE: 3/16" = 1'-0"	

SK-1-03
328

LICENSE TO ENCROACH AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This is a license agreement for the use of certain right-of-way (Exhibit A) for a 0.223 acre tract of Building Block BLK 4 W Water ST, also known as 910 and 912 Water Street, Bastrop, TX 78602, encroachments of Galleries is allowed in the Place type Five zoning designation (Exhibit B) between the City of Bastrop, acting by and through its Public Works Director (hereinafter “City”) and Howard Designs Limited, LLC., (hereinafter “Licensee”). Collectively, City and Licensee will be referred to as the “Parties.”

RECITALS

The Parties acknowledge and agree on the following:

1. City is the owner of the public right-of-way as described on Exhibit A (“the Property”).
2. The encroachment is located adjacent to the parcel on which Licensee conducts activities.
3. It is in the best interests of City and the utility to have access to the existing and future infrastructure while allowing for encroachment of private property into the right-of-way.
4. The City finds that there are negligible negative impacts from this Agreement will have on the public’s use of the right-of-way for the allowed encroachments.
5. This Agreement is supported by full and adequate consideration.

TERMS OF THE AGREEMENT

In consideration of the recitals and mutual covenants and agreements contained in this Agreement, the Parties agree to the following terms:

ARTICLE 1

PREMISES AND PRIVILEGES

For and in consideration of the terms, conditions, and covenants of this Agreement to be performed by Licensee, all of which Licensee accepts, City authorizes and permits Licensee to have the non-exclusive use of the right-of-way for the encroachment as shown in Exhibit B. The herein described privileges are transferable and shall convey with the sale of the property for the term of the agreement described in Article 2. Licensee accepts the condition of the Property as is, where is, in its condition as of the effective date of this Agreement with no expectation that City will incur any expense in connection with the Property.

ARTICLE 2

TERM

The term of this Agreement shall be for a period of one year, beginning on the effective date of this Agreement. Unless and until the Agreement is terminated, this Agreement will renew itself automatically on each anniversary of the Agreement for an additional one-year term.

A. The City may terminate this agreement without cause.

ARTICLE 3

OBLIGATIONS OF LICENSEE

In addition to any other obligations imposed by this Agreement, Licensee accepts and will perform the following obligations:

1. Licensee shall not deny access to utility or tele-communication providers.
2. Licensee shall neither construct nor permit any buildings, structures or improvements other than those listed in this agreement without approval of the city of Bastrop in writing.
3. Licensee shall maintain the Property that is encroaching or remove if not maintained.
4. Licensee agrees all future work within the right-of-way will require a request in through the permit process, and approval by the Public Works Director
5. Licensee acknowledges that City may desire to repair, repave or otherwise improve the right-of-way. In this event, Licensee shall allow the City access for such period of time as is necessary. The City also retains the right to access the property for all other rights incidental to and necessary in connection with any utility lines or facilities which may be located on or under the Property.

ARTICLE 4

NOT A CONVEYANCE OF REAL PROPERTY INTEREST

The Parties agree and acknowledge that this Agreement is not a conveyance or transfer of any tenancy, leasehold, or ownership interest of any kind in the Right-of-Way.

ARTICLE 5

NO LIABILITY FOR CITY

The Parties agree that City shall have no liability for any losses or damages, direct or consequential, resulting from the loss of any things on the Property, real or personal, whether by theft, vandalism, negligence, act of God, or other event or occurrence.

ARTICLE 6

NO ASSIGNMENT

Licensee shall not assign this Agreement without the prior written consent of the City.

ARTICLE 7

TERMINATION

This Agreement shall terminate upon the occurrence of any of the following:

1. Either the City or the Licensee may terminate this Agreement without cause by submitting 30 (thirty) days written notice of such to the other Party.
2. Licensee defaults in the performance of its obligations under this Agreement, if such default continues for a period of ten (10) days after written notice to Licensee by City of the default.

Upon termination of this Agreement, Licensee shall remove all things placed within the right-of-way by Licensee or its agents, servants, or employees. Licensee shall restore the right-of-way as nearly as practical to its condition prior to the initial execution of this Agreement.

The failure of City to declare this Agreement in default shall not operate to bar or waive the right of City to terminate this Agreement because of any subsequent violation of the Agreement.

ARTICLE 8

MISCELLANEOUS GENERAL PROVISIONS

- A. Attorney’s Fees. In any action brought for the enforcement of the obligations in this Agreement, the prevailing party shall be entitled to recover interest and reasonable attorney’s fees.
- B. Misrepresentation. All terms and conditions with respect to this Agreement are expressly contained in this document. Licensee agrees that no representative or agent of the City has made any representation or promise with respect to this Agreement not expressly contained in the Agreement.
- C. Paragraph Headings. The paragraph headings are for convenience and reference and are not intended to define or limit the scope of any provision of this Agreement.
- D. Notices. Notices that are sent pursuant to any provision of this Agreement, at a minimum, shall be sent to the following:

City:

The City of Bastrop
ATTN: City Secretary
1311 Chestnut Street
Bastrop, TX 78602

Licensee:
Howard Designs Limited, LLC.
405 S. Jackson Street
Bastrop, TX 78602

- E. Choice of Law and Venue. This Agreement is made and entered into by the Parties in Bastrop, Bastrop County, Texas, and is intended to be performed in Bastrop. This Agreement shall be construed in accordance with the laws of the State of Texas and the venue of any suits arising from this Agreement shall be Bastrop County, Texas.

- F. Entire Agreement Amendment: This Agreement including all exhibits constitutes the full and entire understanding and agreement between the Parties and supersedes any prior or contemporaneous written or oral agreements between the Parties. This Agreement may not be amended except by a written instrument signed by both Parties.
- G. Rights and Remedies Cumulative: The rights and remedies provided by this Agreement are cumulative; and the use of any one right or remedy by either Party shall not preclude or waive its right to use any or all other remedies. The rights and remedies provided in this Agreement are given in addition to any other rights the Parties may have by law, statute, ordinance, or otherwise.
- H. Agreement Approval: Each Party represents and warrants that all necessary approvals for this Agreement have been obtained, and the persons whose signatures appear below have the authority necessary to execute this Agreement on behalf of the Parties indicated.
- I. Originals: This Agreement may be executed in multiple or duplicate originals. A duplicate original or copy of this Agreement is as fully enforceable as an Original, whether the document is “hard copy” or electronic. This Agreement may be signed and a pdf copy of the document transmitted electronically which shall then constitute an original signature on the document.
- J. Effective Date: The effective date of this Agreement shall be on the date last signed by a Party.

SIGNATURE PAGE TO FOLLOW.

AGREED:

City of Bastrop, Texas

By: _____ Date: _____
Curtis Hancock, Public Works Director

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on this the ____ day of _____, 20____, by _____, the _____ and the duly authorized representative of the City of Bastrop.

Notary Public, State of Texas

My Commission Expires: _____

AGREED:

By: _____ Date: _____
Jamie Howard

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on this the ____ day of _____, 20____, by _____, the _____ and the duly authorized representative of the City of Bastrop.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, 2021

Notary Public, State of Texas

My Commission Expires: _____