



March 10, 2026

Regular City Council Meeting at 6:30 PM

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

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

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

1. CALL TO ORDER

- 2. PLEDGE OF ALLEGIANCE** - Amaya Romero and Erik Romero, students from Lost Pines Elementary

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

3. INVOCATION

4. PRESENTATIONS

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

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

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

4D. Receive a report from Dr. Rajeev Gupta, City Representative to the Bastrop County Health Board.

4E. Receive the Annual Racial Profiling Presentation from the City of Bastrop Police Department.

Submitted by: Vicky Steffanic, Chief of Police

4F. Receive a presentation on the unaudited Monthly Financial Report for the period ending January 2026.

Submitted by: Laura Allen, Assistant Finance Director

5. WORK SESSIONS/BRIEFINGS

6. STAFF AND BOARD REPORTS

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Board/Commission must complete a citizen comment form and give the completed form to the Board/Commission Secretary prior to the start of the Board/Commission meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, the Board/Commission cannot discuss issues raised or make any decision at this time. Instead, the Board/Commission 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 the City Manager for research and possible future action. Profanity, physical or other threats are not allowed and may subject the speaker to loss of the time for comment, and if disruptive to the conduct of business, could result in removal of the speaker.

8. CONSENT AGENDA

All matters listed under "Consent Agenda" are considered to be routine by the city council and will be enacted by one motion. There will not be a separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

8A. Consider and act on Resolution No. R-2026-31 approving the City of Bastrop Purchasing Policy with a state-mandated revision. Effective September 1, 2025, the competitive procurement threshold in Texas doubled from \$50,000 to \$100,000 because the Texas Legislature passed a law updating state procurement rules to reflect current economic conditions and give local governments more flexibility.

Submitted by: Judy Sandroussi, Finance Director

8B. Consider and act on Resolution No. R-2026-30, approving a Tri-party Agreement for the Ironwood Subdivision, with Bastrop County, the City of Bastrop, WB Bastrop Land, LLC, and W Land Development Management, LLC clarifying the regulatory authority as it relates to Resolution R-2025-69 and Resolution R-2023-33; as attached in Exhibit A.

Submitted by: Vivianna Nicole Andres, Assistant to the City Manager

[8C.](#) Consider and act on Resolution No. R-2026-33 suspending the proposed effective date of a gas rate increase requested by CenterPoint Energy Resources Corp., South Texas Division, under the Gas Reliability Infrastructure Program (GRIP), and authorize continued participation in the Alliance of CenterPoint Municipalities.

Submitted by: Michael Muscarello, TRMC, CMC, CPM, City Secretary

[8D.](#) Consider and act on Resolution No. R-2026-34, approving the City of Bastrop Police Department to apply for a grant from the Texas Department of Transportation (TXDOT) for Two thousand, nine hundred sixty seven dollars and zero cents (\$2,967.00) allowing officers to provide education, enforcement and participate in on-going public engagement for a specified mobilization period (two weeks in May 2026) regarding the State of Texas' "Click It Or Ticket" initiative with 20 percent matching funds (fringe benefits equating to \$595.20) from the City of Bastrop, authorizing the Chief of Police as the grantee's authorized official.

Submitted by: Vicky Steffanic, Chief of Police

[8E.](#) Consider and act on Resolution No. R-2026-35, approving the City of Bastrop Police Department to apply for a grant from the Texas Department of Transportation (TXDOT) for Two thousand, nine hundred sixty seven dollars and zero cents (\$2,967.00) allowing officers to provide education, enforcement and participate in on-going public engagement for a specified mobilization period (two weeks in July / August 2026) regarding the State of Texas' "OpSlow" initiative (Operation Slow Down). With 20 percent matching funds (fringe benefits equating to \$595.20) from the City of Bastrop, authorizing the Chief of Police as the grantee's authorized official.

Submitted by: Vicky Steffanic, Chief of Police

[8F.](#) Consider and act on Resolution No. R-2026-36, approving the City of Bastrop Police Department to apply for a grant from the Department of Homeland Security for twenty thousand dollars (\$20,000) and zero cents for a with no matching funds from the City of Bastrop for a threat assessment and risk intelligence software program; authorizing the Chief of Police as the grantee's authorized official.

Submitted by: Vicky Steffanic, Chief of Police

[8G.](#) Consider and act on Resolution No. R-2026-37, approving the City of Bastrop Police Department to apply for a grant from the 501(3)C Vested Interest in K9's, Inc., providing for a K9 bulletproof vest manufactured by Survival Armor. With no matching funds from the City of Bastrop, authorizing the Chief of Police as the grantee's authorized official.

Submitted by: Vicky Steffanic, Chief of Police

[8H.](#) Consider and act on Resolution No. R-2026-40, approving the purchase of Orthophosphate (Napco 206) from Hawkins, Inc. for a not-to-exceed amount of One Hundred, Twenty-Two Thousand, Nine Hundred, Thirty-Three Dollars and Fifty Cents (\$122,933.50) for the delivery and use for the City of Bastrop's Public Water System.

Submitted by: Curtis Hancock, Director of Water and Wastewater

8I. Consider and act on Resolution 2026-42 awarding a \$20,000 grant from the Hotel Occupancy Tax Fund to Lonestar Cowboy Promotion for event known as the Lonestar Cowboy Poetry.

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

8J. Consider and act to approve the Bastrop City Council minutes from the February 10, 2026, Regular Meeting.

Submitted by: Victoria Psencik, TRMC, Assistant City Secretary

9. ITEMS FOR INDIVIDUAL CONSIDERATION

9A. Consider and act on the first reading of Ordinance No. 2026-04, amending the operating and capital budget for the Fiscal Year 2026 in accordance with existing statutory requirements; appropriating the various amounts herein attached as Exhibit A; and move to include on the March 25, 2026 City Council agenda for a second reading.

Submitted by: Laura Allen, Assistant Finance Director

9B. Consider and act on Resolution No. R-2026-32 expressing support for a Bastrop County-funded Strategic Plan to guide the formation of a Regional Economic Development Corporation.

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

9C. Consider and act on Resolution No. R-2026-38 pertaining to a warrant request to allow 20% of the required parking to be 9 feet x 20 feet, being 14.107 +/- acres out of Building Block 40F,41F,42,95F,96F,144FR,177F east of Water Street, located within the City Limits of Bastrop, Texas.

Submitted by: James E. Cowey, Director of Development Services

9D. Consider and act on resolution 2026-41 for the purchase and installation of bleachers for Mayfest Park, Rusty Reynolds Fields, and Fireman's Park to North Carolina Welding, in an amount not to exceed \$126,600.

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

10. EXECUTIVE SESSION

10A. Pursuant to Texas Government Code § 551.071, the City Council will meet in closed session to consult with the City Attorney regarding legal matters related to a proposed fire services agreement with Emergency Services District No. 2 (ESD 2).

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

12. ADJOURNMENT

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



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Mayor's Report

AGENDA ITEM SUBMITTED BY:

Sylvia Carrillo-Trevino, ICMA-CM, CPM, 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: March 10, 2026

TITLE:

Council Members' Report

AGENDA ITEM SUBMITTED BY:

Sylvia Carrillo-Trevino, ICMA-CM, CPM, 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:

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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: March 10, 2026

TITLE:

City Manager's Report

AGENDA ITEM SUBMITTED BY:

Sylvia Carrillo-Trevino, ICMA-CM, CPM, 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: 02.24.2026

AGENDA ITEM:

TITLE:

Receive Annual Racial Profiling Presentation from the City of Bastrop Police Department.

AGENDA ITEM SUBMITTED BY:

Submitted by: Vicky Steffanic, Chief of Police

BACKGROUND/HISTORY:

The City of Bastrop Police Department previously and is currently, contracting with Alex del Carman Ph.D. of Del Carmen Consulting to assist in the review and analysis of the department's annual racial profiling report.

The Texas Legislature, with the intent of addressing the issue of racial profiling in policing, enacted in 2001, the Texas Racial Profiling Law. During the past year, the City of Bastrop Police Department, in accordance with the law, has collected and reported traffic and motor vehicle-related contact data for the purpose of identifying and addressing (if necessary) areas of concern regarding racial profiling practices. In the 2009 Texas legislative session, the Racial Profiling Law was modified, and additional requirements were implemented. Moreover, in 2017, the Sandra Bland Act was passed and signed into law (along with HB 3051 which introduced new racial and ethnic designations). The Sandra Bland Law requires that law enforcement agencies in the state collect additional data and provide a more detailed analysis. All these requirements have been met by the Bastrop Police Department and are included in this report. This report includes statistical data relevant to contacts (as defined by the law) which were made during motor vehicle stops that took place between 1/1/25 and 12/31/25.

In accordance with Texas Code of Criminal Procedure, Article 2.134 "Compilation and Analysis of Information Collected", the chief administrator of a local law enforcement agency shall provide a Racial Profiling Report to the municipal governing body for the incident-based data compiled during the previous year no later than March 1st of each year. The City of Bastrop Police Department Policy & Procedure Manual, Section 2.2 "Bias Based Policing" also requires that a Racial Profiling Report is reported to the City Council annually.

FISCAL IMPACT:

NA

RECOMMENDATION:

NA - Presentation

ATTACHMENTS:

1. Power Point Presentation
2. 2025 City of Bastrop Police Department Racial Profiling Report (Del Carmen Consulting)

BASTROP POLICE DEPARTMENT 2025 RACIAL PROFILING REPORT



"Dr. Alex del Carmen's work on racial profiling exemplifies the very best of the Sandra Bland Act, named after my daughter. My daughter's pledge to fight for injustice is best represented in the high quality of Dr. del Carmen's reports which include, as required by law, the data analysis, audits, findings and recommendations. I commend the agencies that work with him as it is clear that they have embraced transparency and adherence to the law."

-Quote by Geneva Reed (Mother of Sandra Bland)

February 1, 2026

Bastrop City Council
1311 Chestnut St.
Bastrop, TX 78602

Dear Distinguished Members of the City Council,

The Texas Racial Profiling Law, originally enacted by the Texas Legislature in 2001, was designed to address concerns regarding racial profiling practices in law enforcement. Throughout the preceding calendar year, the Bastrop Police Department, in full compliance with statutory requirements, systematically collected and reported traffic and motor vehicle-related contact data for the express purpose of identifying, evaluating, and addressing any potential concerns regarding racial profiling practices within the department.



Since its initial enactment, the Texas Racial Profiling Law has undergone significant legislative modifications. During the 2009 legislative session, the law was amended to incorporate additional data collection and reporting requirements. Subsequently, in 2017, the Texas Legislature passed two landmark pieces of legislation: House Bill 3051, which standardized racial and ethnic classification categories, and the Sandra Bland Act (Senate Bill 1849), which substantially expanded data collection mandates and analytical requirements. The Sandra Bland Act represents the most comprehensive legislative framework in Texas history pertaining to law enforcement contact data requirements. I am pleased to confirm that the Bastrop Police Department has satisfied all statutory requirements, and the documentation contained herein demonstrates full compliance with these legislative mandates.

This annual report is organized into distinct sections, each addressing specific components of the compliance framework. Section One contains the table of contents, providing navigational guidance throughout the document. Section Two presents documentation demonstrating the Bastrop Police Department's compliance with the procedural requirements established under the Texas Racial Profiling Law, including evidence of mandatory training protocols for all sworn personnel on racial profiling prevention, as well as the institutionalization of formal compliment and complaint processes as required by statute.

Section Three contains comprehensive statistical data pertaining to motor vehicle-related contacts, as defined by applicable law, occurring between January 1, 2025, and December 31, 2025. This section includes the Tier 2 reporting form, which must be submitted to the Texas Commission on Law Enforcement (TCOLE) and the local governing authority by March 1 of each calendar year. All data presented in this report was compared against the Fair Roads Standard, a baseline measure derived from U.S. Census Bureau data. The analytical findings and corresponding recommendations are presented in detail within this section.

The final section of this report contains reference materials, including the original text of Senate Bill 1074 (the Texas Racial Profiling Law) and the Sandra Bland Act (current governing law). Additionally, this section includes a comprehensive listing of compliance requirements established by TCOLE. The findings documented in this report substantiate the Bastrop Police Department's ongoing commitment to full compliance with the Texas Racial Profiling Law and its commitment to constitutional policing practices.

Respectfully submitted,

Alex del Carmen, Ph.D.
Criminologist

TABLE OF CONTENTS

INTRODUCTION

| | |
|---------------------------|---|
| Letter to Council Members | 2 |
| Table of Contents | 3 |

RESPONDING TO THE LAW

| | |
|--|----|
| Public Education on Filing Compliments and Complaints | 4 |
| Racial Profiling Course Number 3256 | 5 |
| Reports on Compliments and Racial Profiling Complaints | 10 |
| Tier 2 Data (Includes tables) | 11 |

ANALYSIS AND INTERPRETATION OF DATA

| | |
|---|----|
| Tier 2 Motor Vehicle-Related Contact Analysis | 21 |
| Comparative Analysis | 23 |
| Summary of Findings | 24 |
| Checklist | 25 |

LEGISLATIVE AND ADMINISTRATIVE ADDENDUM

| | |
|---|----|
| TCOLE Guidelines | 27 |
| The Texas Law on Racial Profiling | 32 |
| Modifications to the Original Law | 39 |
| Racial and Ethnic Designations | 47 |
| The Sandra Bland Act | 48 |
| Bastrop Police Department Racial Profiling Policy | 63 |



Informing the Public on the Process of Filing a Compliment or Complaint with the Bastrop Police Department

The Texas Racial Profiling Law requires that police agencies provide information to the public regarding the manner in which to file a compliment or racial profiling complaint. In an effort to comply with this particular component, the Bastrop Police Department launched an educational campaign aimed at informing the public on issues relevant to the racial profiling complaint process.

The police department made available, in the lobby area and on its web site, information relevant to filing a compliment and complaint on a racial profiling violation by a Bastrop Police Officer. In addition, each time an officer issues a citation, ticket or warning, information on how to file a compliment or complaint is given to the individual cited. This information is in the form of a web address (including in the document issued to the citizen), which has instructions and details specifics related to the compliment or complaint processes.

It is believed that through these efforts, the community has been properly informed of the new policies and the complaint processes relevant to racial profiling.

All Bastrop Police Officers have been instructed, as specified in the Texas Racial Profiling Law, to adhere to all Texas Commission on Law Enforcement (TCOLE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements. To date, all sworn officers of the Bastrop Police Department have completed the TCOLE basic training on racial profiling. The main outline used to train the officers of Bastrop has been included in this report.

It is important to recognize that the Chief of the Bastrop Police Department has also met the training requirements, as specified by the Texas Racial Profiling Law, in the completion of the LEMIT program on racial profiling. The satisfactory completion of the racial profiling training by the sworn personnel of the Bastrop Police Department fulfills the training requirement as specified in the Education Code (96.641) of the Texas Racial Profiling Law.



Racial Profiling 3256

Instructor's Note:

You may wish to teach this course in conjunction with Asset Forfeiture 3255 because of the related subject matter and applicability of the courses. If this course is taught in conjunction with Asset Forfeiture, you may report it under Combined Profiling and Forfeiture 3257 to reduce data entry.

Abstract

This instructor guide is designed to meet the educational requirement for racial profiling established by legislative mandate: 77R-SB1074.

Target Population: Licensed law enforcement personnel in Texas

Prerequisites: Experience as a law enforcement officer

Length of Course: A suggested instructional time of 4 hours

Material Requirements: Overhead projector, chalkboard and/or flip charts, video tape player, handouts, practical exercises, and demonstrations

Instructor Qualifications: Instructors should be very knowledgeable about traffic stop procedures and law enforcement issues

Evaluation Process and Procedures

An examination should be given. The instructor may decide upon the nature and content of the examination. It must, however, sufficiently demonstrate the mastery of the subject content by the student.

Reference Materials

Reference materials are located at the end of the course. An electronic copy of this instructor guide may be downloaded from our web site at <http://www.tcleose.state.tx.us>.

Racial Profiling 3256

1.0 RACIAL PROFILING AND THE LAW

1.1 UNIT GOAL: The student will be able to identify the legal aspects of racial profiling.

1.1.1 LEARNING OBJECTIVE: The student will be able to identify the legislative requirements placed upon peace officers and law enforcement agencies regarding racial profiling.

Racial Profiling Requirements:

Racial profiling CCP 3.05

Racial profiling prohibited CCP 2.131

Law enforcement policy on racial profiling CCP 2.132

Reports required for traffic and pedestrian stops CCP 2.133

Liability CCP 2.136

Racial profiling education for police chiefs Education Code 96.641

Training program Occupations Code 1701.253

Training required for intermediate certificate Occupations Code 1701.402

Definition of "race or ethnicity" for form Transportation Code 543.202

A. Written departmental policies

1. Definition of what constitutes racial profiling
2. Prohibition of racial profiling
3. Complaint process
4. Public education
5. Corrective action
6. Collection of traffic-stop statistics
7. Annual reports

B. Not prima facie evidence

C. Feasibility of use of video equipment

D. Data does not identify officer

E. Copy of complaint-related video evidence to officer in question

F. Vehicle stop report

1. Physical description of detainees: gender, race or ethnicity
2. Alleged violation
3. Consent to search
4. Contraband
5. Facts supporting probable cause
6. Arrest
7. Warning or citation issued

G. Compilation and analysis of data

H. Exemption from reporting – audio/video equipment

I. Officer non-liability

J. Funding

K. Required training in racial profiling

1. Police chiefs
2. All holders of intermediate certificates and/or two-year-old licenses as of 09/01/2001 (training to be completed no later than 09/01/2003) – see legislation 77R-SB1074

1.1.2 LEARNING OBJECTIVE: The student will become familiar with Supreme Court decisions and other court decisions involving appropriate actions in traffic stops.

A. Whren v. United States, 517 U.S. 806, 116 S.Ct. 1769 (1996)

1. Motor vehicle search exemption
2. Traffic violation acceptable as pretext for further investigation
3. Selective enforcement can be challenged

B. Terry v. Ohio, 392 U.S. 1, 88 S.Ct. 1868 (1968)

1. Stop & Frisk doctrine
2. Stopping and briefly detaining a person
3. Frisk and pat down

C. Other cases

1. Pennsylvania v. Mimms, 434 U.S. 106, 98 S.Ct. 330 (1977)
2. Maryland v. Wilson, 117 S.Ct. 882 (1997)
3. Graham v. State, 119 MdApp 444, 705 A.2d 82 (1998)
4. Pryor v. State, 122 Md.App. 671 (1997) cert. denied 352 Md. 312, 721 A.2d 990 (1998)
5. Ferris v. State, 355 Md. 356, 735 A.2d 491 (1999)
6. New York v. Belton, 453 U.S. 454 (1981)

2.0 RACIAL PROFILING AND THE COMMUNITY

2.1 UNIT GOAL: The student will be able to identify logical and social arguments against racial profiling.

2.1.1 LEARNING OBJECTIVE: The student will be able to identify logical and social arguments against racial profiling.

A. There are appropriate reasons for unusual traffic stops (suspicious behavior, the officer's intuition, MOs, etc.), but police work must stop short of cultural stereotyping and racism.

B. Racial profiling would result in criminal arrests, but only because it would target all members of a race randomly – the minor benefits would be far outweighed by the distrust and anger towards law enforcement by minorities and the public as a whole.

C. Racial profiling is self-fulfilling bad logic: if you believed that minorities committed more crimes, then you might look for more minority criminals, and find them in disproportionate numbers.

D. Inappropriate traffic stops generate suspicion and antagonism towards officers and make future stops more volatile – a racially-based stop today can throw suspicion on tomorrow's legitimate stop.

E. By focusing on race, you would not only be harassing innocent citizens, but overlooking criminals of all races and backgrounds – it is a waste of law enforcement resources.

3.0 RACIAL PROFILING VERSUS REASONABLE SUSPICION

3.1 UNIT GOAL: The student will be able to identify the elements of both inappropriate and appropriate traffic stops.

3.1.1 LEARNING OBJECTIVE: The student will be able to identify elements of a racially motivated traffic stop.

- A. Most race-based complaints come from vehicle stops, often since race is used as an inappropriate substitute for drug courier profile elements
- B. "DWB" – "Driving While Black" – a nickname for the public perception that a Black person may be stopped solely because of their race (especially with the suspicion that they are a drug courier), often extended to other minority groups or activities as well ("Driving While Brown," "Flying While Black," etc.)
- C. A typical traffic stop resulting from racial profiling
1. The vehicle is stopped on the basis of a minor or contrived traffic violation which is used as a pretext for closer inspection of the vehicle, driver, and passengers
 2. The driver and passengers are questioned about things that do not relate to the traffic violation
 3. The driver and passengers are ordered out of the vehicle
 4. The officers visually check all observable parts of the vehicle
 5. The officers proceed on the assumption that drug courier work is involved by detaining the driver and passengers by the roadside
 6. The driver is asked to consent to a vehicle search – if the driver refuses, the officers use other procedures (waiting on a canine unit, criminal record checks, license-plate checks, etc.), and intimidate the driver (with the threat of detaining him/her, obtaining a warrant, etc.)



3.1.2 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which would constitute reasonable suspicion of drug courier activity.

- A. Drug courier profile (adapted from a profile developed by the DEA)
1. Driver is nervous or anxious beyond the ordinary anxiety and cultural communication styles
 2. Signs of long-term driving (driver is unshaven, has empty food containers, etc.)
 3. Vehicle is rented
 4. Driver is a young male, 20-35
 5. No visible luggage, even though driver is traveling
 6. Driver was over-reckless or over-cautious in driving and responding to signals
 7. Use of air fresheners
- B. Drug courier activity indicators by themselves are usually not sufficient to justify a stop

3.1.3 LEARNING OBJECTIVE: The student will be able to identify elements of a traffic stop which could constitute reasonable suspicion of criminal activity.

- A. Thinking about the totality of circumstances in a vehicle stop
- B. Vehicle exterior
1. Non-standard repainting (esp. on a new vehicle)
 2. Signs of hidden cargo (heavy weight in trunk, windows do not roll down, etc.)
 3. Unusual license plate suggesting a switch (dirty plate, bugs on back plate, etc.)
 4. Unusual circumstances (pulling a camper at night, kids' bikes with no kids, etc.)
- C. Pre-stop indicators
1. Not consistent with traffic flow
 2. Driver is overly cautious, or driver/passengers repeatedly look at police car
 3. Driver begins using a car- or cell-phone when signaled to stop
 4. Unusual pull-over behavior (ignores signals, hesitates, pulls onto new street, moves objects in car, etc.)
- D. Vehicle interior
1. Rear seat or interior panels have been opened, there are tools or spare tire, etc.
 2. Inconsistent items (anti-theft club with a rental, unexpected luggage, etc.)

Resources

Proactive Field Stops Training Unit – Instructor's Guide, Maryland Police and Correctional Training Commissions, 2001. (See Appendix A.)

Web address for legislation 77R-SB1074



Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period of 1/1/25-12/31/25 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included.



A check above indicates that the Bastrop Police Department has not received any complaints, on any members of its police services, for having violated the Texas Racial Profiling Law during the time period of 1/1/25-12/31/25.

Complaints Filed for Possible Violations of The Texas Racial Profiling Law

| Complaint Number | Alleged Violation | Disposition of the Case |
|------------------|-------------------|-------------------------|
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| | | |

Additional Comments:

TOTAL STOPS: 6,882

STREET ADDRESS OR APPROXIMATE LOCATION OF STOP.

| | |
|------------------|-------|
| City Street | 2,501 |
| US Highway | 0 |
| State Highway | 4,375 |
| County Road | 6 |
| Private Property | 0 |

WAS RACE OR ETHNICITY KNOWN PRIOR TO STOP?

| | |
|-----|-------|
| Yes | 13 |
| No | 6,869 |

RACE OR ETHNICITY

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 93 |
| Asian/Pacific Islander | 162 |
| Black | 712 |
| White | 3,770 |
| Hispanic/Latino | 2,145 |

GENDER

Female Total: 2,499

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 23 |
| Asian/Pacific Islander | 47 |
| Black | 259 |
| White | 1,477 |
| Hispanic/Latino | 693 |

Male Total: 4,383

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 70 |
| Asian/Pacific Islander | 115 |
| Black | 453 |
| White | 2,293 |
| Hispanic/Latino | 1,452 |

REASON FOR STOP?

Violation of Law Total: 88

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 2 |
| Black | 9 |
| White | 68 |
| Hispanic/Latino | 9 |

Pre-existing Knowledge Total: 13

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 3 |
| White | 7 |
| Hispanic/Latino | 3 |

Moving Traffic Violation Total: 3,760

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 58 |
| Asian/Pacific Islander | 111 |
| Black | 384 |
| White | 2,087 |
| Hispanic/Latino | 1,120 |

Vehicle Traffic Violation Total: 3,021

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 35 |
| Asian/Pacific Islander | 49 |
| Black | 316 |
| White | 1,608 |
| Hispanic/Latino | 1,013 |

Contraband (in plain view) Total: 7

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 3 |
| White | 2 |
| Hispanic/Latino | 2 |

WAS SEARCH CONDUCTED?

| | YES | NO |
|-------------------------------|------------|--------------|
| Alaska Native/American Indian | 2 | 91 |
| Asian/Pacific Islander | 1 | 161 |
| Black | 43 | 669 |
| White | 75 | 3,695 |
| Hispanic/Latino | 70 | 2,075 |
| TOTAL | 191 | 6,691 |

Probable Cause Total: 139

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 1 |
| Asian/Pacific Islander | 1 |
| Black | 37 |
| White | 55 |
| Hispanic/Latino | 45 |

Inventory Total: 4

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 2 |
| Hispanic/Latino | 2 |

REASON FOR SEARCH?

Consent Total: 29

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 1 |
| Asian/Pacific Islander | 0 |
| Black | 2 |
| White | 10 |
| Hispanic/Latino | 16 |

Incident to Arrest Total: 12

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 1 |
| White | 6 |
| Hispanic/Latino | 5 |

WAS CONTRABAND DISCOVERED?

| | YES | NO |
|-------------------------------|------------|-----------|
| Alaska Native/American Indian | 1 | 1 |
| Asian/Pacific Islander | 1 | 0 |
| Black | 40 | 3 |
| White | 67 | 8 |
| Hispanic/Latino | 56 | 14 |
| | | |
| TOTAL | 165 | 26 |

Did the finding result in arrest?

| | YES | NO |
|-------------------------------|------------|------------|
| Alaska Native/American Indian | 0 | 1 |
| Asian/Pacific Islander | 0 | 1 |
| Black | 3 | 37 |
| White | 6 | 61 |
| Hispanic/Latino | 4 | 52 |
| | | |
| TOTAL | 13 | 152 |

DESCRIPTION OF CONTRABAND

Drugs Total: 135

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 1 |
| Asian/Pacific Islander | 1 |
| Black | 36 |
| White | 54 |
| Hispanic/Latino | 43 |

Currency Total: 0

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 0 |
| Hispanic/Latino | 0 |

Weapons Total: 1

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 1 |
| Hispanic/Latino | 0 |

Alcohol Total: 22

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 1 |
| Asian/Pacific Islander | 0 |
| Black | 4 |
| White | 10 |
| Hispanic/Latino | 7 |

Stolen Property Total: 0

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 0 |
| Hispanic/Latino | 0 |

Other Total: 19

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 3 |
| White | 9 |
| Hispanic/Latino | 7 |

RESULT OF THE STOP

Verbal Warning Total: 0

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 0 |
| Hispanic/Latino | 0 |

Written Warning Total: 4,486

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 54 |
| Asian/Pacific Islander | 117 |
| Black | 452 |
| White | 2,628 |
| Hispanic/Latino | 1,235 |

Citation Total: 2,260

| | |
|-------------------------------|-------|
| Alaska Native/American Indian | 39 |
| Asian/Pacific Islander | 45 |
| Black | 230 |
| White | 1,085 |
| Hispanic/Latino | 861 |

Written Warning and Arrest Total: 78

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 16 |
| White | 33 |
| Hispanic/Latino | 29 |

Citation and Arrest Total: 58

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 14 |
| White | 24 |
| Hispanic/Latino | 20 |

Arrest Total: 0

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 0 |
| Hispanic/Latino | 0 |

TIER 2 DATA

Item 4E.

ARREST BASED ON

Violation of Penal Code Total: 55

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 13 |
| White | 27 |
| Hispanic/Latino | 15 |

Violation of Traffic Law Total: 5

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 1 |
| White | 3 |
| Hispanic/Latino | 1 |

Violation of City Ordinance Total: 0

| | |
|-------------------------------|---|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 0 |
| White | 0 |
| Hispanic/Latino | 0 |

Outstanding Warrant Total: 76

| | |
|-------------------------------|----|
| Alaska Native/American Indian | 0 |
| Asian/Pacific Islander | 0 |
| Black | 16 |
| White | 27 |
| Hispanic/Latino | 33 |

Was physical force used resulting in bodily injury during the stop?

| | YES | NO |
|-------------------------------|----------|--------------|
| Alaska Native/American Indian | 0 | 93 |
| Asian/Pacific Islander | 0 | 162 |
| Black | 0 | 712 |
| White | 0 | 3,770 |
| Hispanic/Latino | 0 | 2,145 |
| | | |
| TOTAL | 0 | 6,882 |



Table 1. Citations and Warnings

| Race/ Ethnicity | All Contacts | Citations | Verbal Warning | Written Warning | Contact Percent | Citation Percent | Verbal Percent | Written Percent |
|---------------------------------------|--------------|-----------|----------------|-----------------|-----------------|------------------|----------------|-----------------|
| Alaska Native/ American Indian | 93 | 39 | 0 | 54 | 1% | 2% | 0% | 1% |
| Asian/ Pacific Islander | 162 | 45 | 0 | 117 | 2% | 2% | 0% | 3% |
| Black | 712 | 244 | 0 | 452 | 10% | 11% | 0% | 10% |
| White | 3,770 | 1,109 | 0 | 2,628 | 55% | 48% | 0% | 59% |
| Hispanic/ Latino | 2,145 | 881 | 0 | 1,235 | 31% | 38% | 0% | 28% |
| TOTAL | 6,882 | 2,318 | 0 | 4,486 | 100% | 100% | 0% | 100% |



Table 2. Motor Vehicle Contacts and Fair Roads Standard Comparison

Comparison of motor vehicle-related contacts with households that have vehicle access.

| Race/Ethnicity | Contact Percentage | Households with Vehicle Access |
|--------------------------------------|--------------------|--------------------------------|
| Alaska Native/American Indian | 1% | 1% |
| Asian/Pacific Islander | 2% | 4% |
| Black | 10% | 7% |
| White | 55% | 65% |
| Hispanic/Latino | 31% | 23% |
| TOTAL | 100% | 100% |

Table 3. Motor Vehicle Searches and Arrests.

| Race/Ethnicity | Searches | Consent Searches | Arrests |
|--------------------------------------|----------|------------------|---------|
| Alaska Native/American Indian | 2 | 1 | 0 |
| Asian/Pacific Islander | 1 | 0 | 0 |
| Black | 43 | 2 | 30 |
| White | 75 | 10 | 57 |
| Hispanic/Latino | 70 | 16 | 49 |
| TOTAL | 191 | 29 | 136 |

Table 4. Instances Where Peace Officers Used Physical Force Resulting in Bodily Injury

| Instances Where Peace Officers Used Physical Force that Resulted in Bodily Injury | Arrest | Location of Stop | Reason for Stop | Bodily Harm |
|--|---------------|-------------------------|------------------------|--------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Table 5. Search Data

| Race/ Ethnicity | Searches | Contraband Found Yes | Contraband Found No | Arrests | Percent Searches | Percent Contraband Found | Percent No Contraband | Percent Arrest |
|---------------------------------------|-----------------|-----------------------------|----------------------------|----------------|-------------------------|---------------------------------|------------------------------|-----------------------|
| | | | | | | | | |
| Alaska Native/ American Indian | 2 | 1 | 1 | 0 | 1% | 1% | 4% | 0% |
| Asian/ Pacific Islander | 1 | 1 | 0 | 0 | 1% | 1% | 0% | 0% |
| Black | 43 | 40 | 3 | 30 | 23% | 24% | 12% | 22% |
| White | 75 | 67 | 8 | 57 | 39% | 41% | 31% | 42% |
| Hispanic/ Latino | 70 | 56 | 14 | 49 | 37% | 34% | 54% | 36% |
| | | | | | | | | |
| TOTAL | 191 | 165 | 26 | 136 | 100% | 100% | 100% | 100% |

Table 6. Report on Audits.

The following table contains data regarding the number and outcome of required data audits during the period of 1/1/25-12/31/25.

| Audit Data | Number of Data Audits Completed | Date of Completion | Outcome of Audit |
|-------------------|--|---------------------------|-----------------------------|
| | | | |
| 1 | 1 | 03/01/25 | Data was valid and reliable |
| 2 | 1 | 06/01/25 | Data was valid and reliable |
| 3 | 1 | 09/01/25 | Data was valid and reliable |
| 4 | 1 | 12/01/25 | Data was valid and reliable |

ADDITIONAL COMMENTS:

| |
|--|
| |
| |
| |
| |

Table 7. Instance Where Force Resulted in Bodily Injury.

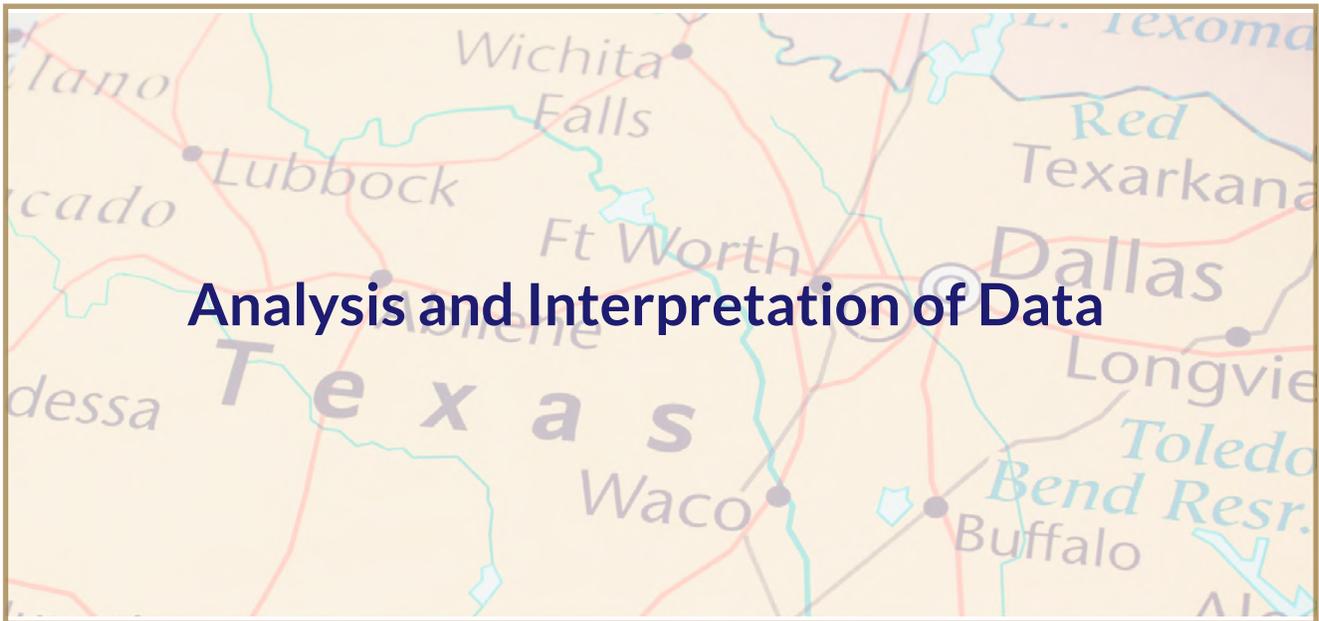
| Race/Ethnicity | Number | Percent |
|--------------------------------------|---------------|----------------|
| | | |
| Alaska Native/American Indian | 0 | 0% |
| Asian/Pacific Islander | 0 | 0% |
| Black | 0 | 0% |
| White | 0 | 0% |
| Hispanic/Latino | 0 | 0% |
| | | |
| TOTAL | 0 | 0% |

Table 8. Reason for Arrests from Vehicle Contact

| Race/ Ethnicity | Violation of Penal Code | Violation of Traffic Law | Violation of City Ordinance | Outstanding Warrant | Percent Penal Code | Percent Traffic Law | Percent City Ordinance | Percent Warrant |
|--------------------------------|-------------------------|--------------------------|-----------------------------|---------------------|--------------------|---------------------|------------------------|-----------------|
| | | | | | | | | |
| Alaska Native/ American Indian | 0 | 0 | 0 | 0 | 0% | 0% | 0% | 0% |
| Asian/Pacific Islander | 0 | 0 | 0 | 0 | 0% | 0% | 0% | 0% |
| Black | 13 | 1 | 0 | 16 | 24% | 20% | 0% | 21% |
| White | 27 | 3 | 0 | 27 | 49% | 60% | 0% | 36% |
| Hispanic/ Latino | 15 | 1 | 0 | 33 | 27% | 20% | 0% | 43% |
| | | | | | | | | |
| TOTAL | 55 | 5 | 0 | 76 | 100% | 100% | 0% | 100% |

Table 9. Contraband Hit Rate

| Race/ Ethnicity | Searches | Contraband Found Yes | Contraband Hit Rate | Search Percent | Contraband Percent |
|--------------------------------|----------|----------------------|---------------------|----------------|--------------------|
| | | | | | |
| Alaska Native/ American Indian | 2 | 1 | 50% | 1% | 1% |
| Asian/ Pacific Islander | 1 | 1 | 100% | 1% | 1% |
| Black | 43 | 40 | 93% | 23% | 24% |
| White | 75 | 67 | 89% | 39% | 41% |
| Hispanic/Latino | 70 | 56 | 80% | 37% | 34% |



Legislative Background and Statutory Framework

In 2001, the Texas Legislature enacted Senate Bill 1074, establishing the Texas Racial Profiling Law. This legislation became effective on January 1, 2002, and required all law enforcement agencies in Texas to collect traffic-related contact data and submit annual reports to their respective local governing authorities by March 1 of each calendar year. The original statutory framework remained substantially unchanged until 2009, when the Texas Legislature passed House Bill 3389, introducing significant amendments to the data collection and reporting requirements.

The 2009 legislative amendments, which took effect on January 1, 2010, expanded the definition of reportable contacts to include all motor vehicle-related encounters resulting in the issuance of a citation or custodial arrest. Additionally, the amended statute required law enforcement officers to document whether they possessed knowledge of the individual's race or ethnicity prior to initiating the detention. The 2009 legislation also mandated the inclusion of "Middle Eastern" as a distinct racial and ethnic classification category and established TCOLE as the central repository for annual data submissions.

In 2017, the Texas Legislature enacted two significant pieces of legislation affecting racial profiling data collection requirements. House Bill 3051 eliminated the Middle Eastern classification category and standardized racial and ethnic designations to align with federal reporting standards. Concurrently, the Sandra Bland Act (Senate Bill 1849) was passed and signed into law, representing the most comprehensive legislative mandate in Texas history regarding law enforcement contact data requirements. The Sandra Bland Act, which became effective on January 1, 2018, not only expanded data collection requirements but also mandated detailed analytical assessments addressing the following statutory elements:

1. *A comparative analysis of compiled information pursuant to Article 2.133, including:*
 - a. *Evaluation and comparison of motor vehicle stops within the applicable jurisdiction between persons recognized as racial or ethnic minorities and persons not recognized as racial or ethnic minorities;*
 - b. *Examination of the disposition of motor vehicle stops conducted by agency personnel, categorized according to the race or ethnicity of affected persons, including any searches resulting from stops within the applicable jurisdiction;*
 - c. *Evaluation and comparison of searches resulting from motor vehicle stops within the applicable jurisdiction and documentation of whether contraband or other evidence was discovered during the course of such searches.*
2. *Documentation of all complaints filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.*

Analytical Methodology and Baseline Considerations

In accordance with the Texas Racial Profiling Law and Sandra Bland Act requirements, the Bastrop Police Department commissioned an independent analysis of its 2025 motor vehicle contact data. The analytical framework employed in this study incorporated two distinct methodological approaches. The primary analysis involved a comprehensive evaluation of all motor vehicle-related contact data collected during the 2025 reporting period. This analysis measured, as required by statute, the number and percentage of contacts involving individuals classified as White, Black, Hispanic or Latino, Asian and Pacific Islander, and Alaska Native and American Indian, who encountered law enforcement during motor vehicle-related contacts resulting in the issuance of citations, warnings, or custodial arrests.

The Tier 2 data analysis encompassed multiple variables including, but not limited to: the number and percentage of contacts by race and ethnicity; gender distribution; documented reason for the stop; geographic location of the encounter; search activity including search type classification; outcome of the contact; legal basis for any resulting arrest; and any use of physical force resulting in bodily injury. This comprehensive data collection framework enables a thorough assessment of departmental practices and facilitates identification of any patterns warranting further examination.

The analytical framework employed in this report utilized a comparative methodology that assessed 2025 motor vehicle contact data against an established demographic baseline. It should be noted that considerable scholarly debate exists regarding the appropriate baseline measure for analyzing motor vehicle-related contact data. Among available baseline measures, the Bastrop Police Department accepted the recommendation to employ the Fair Roads Standard as the primary comparative benchmark. This particular baseline is derived from U.S. Census Bureau data (2020) pertaining to the number of households with vehicle access, controlled for the race and ethnicity of heads of households.

It is important to acknowledge the methodological limitations inherent in utilizing census-derived baseline data for racial profiling analysis. Census data encompasses all residents within a given jurisdiction, regardless of their status within the driving population. Furthermore, census data captures information exclusively pertaining to municipal residents, thereby excluding individuals who may have encountered the Bastrop Police Department during the reporting period but reside outside jurisdictional boundaries. In certain municipalities, contacts with non-residents constitute a substantial proportion of all motor vehicle-related encounters recorded during any given reporting period.

In 2002, prominent civil rights organizations in Texas advocated for the adoption of the Fair Roads Standard as the preferred baseline measure for all law enforcement agencies conducting racial profiling analyses. These standard compares census data specific to "households" with vehicle access against "contacts," which represent individual-level counts. This methodological approach introduces the potential for ecological fallacy, as household-level data is being compared with individual-level contact data. Notwithstanding these limitations, the Bastrop Police Department elected to employ this comparison methodology to demonstrate institutional commitment to transparency and community accountability. The Fair Roads Standard data utilized in this analysis is specific to the jurisdiction of Bastrop.

Tier 2 Motor Vehicle-Related Contact Analysis (2025)

Examination of the enhanced Tier 2 data collected during the 2025 reporting period reveals distinct patterns in motor vehicle-related contacts. The demographic distribution of contacts indicates that the majority of motor vehicle-related encounters involved White individuals, followed by Hispanic individuals. Among all individuals contacted by law enforcement, the greatest number of citations were issued to White and Hispanic individuals, followed by Black individuals. With respect to written warnings, the majority were issued to White individuals, with Hispanic individuals representing the second largest recipient group.

Analysis of search and arrest data reveals that the majority of searches were conducted involving White individuals. When examining search methodology, the greatest number of consent searches involved Hispanic and White individuals. The majority of custodial arrests involved White individuals. Overall, the preponderance of searches resulted in the discovery of contraband. Among searches that yielded contraband, the majority involved White individuals, followed by Hispanic individuals. Among searches that did not produce contraband, the majority involved Hispanic individuals.

Arrest data indicates that the majority of custodial arrests involved White individuals. Among arrests originating from alleged violations of the Texas Penal Code, the majority involved White individuals. With respect to use of force, the department reports no instances where physical force was used resulting in bodily injury during the reporting period.

Comparative Analysis

A comprehensive comparative analysis was conducted examining 2025 motor vehicle contact data against census data pertaining to households within Bastrop that reported vehicle access in the 2020 Census. This analysis produced the following findings:

The percentage of White, Asian, and American Indian individuals who came into contact with law enforcement was equal to or lower than the percentage of White, Asian, and American Indian households within Bastrop that reported vehicle access in the most recent census enumeration. Conversely, the data revealed that a higher percentage of Black and Hispanic individuals came into contact with law enforcement compared to the percentage of Black and Hispanic households that reported vehicle access.

The contraband discovery rate analysis reveals that among all searches conducted during the 2025 reporting period, Asian individuals demonstrated the highest contraband hit rate, followed by Black and White individuals respectively. This indicates that among all searches performed, the highest percentage of searches resulting in contraband discovery involved Asian individuals. The lowest contraband discovery rate was observed among American Indian individuals.

Summary of Findings

As mandated by the current Texas Racial Profiling Law, law enforcement agencies are required to conduct data audits to validate the accuracy and reliability of reported data. In compliance with this requirement, the Bastrop Police Department engaged Del Carmen Consulting, LLC to perform independent data audits consistent with normative statistical practices and methodological standards. As documented in the accompanying audit report, the validation process confirms that the data submitted is both valid and reliable.

Furthermore, as required by statute, this report includes a comprehensive analysis of search activity, including documentation of whether contraband was discovered as a result of searches while controlling for the race and ethnicity of searched individuals. The search analysis demonstrates that the Bastrop Police Department is engaging in search practices consistent with prevailing national trends in law enforcement and does not reveal patterns indicative of discriminatory practices.

Based upon the analytical findings presented in this report, the following recommendations are offered to ensure continued compliance and institutional best practices:

1. Continue to collect and evaluate supplementary motor vehicle contact data elements, including but not limited to documented basis for probable cause searches and detailed contraband classification, which may prove valuable in assessing the nature and circumstances of law enforcement contacts with all individuals.
2. Commission an independent analysis of contact and search data during the upcoming reporting period to maintain analytical continuity and identify any emerging trends.
3. Continue to commission periodic data audits to ensure data integrity and verify that collected data is consistent with reported data, thereby maintaining the validity and reliability of all submissions.

Conclusion

The comprehensive data analysis presented in this report serves as documented evidence that the Bastrop Police Department has achieved full compliance with the Texas Racial Profiling Law and all associated statutory requirements. This report demonstrates that the department has:

- Implemented and maintains a comprehensive racial profiling policy in accordance with statutory requirements;
- Established and publicized procedures for members of the public to file compliments or complaints regarding officer conduct;
- Commissioned periodic data audits to ensure the validity and reliability of all collected and reported data;
- Collected and commissioned independent analysis of all required Tier 2 data elements; and
- Ensured that the practice of racial profiling is expressly prohibited and will not be accepted or tolerated within the organization.

The Bastrop Police Department remains committed to constitutional policing practices, equitable treatment of all individuals, and continued compliance with all applicable state and federal requirements pertaining to racial profiling prevention and reporting.

APPENDICES

[This section should include the following reference materials:]

- ✓ Original text of Senate Bill 1074 (Texas Racial Profiling Law)
- ✓ Sandra Bland Act (Senate Bill 1849) - Current governing law
- ✓ TCOLE compliance requirements and guidelines
- ✓ Agency racial profiling policy documentation
- ✓ Training documentation and certifications
- ✓ Complaint and compliment procedure documentation
- ✓ Data audit methodology and validation results
- ✓ Tier 2 data collection forms and submission confirmation



LEGISLATIVE & ADMINISTRATIVE

TCOLE GUIDELINES

Guidelines for Compiling and Reporting Data under Senate Bill 1074

Background

Senate Bill 1074 of the 77th Legislature established requirements in the Texas Code of Criminal Procedure (TCCP) for law enforcement agencies. The Commission developed this document to assist agencies in complying with the statutory requirements.

The guidelines are written in the form of standards using a style developed from accreditation organizations including the Commission on Accreditation for Law Enforcement Agencies (CALEA). The standards provide a description of *what* must be accomplished by an agency but allows wide latitude in determining *how* the agency will achieve compliance with each applicable standard.

Each standard is composed of two parts: the standard statement and the commentary. The *standard statement* is a declarative sentence that places a clear-cut requirement, or multiple requirements, on an agency. The commentary supports the standard statement but is not binding. The commentary can serve as a prompt, as guidance to clarify the intent of the standard, or as an example of one possible way to comply with the standard.

Standard 1

Each law enforcement agency has a detailed written directive that:

- clearly defines acts that constitute racial profiling;
- strictly prohibits peace officers employed by the agency from engaging in racial profiling;
- implements a process by which an individual may file a complaint with the agency if the individual believes a peace officer employed by the agency has engaged in racial profiling with respect to the individual filing the complaint;
- provides for public education relating to the complaint process;
- requires appropriate corrective action to be taken against a peace officer employed by the agency who, after investigation, is shown to have engaged in racial profiling in violation of the agency's written racial profiling policy; and
- requires the collection of certain types of data for subsequent reporting.

Commentary

Article 2.131 of the TCCP prohibits officers from engaging in racial profiling, and article 2.132 of the TCCP now requires a written policy that contains the elements listed in this standard. The article also specifically defines a law enforcement agency as it applies to this statute as an “agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers’ official duties.”

The article further defines race or ethnicity as being of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American.” The statute does not limit the required policies to just these ethnic groups.

This written policy is to be adopted and implemented no later than January 1, 2002.

Standard 2

Each peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic, or who stops a pedestrian for any suspected offense reports to the employing law enforcement agency information relating to the stop, to include:

- a physical description of each person detained, including gender and the person’s race or ethnicity, as stated by the person, or, if the person does not state a race or ethnicity, as determined by the officer’s best judgment;
- the traffic law or ordinance alleged to have been violated or the suspected offense;
- whether the officer conducted a search as a result of the stop and, if so, whether the person stopped consented to the search;
- whether any contraband was discovered in the course of the search, and the type of contraband discovered;
- whether probable cause to search existed, and the facts supporting the existence of that probable cause;
- whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;
- the street address or approximate location of the stop; and
- whether the officer issued a warning or citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Commentary

The information required by 2.133 TCCP is used to complete the agency reporting requirements found in Article 2.134. A peace officer and an agency may be exempted from this requirement under Article 2.135 TCCP Exemption for Agencies Using Video and Audio Equipment. An agency may be exempt from this reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds. Section 2.135 (a)(2) states, “the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a) (1) (A) and the agency does not receive from the state funds for video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.”

Standard 3

The agency compiles the information collected under 2.132 and 2.133 and analyzes the information identified in 2.133.

Commentary

Senate Bill 1074 from the 77th Session of the Texas Legislature created requirements for law enforcement agencies to gather specific information and to report it to each county or municipality served. New sections of law were added to the Code of Criminal Procedure regarding the reporting of traffic and pedestrian stops. Detained is defined as when a person stopped is not free to leave.

Article 2.134 TCCP requires the agency to compile and provide and analysis of the information collected by peace officer employed by the agency. The report is provided to the governing body of the municipality or county no later than March 1 of each year and covers the previous calendar year.

There is data collection and reporting required based on Article 2.132 CCP (tier one) and Article 2.133 CCP (tier two).

The minimum requirements for “tier one” data for traffic stops in which a citation results are:

- 1) the race or ethnicity of individual detained (race and ethnicity as defined by the bill means of “a particular descent, including Caucasian, African, Hispanic, Asian, or Native American”);
- 2) whether a search was conducted, and if there was a search, whether it was a consent search or a probable cause search; and
- 3) whether there was a custody arrest.

The minimum requirements for reporting on “tier two” reports include traffic and pedestrian stops. Tier two data include:

- 1) the detained person’s gender and race or ethnicity;
- 2) the type of law violation suspected, e.g., hazardous traffic, non-hazardous traffic, or other criminal investigation (the Texas Department of Public Safety publishes a categorization of traffic offenses into hazardous or non-hazardous);
- 3) whether a search was conducted, and if so whether it was based on consent or probable cause;
- 4) facts supporting probable cause;
- 5) the type, if any, of contraband that was collected;
- 6) disposition of the stop, e.g., arrest, ticket, warning, or release;
- 7) location of stop; and
- 8) statement of the charge, e.g., felony, misdemeanor, or traffic.

Tier one reports are made to the governing body of each county or municipality served by the agency an annual report of information if the agency is an agency of a county, municipality, or other political subdivision of the state. Tier one and two reports are reported to the county or municipality not later than March 1 for the previous calendar year beginning March 1, 2003. Tier two reports include a comparative analysis between the race and ethnicity of persons detained to see if a differential pattern of treatment can be discerned based on the disposition of stops

including searches resulting from the stops. The reports also include information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling. An agency may be exempt from the tier two reporting requirement by applying for the funds from the Department of Public Safety for video and audio equipment and the State does not supply those funds [See 2.135 (a)(2) TCCP].

Reports should include both raw numbers and percentages for each group. Caution should be exercised in interpreting the data involving percentages because of statistical distortions caused by very small numbers in any particular category, for example, if only one American Indian is stopped and searched, that stop would not provide an accurate comparison with 200 stops among Caucasians with 100 searches. In the first case, a 100% search rate would be skewed data when compared to a 50% rate for Caucasians.

Standard 4

If a law enforcement agency has video and audio capabilities in motor vehicles regularly used for traffic stops, or audio capabilities on motorcycles regularly used to make traffic stops, the agency:

- adopts standards for reviewing and retaining audio and video documentation; and
- promptly provides a copy of the recording to a peace officer who is the subject of a complaint on written request by the officer.

Commentary

The agency should have a specific review and retention policy. Article 2.132 TCCP specifically requires that the peace officer be promptly provided with a copy of the audio or video recordings if the officer is the subject of a complaint and the officer makes a written request.

Standard 5

Agencies that do not currently have video or audio equipment must examine the feasibility of installing such equipment.

Commentary

None

Standard 6

Agencies that have video and audio recording capabilities are exempt from the reporting requirements of Article 2.134 TCCP and officers are exempt from the reporting requirements of Article 2.133 TCCP provided that:

- the equipment was in place and used during the proceeding calendar year; and
- video and audio documentation is retained for at least 90 days.

Commentary

The audio and video equipment and policy must have been in place during the previous calendar year. Audio and video documentation must be kept for at least 90 days or longer if a complaint has been filed. The documentation must be retained until the complaint is resolved. Peace officers are not exempt from the requirements under Article 2.132 TCCP.

Standard 7

Agencies have citation forms or other electronic media that comply with Section 543.202 of the Transportation Code.

Commentary

Senate Bill 1074 changed Section 543.202 of the Transportation Code requiring citations to include:

- race or ethnicity, and
- whether a search of the vehicle was conducted and whether consent for the search was obtained.

The Texas Law on Racial Profiling

S.B. No. 1074 - An Act relating to the prevention of racial profiling by certain peace officers.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.131 through 2.138 to read as follows:

Art. 2.131. RACIAL PROFILING PROHIBITED. A peace officer may not engage in racial profiling.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. (a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make traffic stops in the routine performance of the officers' official duties.

(2) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

(1) clearly define acts constituting racial profiling;

(2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;

(3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;

(4) provide public education relating to the agency's complaint process;

(5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;

(6) require collection of information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops, including information relating to:

(A) the race or ethnicity of the individual detained; and

(B) whether a search was conducted and, if so, whether the person detained consented to the search; and

(7) require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected under Subdivision (6) if the agency is an agency of a county, municipality, or other political subdivision of the state.

(c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make traffic stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make traffic stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the

policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a traffic stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

Art. 2.133. REPORTS REQUIRED FOR TRAFFIC AND PEDESTRIAN STOPS. (a) In this article:

(1) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic or who stops a pedestrian for any suspected offense shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of each person detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the traffic law or ordinance alleged to have been violated or the suspected offense;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband was discovered in the course of the search and the type of contraband discovered;

(5) whether probable cause to search existed and the facts supporting the existence of that probable cause;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a warning or a citation as a result of the stop, including a description of the warning or a statement of the violation charged.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article, "pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each local law enforcement agency shall submit a report containing the information compiled

during the previous calendar year to the governing body of each county or municipality served by the agency in a manner approved by the agency.

(c) A report required under Subsection (b) must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) determine the prevalence of racial profiling by peace officers employed by the agency; and
(B) examine the disposition of traffic and pedestrian stops made by officers employed by the agency, including searches resulting from the stops; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a traffic or pedestrian stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

Art. 2.135. EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and a law enforcement agency is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make traffic and pedestrian stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

(B) each traffic and pedestrian stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each traffic and pedestrian stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a traffic or pedestrian stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

Art. 2.136. LIABILITY. A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Art. 2.138. RULES. The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

SECTION 2. Chapter 3, Code of Criminal Procedure, is amended by adding Article 3.05 to read as follows:

Art. 3.05. RACIAL PROFILING. In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

SECTION 3. Section 96.641, Education Code, is amended by adding Subsection (j) to read as follows:

(j) As part of the initial training and continuing education for police chiefs required under this section, the institute shall establish a program on racial profiling. The program must include an examination of the best practices for:

(1) monitoring peace officers' compliance with laws and internal agency policies relating to racial profiling;

(2) implementing laws and internal agency policies relating to preventing racial profiling;
and

(3) analyzing and reporting collected information.

SECTION 4. Section 1701.253, Occupations Code, is amended by adding Subsection (e) to read as follows:

(e) As part of the minimum curriculum requirements, the commission shall establish a statewide comprehensive education and training program on racial profiling for officers licensed under this chapter. An officer shall complete a program established under this subsection not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier.

SECTION 5. Section 1701.402, Occupations Code, is amended by adding Subsection (d) to read as follows:

(d) As a requirement for an intermediate proficiency certificate, an officer must complete an education and training program on racial profiling established by the commission under Section 1701.253(e).

SECTION 6. Section 543.202, Transportation Code, is amended to read as follows:

Sec. 543.202. FORM OF RECORD. (a) In this section, "race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent.

(b) The record must be made on a form or by a data processing method acceptable to the department and must include:

(1) the name, address, physical description, including race or ethnicity, date of birth, and driver's license number of the person charged;

(2) the registration number of the vehicle involved;

(3) whether the vehicle was a commercial motor vehicle as defined by Chapter 522 or was involved in transporting hazardous materials;

(4) the person's social security number, if the person was operating a commercial motor vehicle or was the holder of a commercial driver's license or commercial driver learner's permit;

(5) the date and nature of the offense, including whether the offense was a serious traffic violation as defined by Chapter 522;

(6) whether a search of the vehicle was conducted and whether consent for the search was obtained;

(7) the plea, the judgment, and whether bail was forfeited;

(8) [~~7~~] the date of conviction; and

(9) [~~8~~] the amount of the fine or forfeiture.

SECTION 7. Not later than January 1, 2002, a law enforcement agency shall adopt and implement a policy and begin collecting information under the policy as required by Article 2.132, Code of Criminal Procedure, as added by this Act. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.132, Code of Criminal Procedure, as added by this Act, on March 1, 2003. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2002, and ending December 31, 2002.

SECTION 8. A local law enforcement agency shall first submit information to the governing body of each county or municipality served by the agency as required by Article 2.134, Code of Criminal Procedure, as added by this Act, on March 1, 2004. The first submission of information shall consist of information compiled by the agency during the period beginning January 1, 2003, and ending December 31, 2003.

SECTION 9. Not later than January 1, 2002:

(1) the Commission on Law Enforcement Officer Standards and Education shall establish an education and training program on racial profiling as required by Subsection (e), Section 1701.253, Occupations Code, as added by this Act; and

(2) the Bill Blackwood Law Enforcement Management Institute of Texas shall establish a program on racial profiling as required by Subsection (j), Section 96.641, Education Code, as added by this Act.

SECTION 10. A person who on the effective date of this Act holds an intermediate proficiency certificate issued by the Commission on Law Enforcement Officer Standards and Education or has held a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education for at least two years shall complete an education and training program on racial profiling established under Subsection (e), Section 1701.253, Occupations Code, as added by this Act, not later than September 1, 2003.

SECTION 11. An individual appointed or elected as a police chief before the effective date of this Act shall complete a program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

SECTION 12. This Act takes effect September 1, 2001

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1074 passed the Senate on April 4, 2001, by the following vote: Yeas 28, Nays 2; May 21, 2001, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 22, 2001, House granted request of the Senate; May 24, 2001, Senate adopted Conference Committee Report by a viva-voce vote.

Secretary of the Senate

I hereby certify that S.B. No. 1074 passed the House, with amendments, on May 15, 2001, by a non-record vote; May 22, 2001, House granted request of the Senate for appointment of Conference Committee; May 24, 2001, House adopted Conference Committee Report by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor

Modifications to the Original Law

(H.B. 3389)

Amend CSHB 3389 (Senate committee report) as follows:

(1) Strike the following SECTIONS of the bill:

- (A) SECTION 8, adding Section 1701.164, Occupations Code (page 4, lines 61-66);
- (B) SECTION 24, amending Article 2.132(b), Code of Criminal Procedure (page 8, lines 19-53);
- (C) SECTION 25, amending Article 2.134(b), Code of Criminal Procedure (page 8, lines 54-64);
- (D) SECTION 28, providing transition language for the amendments to Articles 2.132(b) and 2.134(b), Code of Criminal Procedure (page 9, lines 40-47).

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly: SECTION _____. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (a),(b), (d), and (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle~~[traffic]~~ stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, ~~[or]~~ Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle ~~[traffic]~~ stops in which a citation is issued and to arrests made as a result of ~~[resulting from]~~ those ~~[traffic]~~ stops, including information relating to:
 - (A) the race or ethnicity of the individual detained; and
 - (B) whether a search was conducted and, if so, whether the individual ~~[person]~~ detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit ~~[to the governing body of each county or~~

~~municipality served by the agency]~~ an annual report of the information collected under Subdivision (6) to:

(A) the Commission on Law Enforcement Officer Standards and Education; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle ~~[traffic]~~ stops and transmitter activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle ~~[traffic]~~ stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.133, Code of Criminal Procedure, is amended to read as follows:

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE ~~[TRAFFIC AND PEDESTRIAN]~~ STOPS. (a) In this article, "race[:

~~{(1) "Race~~] or ethnicity" has the meaning assigned by Article 2.132(a).

~~[(2) "Pedestrian stop" means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.]~~

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance ~~[regulating traffic or who stops a pedestrian for any suspected offense]~~ shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any ~~[each]~~ person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop ~~[traffic law or ordinance alleged to have been violated or the suspected offense];~~

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search and a description ~~[the type]~~ of the contraband or evidence ~~[discovered];~~

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle ~~[existed and the facts supporting the existence of that probable cause];~~

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; and

(8) whether the officer issued a written warning or a citation as a result of the stop~~[, including a description of the warning or a statement of the violation charged].~~

SECTION _____. Article 2.134, Code of Criminal Procedure, is amended by amending Subsections (a) through (e) and adding Subsection (g) to read as follows:

(a) In this article:

(1) "Motor vehicle[, "pedestrian] stop" has the meaning assigned by Article 2.132(a) ~~[means an interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest].~~

(2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each ~~[local]~~ law enforcement agency shall submit a report containing the incident-based data ~~[information]~~ compiled during the previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency ~~[in a manner approved by the agency].~~

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities ~~[determine the prevalence of racial profiling by peace officers employed by the agency];~~ and

(B) examine the disposition of motor vehicle ~~[traffic and pedestrian]~~ stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from [the] stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle ~~[traffic or pedestrian]~~ stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

SECTION _____. Article 2.135, Code of Criminal Procedure, is amended to read as follows:

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT. (a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle [~~traffic and pedestrian~~] stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle [~~traffic and pedestrian~~] stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle [~~traffic and pedestrian~~] stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle [~~traffic or pedestrian~~] stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

SECTION _____. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1385 to read as follows:

Art. 2.1385. CIVIL PENALTY. (a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based

data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

SECTION _____. Subchapter A, Chapter 102, Code of Criminal Procedure, is amended by adding Article 102.022 to read as follows:

Art. 102.022. COSTS ON CONVICTION TO FUND STATEWIDE REPOSITORY FOR DATA RELATED TO CIVIL JUSTICE. (a) In this article, "moving violation" means an offense that:

(1) involves the operation of a motor vehicle; and

(2) is classified as a moving violation by the Department of Public Safety under Section 708.052, Transportation Code.

(b) A defendant convicted of a moving violation in a justice court, county court, county court at law, or municipal court shall pay a fee of 10 cents as a cost of court.

(c) In this article, a person is considered convicted if:

(1) a sentence is imposed on the person;

(2) the person receives community supervision, including deferred adjudication; or

(3) the court defers final disposition of the person's case.

(d) The clerks of the respective courts shall collect the costs described by this article. The clerk shall keep separate records of the funds collected as costs under this article and shall deposit the funds in the county or municipal treasury, as appropriate.

(e) The custodian of a county or municipal treasury shall:

(1) keep records of the amount of funds on deposit collected under this article; and

(2) send to the comptroller before the last day of the first month following each calendar quarter the funds collected under this article during the preceding quarter.

(f) A county or municipality may retain 10 percent of the funds collected under this article by an officer of the county or municipality as a collection fee if the custodian of the county or municipal treasury complies with Subsection (e).

(g) If no funds due as costs under this article are deposited in a county or municipal treasury in a calendar quarter, the custodian of the treasury shall file the report required for the quarter in the regular manner and must state that no funds were collected.

(h) The comptroller shall deposit the funds received under this article to the credit of the Civil Justice Data Repository fund in the general revenue fund, to be used only by the Commission on Law Enforcement Officer Standards and Education to implement duties under Section 1701.162, Occupations Code.

(i) Funds collected under this article are subject to audit by the comptroller.

SECTION _____. (a) Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.061, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.061. ADDITIONAL COURT COSTS ON CONVICTION IN STATUTORY COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a statutory county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

(1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;

(2) a fee for services of the clerk of the court (Art. 102.005, Code of Criminal Procedure) . . . \$40;

- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.061, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.061, Government Code, as reenacted and amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. (a) Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, is amended to conform to the amendments made to Section 102.081, Government Code, by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, and is further amended to read as follows:

Sec. 102.081. ADDITIONAL COURT COSTS ON CONVICTION IN COUNTY COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a county court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$20;
- (2) a fee for clerk of the court services (Art. 102.005, Code of Criminal Procedure) . . . \$40;
- (3) a records management and preservation services fee (Art. 102.005, Code of Criminal Procedure) . . . \$25;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a juvenile delinquency prevention and graffiti eradication fee (Art. 102.0171, Code of Criminal Procedure) . . . \$50 [~~\$5~~]; [~~and~~]
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

(b) Section 102.081, Government Code, as amended by Chapter 1053 (H.B. 2151), Acts of the 80th Legislature, Regular Session, 2007, is repealed. Section 102.081, Government Code, as amended by Chapter 921 (H.B. 3167), Acts of the 80th Legislature, Regular Session, 2007, to reorganize and renumber that section, continues in effect as further amended by this section.

SECTION _____. Section 102.101, Government Code, is amended to read as follows:

Sec. 102.101. ADDITIONAL COURT COSTS ON CONVICTION IN JUSTICE COURT: CODE OF CRIMINAL PROCEDURE. A clerk of a justice court shall collect fees and costs under the Code of Criminal Procedure on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;

- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$4;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0173, Code of Criminal Procedure) . . . \$4;
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5;
- (7) a fee on conviction of certain offenses involving issuing or passing a subsequently dishonored check (Art. 102.0071, Code of Criminal Procedure) . . . not to exceed \$30; ~~and~~
- (8) a court cost on conviction of a Class C misdemeanor in a county with a population of 3.3 million or more, if authorized by the county commissioners court (Art. 102.009, Code of Criminal Procedure) . . . not to exceed \$7; and
- (9) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Section 102.121, Government Code, is amended to read as follows:
 Sec. 102.121. ADDITIONAL COURT COSTS ON CONVICTION IN MUNICIPAL COURT: CODE OF CRIMINAL PROCEDURE. The clerk of a municipal court shall collect fees and costs on conviction of a defendant as follows:

- (1) a jury fee (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (2) a fee for withdrawing request for jury less than 24 hours before time of trial (Art. 102.004, Code of Criminal Procedure) . . . \$3;
- (3) a jury fee for two or more defendants tried jointly (Art. 102.004, Code of Criminal Procedure) . . . one jury fee of \$3;
- (4) a security fee on a misdemeanor offense (Art. 102.017, Code of Criminal Procedure) . . . \$3;
- (5) a fee for technology fund on a misdemeanor offense (Art. 102.0172, Code of Criminal Procedure) . . . not to exceed \$4; ~~and~~
- (6) a juvenile case manager fee (Art. 102.0174, Code of Criminal Procedure) . . . not to exceed \$5; and
- (7) a civil justice fee (Art. 102.022, Code of Criminal Procedure) . . . \$0.10.

SECTION _____. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Section 1701.164 to read as follows:

Sec. 1701.164. COLLECTION OF CERTAIN INCIDENT-BASED DATA SUBMITTED BY LAW ENFORCEMENT AGENCIES. The commission shall collect and maintain incident-based data submitted to the commission under Article 2.134, Code of Criminal Procedure, including incident-based data compiled by a law enforcement agency from reports received by the law enforcement agency under Article 2.133 of that code. The commission in consultation with the Department of Public Safety, the Bill Blackwood Law Enforcement Management Institute of Texas, the W. W. Caruth, Jr., Police Institute at Dallas, and the Texas Police Chiefs Association shall develop guidelines for submitting in a standard format the report containing incident-based data as required by Article 2.134, Code of Criminal Procedure.

SECTION _____. Subsection (a), Section 1701.501, Occupations Code, is amended to read as follows:

- (a) Except as provided by Subsection (d), the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:
 - (1) this chapter;

(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure;
or

(3) a commission rule.

SECTION _____. (a) The requirements of Articles 2.132, 2.133, and 2.134, Code of Criminal Procedure, as amended by this Act, relating to the compilation, analysis, and submission of incident-based data apply only to information based on a motor vehicle stop occurring on or after January 1, 2010.

(b) The imposition of a cost of court under Article 102.022, Code of Criminal Procedure, as added by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

Racial and Ethnic Designations (H.B. 3051)

H.B. No. 3051 - An Act relating to the categories used to record the race or ethnicity of persons stopped for or convicted of traffic offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.132(a)(3), Code of Criminal Procedure, is amended to read as follows:

(3) "Race or ethnicity" means the following categories:

(A) Alaska native or American Indian;

(B) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(C) black;

(D) white; and

(E) Hispanic or Latino ~~[, Native American, or Middle Eastern descent]~~.

SECTION 2. Section 543.202(a), Transportation Code, is amended to read as follows:

(a) In this section, "race or ethnicity" means the following categories:

(1) Alaska native or American Indian;

(2) ~~[of a particular descent, including Caucasian, African, Hispanic,]~~ Asian or Pacific Islander;

(3) black;

(4) white; and

(5) Hispanic or Latino ~~[, or Native American descent]~~.

SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 3051 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3051 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

The Sandra Bland Act

(S.B. 1849)

S.B. No. 1849

An Act relating to interactions between law enforcement and individuals detained or arrested on suspicion of the commission of criminal offenses, to the confinement, conviction, or release of those individuals, and to grants supporting populations that are more likely to interact frequently with law enforcement.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. SHORT TITLE

SECTION 1.01. SHORT TITLE. This Act shall be known as the Sandra Bland Act, in memory of Sandra Bland.

ARTICLE 2. IDENTIFICATION AND DIVERSION OF AND SERVICES FOR PERSONS SUSPECTED OF HAVING A MENTAL ILLNESS, AN INTELLECTUAL DISABILITY, OR A SUBSTANCE ABUSE ISSUE

SECTION 2.01. Article 16.22, Code of Criminal Procedure, is amended to read as follows:

Art. 16.22. EARLY IDENTIFICATION OF DEFENDANT SUSPECTED OF HAVING MENTAL ILLNESS OR INTELLECTUAL DISABILITY [MENTAL RETARDATION]. (a)(1) Not later than 12 [72] hours after receiving credible information that may establish reasonable cause to believe that a defendant committed to the sheriff's custody has a mental illness or is a person with an intellectual disability [mental retardation], including observation of the defendant's behavior immediately before, during, and after the defendant's arrest and the results of any previous assessment of the defendant, the sheriff shall provide written or electronic notice of the information to the magistrate. On a determination that there is reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability [mental retardation], the magistrate, except as provided by Subdivision

(2), shall order the local mental health or intellectual and developmental disability [mental retardation] authority or another qualified mental health or intellectual disability [mental retardation] expert to:

(A) collect information regarding whether the defendant has a mental illness as defined by Section 571.003,

Health and Safety Code, or is a person with an intellectual disability [mental retardation] as defined by Section 591.003, Health and Safety Code, including information obtained from any previous assessment of the defendant; and

(B) provide to the magistrate a written assessment of the information collected under Paragraph (A).

(2) The magistrate is not required to order the collection of information under Subdivision

(1) if the defendant in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability [mental retardation] by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health or intellectual disability [mental retardation] expert described by Subdivision

(1). A court that elects to use the results of that previous determination may proceed under Subsection (c).

(3) If the defendant fails or refuses to submit to the collection of information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a mental health facility determined to be appropriate by the local mental health or intellectual and developmental disability [mental retardation] authority for a reasonable period not to exceed 21 days. The magistrate may order a defendant to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination only on request of the local mental health or intellectual and developmental disability [mental retardation] authority and with the consent of the head of the facility. If a defendant who has been ordered to a facility operated by the Department of State Health Services or the Health and Human Services Commission [Department of Aging and Disability Services] for examination remains in the facility for a period exceeding 21 days, the head of that facility shall cause the defendant to be immediately transported to the committing court and placed in the custody of the sheriff of the county in which the committing court is located. That county shall reimburse the facility for the mileage and per diem expenses of the personnel required to transport the defendant calculated in accordance with the state travel regulations in effect at the time.

(b) A written assessment of the information collected under Subsection (a)(1)(A) shall be provided to the magistrate not later than the 30th day after the date of any order issued under Subsection (a) in a felony case and not later than the 10th day after the date of any order issued under that subsection in a misdemeanor case, and the magistrate shall provide copies of the written assessment to the defense counsel, the prosecuting attorney, and the trial court. The written assessment must include a description of the procedures used in the collection of information under Subsection (a)(1)(A) and the applicable expert's observations and findings pertaining to:

(1) whether the defendant is a person who has a mental illness or is a person with an intellectual disability [mental retardation];

(2) whether there is clinical evidence to support a belief that the defendant may be incompetent to stand trial and should undergo a complete competency examination under Subchapter B, Chapter 46B; and

(3) recommended treatment.

(c) After the trial court receives the applicable expert's written assessment relating to the defendant under Subsection (b) or elects to use the results of a previous determination as described by Subsection (a)(2), the trial court may, as applicable:

(1) resume criminal proceedings against the defendant, including any appropriate proceedings related to the defendant's release on personal bond under Article 17.032;

(2) resume or initiate competency proceedings, if required, as provided by Chapter 46B

or other proceedings affecting the defendant's receipt of appropriate court-ordered mental health or intellectual disability [mental retardation] services, including proceedings related to the defendant's receipt of outpatient mental health services under Section 574.034, Health and Safety Code; or

(3) consider the written assessment during the punishment phase after a conviction of the offense for which the defendant was arrested, as part of a presentence investigation report, or in connection with the impositions of conditions following placement on community supervision, including deferred adjudication community supervision.

(d) This article does not prevent the applicable court from, before, during, or after the collection of information regarding the defendant as described by this article: (1) releasing a defendant who has a mental illness [mentally ill] or is a person with an intellectual disability [mentally retarded defendant] from custody on personal or surety bond; or

(2) ordering an examination regarding the defendant's competency to stand trial.

SECTION 2.02. Chapter 16, Code of Criminal Procedure, is amended by adding Article 16.23 to read as follows:

Art. 16.23. DIVERSION OF PERSONS SUFFERING MENTAL HEALTH CRISIS OR SUBSTANCE ABUSE ISSUE. (a) Each law enforcement agency shall make a good faith effort to divert a person suffering a mental health crisis or suffering from the effects of substance abuse to a proper treatment center in the agency's jurisdiction if:

(1) there is an available and appropriate treatment center in the agency's jurisdiction to which the agency may divert the person;

(2) it is reasonable to divert the person;

(3) the offense that the person is accused of is a misdemeanor, other than a misdemeanor involving violence; and

(4) the mental health crisis or substance abuse issue is suspected to be the reason the person committed the alleged offense.

(b) Subsection (a) does not apply to a person who is accused of an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code.

SECTION 2.03. Section 539.002, Government Code, is amended to read as follows:

Sec. 539.002. GRANTS FOR ESTABLISHMENT AND EXPANSION OF COMMUNITY COLLABORATIVES. (a) To the extent funds are appropriated to the department for that purpose, the department shall make grants to entities, including local governmental entities, nonprofit community organizations, and faith-based community organizations, to establish or expand community collaboratives that bring the public and private sectors together to provide services to persons experiencing homelessness, substance abuse issues, or [and] mental illness. [The department may make a maximum of five grants, which must be made in the most populous municipalities in this state that are located in counties with a population of more than one million.] In awarding grants, the department shall give special consideration to entities:

(1) establishing [a] new collaboratives; or

(2) establishing or expanding collaboratives that serve two or more counties, each with a population of less than 100,000 [collaborative].

(b) The department shall require each entity awarded a grant under this section to:

(1) leverage additional funding from private sources in an amount that is at least equal to the amount of the grant awarded under this section; [and]

(2) provide evidence of significant coordination and collaboration between the entity, local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in establishing or expanding a community collaborative funded by a grant awarded under this section; and

(3) provide evidence of a local law enforcement policy to divert appropriate persons from jails or other detention facilities to an entity affiliated with a community collaborative for the purpose of providing services to those persons.

SECTION 2.04. Chapter 539, Government Code, is amended by adding Section 539.0051 to read as follows:

Sec. 539.0051. PLAN REQUIRED FOR CERTAIN COMMUNITY COLLABORATIVES. (a) The governing body of a county shall develop and make public a plan detailing:

(1) how local mental health authorities, municipalities, local law enforcement agencies, and other community stakeholders in the county could coordinate to establish or expand a community collaborative to accomplish the goals of Section 539.002;

(2) how entities in the county may leverage funding from private sources to accomplish the goals of Section 539.002 through the formation or expansion of a community collaborative; and

(3) how the formation or expansion of a community collaborative could establish or support resources or services to help local law enforcement agencies to divert persons who have been arrested to appropriate mental health care or substance abuse treatment.

(b) The governing body of a county in which an entity that received a grant under Section 539.002 before September 1, 2017, is located is not required to develop a plan under Subsection (a).

(c) Two or more counties, each with a population of less than 100,000, may form a joint plan under Subsection (a).

ARTICLE 3. BAIL, PRETRIAL RELEASE, AND COUNTY JAIL STANDARDS

SECTION 3.01. The heading to Article 17.032, Code of Criminal Procedure, is amended to read as follows:

Art. 17.032. RELEASE ON PERSONAL BOND OF CERTAIN [MENTALLY ILL] DEFENDANTS WITH MENTAL ILLNESS OR INTELLECTUAL DISABILITY.

SECTION 3.02. Articles 17.032(b) and (c), Code of Criminal Procedure, are amended to read as follows:

(b) A magistrate shall release a defendant on personal bond unless good cause is shown

otherwise if the:

(1) defendant is not charged with and has not been previously convicted of a violent offense;

(2) defendant is examined by the local mental health or intellectual and developmental disability [mental retardation] authority or another mental health expert under Article 16.22 [of this code];

(3) applicable expert, in a written assessment submitted to the magistrate under Article 16.22:

(A) concludes that the defendant has a mental illness or is a person with an intellectual disability [mental retardation] and is nonetheless competent to stand trial; and

(B) recommends mental health treatment or intellectual disability treatment for the defendant, as applicable; and

(4) magistrate determines, in consultation with the local mental health or intellectual and developmental disability [mental retardation] authority, that appropriate community-based mental health or intellectual disability [mental retardation] services for the defendant are available through the [Texas] Department of State [Mental] Health Services [and Mental Retardation] under Section 534.053, Health and Safety Code, or through another mental health or intellectual disability [mental retardation] services provider.

(c) The magistrate, unless good cause is shown for not requiring treatment, shall require as a condition of release on personal bond under this article that the defendant submit to outpatient or inpatient mental health or intellectual disability [mental retardation] treatment as recommended by the local mental health or intellectual and developmental disability [mental retardation] authority if the defendant's:

(1) mental illness or intellectual disability [mental retardation] is chronic in nature; or

(2) ability to function independently will continue to deteriorate if the defendant is not treated.

SECTION 3.03. Article 25.03, Code of Criminal Procedure, is amended to read as follows:

Art. 25.03. IF ON BAIL IN FELONY. When the accused, in case of felony, is on bail at the time the indictment is presented, [it is not necessary to serve him with a copy, but] the clerk shall [on request] deliver a copy of the indictment [same] to the accused or the accused's [his] counsel[,] at the earliest possible time.

SECTION 3.04. Article 25.04, Code of Criminal Procedure, is amended to read as follows:

Art. 25.04. IN MISDEMEANOR. In misdemeanors, the clerk shall deliver a copy of the indictment or information to the accused or the accused's counsel at the earliest possible time before trial [it shall not be necessary before trial to furnish the accused with a copy of the indictment or information; but he or his counsel may demand a copy, which shall be given as early as possible

SECTION 3.05. Section 511.009(a), Government Code, as amended by Chapters 281 (H.B. 875), 648 (H.B. 549), and 688 (H.B. 634), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

- (a) The commission shall:
- (1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;
 - (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;
 - (3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;
 - (4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;
 - (5) revise, amend, or change rules and procedures if necessary;
 - (6) provide to local government officials consultation on and technical assistance for county jails;
 - (7) review and comment on plans for the construction and major modification or renovation of county jails;
 - (8) require that the sheriff and commissioners of each county submit to the commission, on a form prescribed by the commission, an annual report on the conditions in each county jail within their jurisdiction, including all information necessary to determine compliance with state law, commission orders, and the rules adopted under this chapter;
 - (9) review the reports submitted under Subdivision (8) and require commission employees to inspect county jails regularly to ensure compliance with state law, commission orders, and rules and procedures adopted under this chapter;
 - (10) adopt a classification system to assist sheriffs and judges in determining which defendants are low-risk and consequently suitable participants in a county jail work release program under Article 42.034, Code of Criminal Procedure;
 - (11) adopt rules relating to requirements for segregation of classes of inmates and to capacities for county jails;
 - (12) require that the chief jailer of each municipal lockup submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the lockup, including all information necessary to determine compliance with state law concerning secure confinement of children in municipal lockups;
 - (13) at least annually determine whether each county jail is in compliance with the rules and procedures adopted under this chapter;
 - (14) require that the sheriff and commissioners court of each county submit to the commission, on a form prescribed by the commission, an annual report of persons under 17 years of age securely detained in the county jail, including all information necessary to determine compliance with state law concerning secure confinement of children in county jails;
 - (15) schedule announced and unannounced inspections of jails under the commission's jurisdiction using the risk assessment plan established under Section 511.0085 to guide the inspections process;
 - (16) adopt a policy for gathering and distributing to jails under the commission's jurisdiction information regarding:
 - (A) common issues concerning jail administration;
 - (B) examples of successful strategies for maintaining compliance with state law and the rules,

standards, and procedures of the commission; and

(C) solutions to operational challenges for jails;

(17) report to the Texas Correctional Office on Offenders with Medical or Mental Impairments on a jail's compliance with Article 16.22, Code of Criminal Procedure;

(18) adopt reasonable rules and procedures establishing minimum requirements for jails to:

(A) determine if a prisoner is pregnant; and

(B) ensure that the jail's health services plan addresses medical and mental health care, including nutritional requirements, and any special housing or work assignment needs for persons who are confined in the jail and are known or determined to be pregnant;

(19) provide guidelines to sheriffs regarding contracts between a sheriff and another entity for the provision of food services to or the operation of a commissary in a jail under the commission's jurisdiction, including specific provisions regarding conflicts of interest and avoiding the appearance of impropriety; [and]

(20) adopt reasonable rules and procedures establishing minimum standards for prisoner visitation that provide each prisoner at a county jail with a minimum of two in-person, noncontact visitation periods per week of at least 20 minutes duration each;

(21) [(20)] require the sheriff of each county to:

(A) investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veterans Affairs or a similar service; and

(B) use the data described by Paragraph (A) to assist prisoners who are veterans in applying for federal benefits or compensation for which the prisoners may be eligible under a program administered by the United States Department of Veterans Affairs;

(22) [(20)] adopt reasonable rules and procedures regarding visitation of a prisoner at a county jail by a guardian, as defined by Section 1002.012, Estates Code, that:

(A) allow visitation by a guardian to the same extent as the prisoner's next of kin, including placing the guardian on the prisoner's approved visitors list on the guardian's request and providing the guardian access to the prisoner during a facility's standard visitation hours if the prisoner is otherwise eligible to receive visitors; and

(B) require the guardian to provide the sheriff with letters of guardianship issued as provided by Section 1106.001, Estates Code, before being allowed to visit the prisoner; and

(23) adopt reasonable rules and procedures to ensure the safety of prisoners, including rules and procedures that require a county jail to:

(A) give prisoners the ability to access a mental health professional at the jail through a telemental health service 24 hours a day;

(B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional; and

(C) if funding is available under Section 511.019, install automated electronic sensors or cameras to ensure accurate and timely in-person checks of cells or groups of cells confining at-risk individuals.

SECTION 3.06. Section 511.009, Government Code, is amended by adding Subsection (d) to read

as follows:

(d) The commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody.

SECTION 3.07. Chapter 511, Government Code, is amended by adding Sections 511.019, 511.020, and 511.021 to read as follows:

Sec. 511.019. PRISONER SAFETY FUND. (a) The prisoner safety fund is a dedicated account in the general revenue fund.

(b) The prisoner safety fund consists of:

- (1) appropriations of money to the fund by the legislature; and
- (2) gifts, grants, including grants from the federal government, and other donations received for the fund.

(c) Money in the fund may be appropriated only to the commission to pay for capital improvements that are required under Section 511.009(a)(23).

(d) The commission by rule may establish a grant program to provide grants to counties to fund capital improvements described by Subsection (c). The commission may only provide a grant to a county for capital improvements to a county jail with a capacity of not more than 96 prisoners.

Sec. 511.020. SERIOUS INCIDENTS REPORT. (a) On or before the fifth day of each month, the sheriff of each county shall report to the commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail:

- (1) a suicide;
- (2) an attempted suicide;
- (3) a death;
- (4) a serious bodily injury, as that term is defined by

Section 1.07, Penal Code;

- (5) an assault;
- (6) an escape;
- (7) a sexual assault; and
- (8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code.

(b) The commission shall prescribe a form for the report required by Subsection (a).

(c) The information required to be reported under Subsection (a)(8) may not include the name or other identifying information of a county jailer or jail employee.

(d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552.

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other

than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible.

(b) The commission shall adopt any rules necessary relating to the appointment of a law enforcement agency under Subsection

(a), including rules relating to cooperation between law enforcement agencies and to procedures for handling evidence.

SECTION 3.08. The changes in law made by this article to Article 17.032, Code of Criminal Procedure, apply only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of executed, and the former law is continued in effect for that purpose.

SECTION 3.09. Not later than January 1, 2018, the Commission on Jail Standards shall:

(1) adopt the rules and procedures required by Section 511.009(d), Government Code, as added by this article, and the rules required by Section 511.021(b), Government Code, as added by this article; and

(2) prescribe the form required by Section 511.020(b), Government Code, as added by this article.

SECTION 3.10. Not later than September 1, 2018, the Commission on Jail Standards shall adopt the rules and procedures required by Section 511.009(a)(23), Government Code, as added by this article. On and after September 1, 2020, a county jail shall comply with any rule or procedure adopted by the Commission on Jail Standards under that subdivision.

SECTION 3.11. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to non-substantive additions to and corrections in enacted codes.

ARTICLE 4. PEACE OFFICER AND COUNTY JAILER TRAINING

SECTION 4.01. Chapter 511, Government Code, is amended by adding Section 511.00905 to read as follows:

Sec. 511.00905. JAIL ADMINISTRATOR POSITION; EXAMINATION REQUIRED. (a) The Texas Commission on Law Enforcement shall develop and the commission shall approve an examination for a person assigned to the jail administrator position overseeing a county jail.

(b) The commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination.

(c) The sheriff of a county shall perform the duties of the jail administrator position at any time there is not a person available who satisfies the examination requirements of this

section.

(d) A person other than a sheriff may not serve in the jail administrator position of a county jail unless the person satisfies the examination requirement of this section.

SECTION 4.02. Section 1701.253, Occupations Code, is amended by amending Subsection (j) and adding Subsection (n) to read as follows: commission shall require an officer to complete a 40-hour statewide education and training program on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments. An officer shall complete the program not later than the second anniversary of the date the officer is licensed under this chapter or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. An officer may not satisfy the requirements of this subsection [section] or Section 1701.402(g) by taking an online course on de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments.

(n) As part of the minimum curriculum requirements, the commission shall require an officer to complete a statewide education and training program on de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury.

SECTION 4.03. Section 1701.310(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Subsection (e), a person may not be appointed as a county jailer, except on a temporary basis, unless the person has satisfactorily completed a preparatory training program, as required by the commission, in the operation of a county jail at a school operated or licensed by the commission. The training program must consist of at least eight hours of mental health training approved by the commission and the Commission on Jail Standards.

SECTION 4.04. Section 1701.352(b), Occupations Code, is amended to read as follows:

(b) The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

- (1) topics selected by the agency; and
- (2) for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:
 - (A) civil rights, racial sensitivity, and cultural diversity;
 - (B) de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments; [and]
 - (C) de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and
 - (D) unless determined by the agency head to be inconsistent with the officer's assigned duties:
 - (i) the recognition and documentation of cases that involve child abuse or neglect, family violence, and sexual assault; and
 - (ii) issues concerning sex offender characteristics.

SECTION 4.05. Section 1701.402, Occupations Code, is amended by adding Subsection (n) to read

as follows:

(n) As a requirement for an intermediate proficiency certificate or an advanced proficiency certificate, an officer must complete the education and training program regarding de-escalation techniques to facilitate interaction with members of the public established by the commission under Section 1701.253(n).

SECTION 4.06. Not later than March 1, 2018, the Texas Commission on Law Enforcement shall develop and the Commission on Jail Standards shall approve the examination required by Section 511.00905, Government Code, as added by this article.

SECTION 4.07. (a) Not later than March 1, 2018, the Texas Commission on Law Enforcement shall establish or modify training programs as necessary to comply with Section 1701.253, Occupations Code, as amended by this article.

(b) The minimum curriculum requirements under Section 1701.253(j), Occupations Code, as amended by this article, apply only to a peace officer who first begins to satisfy those requirements on or after April 1, 2018.

SECTION 4.08. (a) Section 1701.310, Occupations Code, as amended by this article, takes effect January 1, 2018.

(b) A person in the position of county jailer on September 1, 2017, must comply with Section 1701.310(a), Occupations Code, as amended by this article, not later than August 31, 2021.

ARTICLE 5. MOTOR VEHICLE STOPS, RACIAL PROFILING, AND ISSUANCE OF CITATIONS

SECTION 5.01. Article 2.132, Code of Criminal Procedure, is amended by amending Subsections (b) and (d) and adding Subsection (h) to read as follows:

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's compliment and complaint process, including providing the telephone number, mailing address, and e-mail address to make a compliment or complaint with respect to each ticket, citation, or warning issued by a peace officer;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a ticket, citation, or warning is issued and to arrests made as a result of those stops, including information

relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; [and]
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
- (D) whether the peace officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop;
- (E) the location of the stop; and
- (F) the reason for the stop; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

- (A) the Texas Commission on Law Enforcement; and
- (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

(d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle stops. The agency also shall examine the feasibility of equipping each peace officer who regularly detains or stops motor vehicles with a body worn camera, as that term is defined by Section 1701.651, Occupations Code. If a law enforcement agency installs video or audio equipment or equips peace officers with body worn cameras as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(h) A law enforcement agency shall review the data collected under Subsection (b)(6) to identify any improvements the agency could make in its practices and policies regarding motor vehicle stops.

SECTION 5.02. Article 2.133, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

- (A) the person's gender; and
- (B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

(2) the initial reason for the stop;

(3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;

(4) whether any contraband or other evidence was discovered in the course of the search

and a description of the contraband or evidence;

(5) the reason for the search, including whether:

(A) any contraband or other evidence was in plain view;

(B) any probable cause or reasonable suspicion existed to perform the search; or

(C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;

(6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;

(7) the street address or approximate location of the stop; [and]

(8) whether the officer issued a verbal or written warning or a ticket or citation as a result of the stop; and

(9) whether the officer used physical force that resulted in bodily injury, as that term is defined by Section 1.07, Penal Code, during the stop.

(c) The chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is responsible for auditing reports under Subsection (b)

to ensure that the race or ethnicity of the person operating the motor vehicle is being reported.

SECTION 5.03. Article 2.134(c), Code of Criminal Procedure, is amended to read as follows:

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; [and]

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(C) evaluate and compare the number of searches resulting from motor vehicle stops within the applicable jurisdiction and whether contraband or other evidence was discovered in the course of those searches; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

SECTION 5.04. Article 2.137, Code of Criminal Procedure, is amended to read as follows:

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT. (a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship,

available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)]. The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment in law enforcement motor vehicles and motorcycles or equipping peace officers with body worn cameras [as described by Article 2.135(a)(1)(A)], the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has taken the necessary actions to use and is using [installed] video and audio equipment and body worn cameras for those purposes [as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1)].

SECTION 5.05. Article 2.1385(a), Code of Criminal Procedure, is amended to read as follows:

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in an [the] amount not to exceed \$5,000 [of \$1,000] for each violation. The attorney general may sue to collect a civil penalty under this subsection.

SECTION 5.06. Article 2.135, Code of Criminal Procedure, is repealed.

SECTION 5.07. Articles 2.132 and 2.134, Code of Criminal Procedure, as amended by this article, apply only to a report covering a calendar year beginning on or after January 1, 2018.

SECTION 5.08. Not later than September 1, 2018, the Texas Commission on Law Enforcement shall:

(1) evaluate and change the guidelines for compiling and reporting information required under Article 2.134, Code of Criminal Procedure, as amended by this article, to enable the guidelines to better withstand academic scrutiny; and

(2) make accessible online:

(A) a downloadable format of any information submitted under Article 2.134(b), Code of Criminal

Procedure, that is not exempt from public disclosure under Chapter 552, Government Code; and
(B) a glossary of terms relating to the information to make the information readily understandable to the public. This Act takes effect September 1, 2017.

Senate Speaker of the House

President of the

I hereby certify that S.B. No. 1849 passed the Senate on May 11, 2017, by the following vote:
Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1849 passed the House on May 20, 2017, by the following vote:
Yeas 137, Nays 0, one present not voting.

ARTICLE 6. EFFECTIVE DATE

SECTION 6.01. Except as otherwise provided by this Act,

Approved:

Date

Governor

Chief Clerk of the House

**BASTROP
POLICE DEPARTMENT
RACIAL PROFILING POLICY**

CITY OF BASTROP POLICE DEPARTMENT

Item 4E.

Policy 2.2 Biased Based Policing

Effective Date: 08.01.2023 Replaces 02.15.2017

APPROVED: *V* Vicky Steffanic Chief of Police

REFERENCE: TBP 2.01



I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, national origin, ethnicity, age, or religion. All people carry biases: in law enforcement, however, the failure to control our biases can lead to illegal arrests, searches, and detentions, thus thwarting the mission of our department. Most importantly, actions guided by bias destroy the trust and respect essential for our mission to succeed. We live and work in communities very diverse in population: respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions, particularly stops of individuals (for traffic and other purposes), investigative detentions, arrests, searches and seizures of persons or property, shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions which support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. Officers shall base all such actions on a reasonable suspicion that the person or an occupant of a vehicle committed an offense.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

II. PURPOSE

The purpose of this order is to provide general guidance on red the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this order. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- i. Bias:
Prejudice or partiality which may be based on preconceived ideas, a person's upbringing, culture, experience, or education.
- ii. Biased Policing:
Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- iii. Ethnicity:
A cluster of characteristics which may include race but also cultural characteristics or traits which are shared by a group with a common experience or history.
- iv. Gender:
Refers to the socially constructed differences between men and women, as distinct from "sex", which refers to their biological differences.
- v. Probable Cause:
Facts or apparent facts and circumstances within an officer's knowledge and of which the officer had reasonable, trustworthy information to lead a reasonable person to believe that an offense has been or is being committed, and that the suspect has committed it.
- vi. Race:
A category of people of a particular descent, including Caucasian, African, Hispanic, Asian, or Native American descent. As distinct from ethnicity, race only refers to physical characteristics sufficiently distinctive to group people under a classification.
- vii. Racial Profiling:
A law-enforcement initiated action based on an individual's race, ethnicity, religion, or national origin rather than on

the individual's behavior or on information identifying individual as having engaged in criminal activity.

viii. Reasonable Suspicion:

Articulable, objective facts which lead an experienced officer to suspect that a person has committed, is committing, or maybe about to commit a crime. A well-founded suspicion is based on the totality of the circumstances and does not exist unless it can be articulated. Reasonable suspicion supports a stop of a person. Courts require that stops based on reasonable suspicion be "objectively reasonable."

ix. Sex:

A biological classification, male or female, based on physical and genetic characteristics.

x. Stop:

The detention of a subject for a brief period of time, based on reasonable suspicion. A stop is an investigative detention.

IV. PROCEDURES

A. General Responsibilities

- i. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes. (TBP: 2.01)
- ii. Reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall only be subjected to stops, seizures, or detention upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
- iii. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
 - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.

- b. Officers shall not use the refusal or lack of cooperation to justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.
- iv. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible and shall actively provide referrals to other appropriate agencies.
 - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaints process and shall give copies of "How to Make a Complaint" when appropriate. This information can be found on the department website or by coming to the police department.
- v. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety. When concluding an encounter, personnel may thank him or her for cooperating.
- vi. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
- vii. All personnel are accountable for their actions. Personnel shall justify their actions when required.

B. Supervisory Responsibilities

- i. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.
- ii. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
- iii. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement

of the laws, and shall ensure that personnel, by their act maintain the community's trust in law enforcement.

- iv. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement but increases safety risks to personnel. Lack of control over bias also exposes the department to liability consequences. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
- v. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
- vi. Supervisors shall facilitate the filing of any complaints about law enforcement service.

C. Disciplinary Consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

Officers shall complete all training required by state law regarding bias-based profiling.

V. COMPLAINTS

- A. The department shall publish "How to Make a Complaint" folders and make them available at the police department. The department's complaint process and its bias based profiling policy will be posted on the department's website. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.
- B. Complaints alleging incidents of bias based profiling will be fully investigated as described under Policy 2.4.
- C. Complainants will be notified of the results of the investigations when such an investigation is completed.

VI. RECORD KEEPING

- A. The department will maintain all required records on traffic stops where a citation is issued or where an arrest is made subsequent to a traffic stop pursuant to state law.
- B. The information collected above will be reported to the city council annually.

C. The information will also be reported to TCOLE in the required
format.

Item 4E.



For additional questions regarding the information presented in this report, please contact:

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STAFF REPORT

MEETING DATE: February 24, 2026

TITLE:

Consider action to approve Resolution No. R-2026-31 approving the City of Bastrop Purchasing Policy with a State mandated revision, which is attached as Exhibit A.

AGENDA ITEM SUBMITTED BY:

Submitted by: Judy Sandroussi, Finance Director

BACKGROUND/HISTORY:

Effective September 1, 2025, the competitive procurement threshold in Texas doubled from \$50,000 to \$100,000 because the Texas Legislature passed a law updating state procurement rules to reflect current economic conditions and give local governments more flexibility.

Reasons why the threshold increased:

1. The old \$50,000 threshold was outdated
 - That amount was set many years ago and hadn't been updated to account for inflation or the rising costs of goods and services. Local governments argued that what once was a significant purchase now often falls below the level where a full competitive process made sense.
2. Rising costs made procurement inefficient
 - Requiring fully competitive sealed bids (or RFPs) for every purchase over \$50,000 could slow down routine purchases and add administrative work — even for relatively modest buys like vehicles, equipment, or services that now cost more than they did two decades ago.
3. New state law reflects that reality
 - Senate Bill 1173 (effective *September 1, 2025*) amended the relevant sections of the Texas Local Government Code and other codes to raise the competitive-bidding threshold to \$100,000 for municipalities, counties, school districts, and similar political subdivisions.
4. The goal was to streamline purchasing
 - Supporters of the change said it will allow local governments to procure goods and services more quickly and with less paperwork, reduce administrative costs, and allow staff to focus on competitive bidding on truly larger contracts.

The increase from \$50,000 to \$100,000 wasn't arbitrary — it was a statutory update passed by the Texas Legislature to modernize procurement rules in light of inflation and current purchasing practices, giving local governments more operational flexibility while still requiring competitive processes for larger expenditures.

The City of Bastrop Purchasing Policy was previously adopted on September 23, 2025, as part of the annual budget process. Currently, our Purchasing Policy states the following on page 4:

\$50,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$50,000 must be processed as competitive solicitations (e.g., sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

Thus, we are revising our Purchasing Policy to reflect this state mandate of \$100,000 – see revised section below:

\$100,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$100,000 must be processed as competitive solicitations (e.g., sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Judy Sandroussi, Finance Director, recommends approval of Resolution No. R-2026-31 approving the City of Bastrop Purchasing Policy with a State mandated revision, which is attached as Exhibit A.

ATTACHMENTS:

- Resolution No. R-2026-31
- Purchasing Policy – Exhibit A
- Copy of Texas Government § 252.021

DRAFT



Purchasing Policy

Approved
September 23, 2025

Table of Contents

PURPOSE..... 1

CODE OF ETHICS 1

COMPETITIVE PURCHASING REQUIREMENTS 1

WHO IS AUTHORIZED TO MAKE PURCHASES?2

INSTRUCTIONS FOR SOLICITING BIDS.....2

PURCHASING CONTROL.....2

FLEET PURCHASES.....2

DOLLAR LIMITATIONS3

PERSONAL OR PROFESSIONAL SERVICES4

OTHER EXEMPTIONS.....5

SOLE SOURCE PURCHASES5

CHANGE ORDERS5

MAKING THE PURCHASE.....6

30 DAY ACCOUNTS PAYABLE CYCLE.....6

EMERGENCY PROCEDURES.....6

FEDERAL PROGRAMS7

ASSET CONTROL..... 7

INVENTORY CONTROL7

USE OF PROPERTY7

DISPOSAL OF SURPLUS MATERIALS AND EQUIPMENT/ DONATIONS.....8

LOST PROPERTY9

SECURITY MEASURES9

RESPONSIBILITIES OF PARTIES 9

DEPARTMENT HEADS.....9

SUPERVISORS9

CITY OF BASTROP ACCOUNTS PAYABLE.....10

CITY OF BASTROP ACCOUNTING.....10

PURCHASING CARD PROGRAM 10

PURPOSE.....10

ELIGIBILITY.....10

USAGE.....10

DUTIES AND RESPONSIBILITIES11

PURCHASING CARD PROVIDER12

TRANSACTION/CARD LIMITS12

SALES TAX.....12

RETURNS..... 13

RESTRICTIONS AND EXEMPTIONS..... 13

OBTAINING A PURCHASING CARD 14

REVOCAION OF THE PURCHASING CARD 14

PAYMENT OF FUNDS..... 14

PURPOSE..... 14

ROLES AND RESPONSIBILITIES 14

TYPES OF PAYMENT REQUESTS..... 15

FORMS OF PAYMENT 15

ANNUAL REVIEW AND REPORTING 15

GLOSSARY OF PURCHASING TERMS..... 16

PURPOSE

It is the policy of the City of Bastrop that all purchasing shall be conducted strictly based on economic and business merit. This policy is intended to promote the best interest of the citizens of the City of Bastrop, Texas.

The City of Bastrop intends to maintain a cost-effective purchasing system conforming to good management practices. The establishment and maintenance of a good purchasing system is possible only through cooperative effort. It must be backed by proper attitudes and cooperation of not only every Department Director and Official, but also every Supervisor and Employee of the City of Bastrop.

The purchasing process is not instantaneous. Time is required to complete the steps required by State law. In order to accomplish timely purchasing of products and services, at the least cost to the City of Bastrop, all departments must cooperate fully. Prior planning and the timely submission of requisitions are essential to expedite the purchasing process and to assure that the process is orderly and lawful.

This Policy reaffirms the City of Bastrop's commitment to strengthen purchasing and property controls to reasonably assure that assets are received and retained in the custody of the City of Bastrop.

CODE OF ETHICS

It is important to remember that when employees are participating in the purchasing process, they represent the City of Bastrop. By participating in the purchasing process, employees of the City of Bastrop agree to:

- a. Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
- b. Demonstrate loyalty to the City of Bastrop by diligently following the lawful instructions of the employer, using reasonable care, and only authority granted.
- c. Refrain from any private business or professional activity that would create a conflict between personal interests and the interest of the City of Bastrop.
- d. Refrain from soliciting or accepting money, loans, credits, or prejudicial discounts, and the acceptance of gifts, entertainment, favors, or services from present or potential suppliers that might influence or appear to influence purchasing decisions.
- e. Handle confidential or proprietary information belonging to employer or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.
- f. Promote positive supplier relationships through courtesy and impartiality in all phases of the purchasing cycle.
- g. Expose corruption and fraud wherever discovered.
- h. Texas Law prohibits component purchasing, separate purchasing and sequential purchasing of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.
- i. Adherence to the City's Ethics Ordinance is mandatory. If there is a conflict between the two Ethics policies, the stricter of the two would apply.

COMPETITIVE PURCHASING REQUIREMENTS

The City of Bastrop policy requires three quotes for purchases over \$3,000. The only exceptions to this rule are for items purchased under a cooperative contract, sealed bid award, sole source purchases or

purchases for an emergency.

Under no circumstances shall multiple requisitions be used in combination to avoid otherwise applicable bidding requirements or City Council approval.

WHO IS AUTHORIZED TO MAKE PURCHASES?

Purchases will only be processed if authorized by a Department Head or approved representative in an employee's direct chain of command.

INSTRUCTIONS FOR SOLICITING BIDS

When soliciting bids, City of Bastrop buyers must follow the steps below:

1. Give the same exact specifications to each vendor.
2. Give each bidder same deadline for turning in bids.

City of Bastrop buyers must inform vendors that bids submitted are all inclusive. Any charges for freight and handling, fuel fees or other costs must be included in the bid. To obtain contract status, the Department Head is responsible for first adhering to the procurement requirements stated below. City Manager approval or his designee is required.

PURCHASING CONTROL

Authorization levels established within the ERP system for appropriations previously approved by the City Council are as follows:

- Directors' or their designee not to exceed \$9,999.99
- Chief Financial Officer or designee up to \$14,999.99
- City Manager or designee approving purchases exceeding \$15,000.00

All purchases requiring a purchasing summary must have an approved purchase order before placing the order.

FLEET PURCHASES

The Finance Department will create a Fleet Appropriations List at the beginning of every fiscal year based on the adopted budget. A unit number will be assigned to each vehicle and equipment included on this list. This list will be distributed to each department with vehicles and equipment on the list.

Each department will complete and submit their purchasing summaries to the Finance Department, which should include the unit number assigned, as close to October 1st as possible. The purchasing summaries will be checked against the Fleet Appropriations List and reviewed for accuracy and completeness. Once reviewed by the Finance Department, the summaries will go to the City Manager for approval.

Upon approval by the City Manager, a purchase order will be created and authorized by the Finance Department for each approved purchasing summary. At the time of issuance of the purchase order, budgeted funds will be encumbered to prevent the funds from being reallocated.

Approved purchase orders will be sent to each department with authorized vehicles and equipment on

the Fleet Appropriations List. Once the department has received the approved purchase order, fleet orders can be placed with the selected vendor.

DOLLAR LIMITATIONS

The following dollar limitations should be used as a guideline. These limitations may not apply in all cases. Dollar limitations pertain to total purchase or invoice total not per single item cost. It is the Department Directors responsibility to ensure Purchasing policies are being adhered to.

\$0.01-\$3,000: Purchases of non-contract goods or services totaling \$3,000 or less require no quotation but are recommended.

If invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year, the city will require the standards of \$3,001 to \$49,999 for purchasing to apply. As clearly identified in the Code of Ethics item h. Texas Law prohibits component purchasing, separate purchasing and sequential purchasing of any kind. An employee commits an offense by intentionally or knowingly making or authorizing component, separate or sequential purchasing to avoid the competitive bidding requirements.

Note that an employee does not commit an offense by making or authorizing component, separate, or sequential purchasing to address unexpected circumstances (such as unanticipated repairs) rather than to avoid competitive bidding requirements. Accordingly, if invoices for a single service contractor combine to total greater than \$3,000 in a fiscal year due to unexpected circumstances (and not to avoid competitive bidding requirements), the standards that apply to purchase totaling \$3,001 to \$49,999 will not apply.

If you have questions about which standards apply, contact the Finance Department.

\$3,001-\$49,999: Except where otherwise exempted by applicable State law, purchases totaling \$3,001 to \$49,999 require three (3) written quotes attached to a Purchasing Summary Form and a purchase order provided to the Finance Department.

No purchase orders of non-contract goods or services will be issued in excess of \$15,000 without City Manager or his designee prior approval.

If the lowest responsible quote is not selected, an explanation should be provided on the Purchasing Summary Form and approval by the City Manager will be required, no matter the dollar amount. Only the City Manager or his designee may determine "Best Value". The City Manager may elect to accept less than three quotes from a Director if due diligence has been documented by the Director in trying to adhere to the purchasing policy. A memo will be required from the Director providing a reason for their inability to obtain three written quotes and the scope of services being provided if applicable. It must be approved and signed by the City Manager and attached to each Purchasing Summary Form and purchase order provided to the Finance Department.

According to State Law, two (2) Historically Underutilized Businesses (HUBs) are to be contacted on a rotating basis. HUB vendors are obtained from the Texas Comptroller of Public Accounts website. If the list fails to identify a historically underutilized business in the county in which the municipality is situated, the municipality is exempt.

If purchasing through a cooperative purchasing alternative, i.e., BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a Purchasing Summary Form and a purchase order. Any vendor specific contracts should be on file with

the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to ensure the cooperative information is on file with the Finance Department.

\$100,000+: Except as otherwise exempted by applicable State law, requisitions for item(s) whose aggregate total cost is more than \$100,000 must be processed as competitive solicitations (e.g., sealed bids, request for proposals, and request for offers). Texas Local Government Code, Subchapter B, Section 252.021 defines the requirements for competitive bids.

The Code requires that sealed bids and request for proposals (RFP) are advertised in a local newspaper for two consecutive weeks prior to the bid opening. All bids must be received sealed and turned in to the City Secretary's Office by the date and time listed in the bid. Any bids received after the stated time will be returned unopened. The bid opening process is open to the public and all vendors that respond to the specific are invited to attend. Questions concerning pricing will not be addressed at the opening. Contracts for services require Errors & Omissions coverage.

If purchasing through a cooperative purchasing alternative, i.e., BuyBoard, DIR, TXMAS provide only one (1) written quote; proof or identification that the quote is from a cooperative source, complete a Purchasing Summary Form and a purchase order. All cooperative vendor specific contracts should be on file with the Finance Department prior to final approval being given if applicable. It is the Department Director's responsibility to ensure the cooperative information is on file with the Finance Department. City Manager written approval is required.

Rental Agreement: Vendors who provide rental items to the city are required to carry insurance. The type and amounts of insurance required vary based on the item rented. The Chief Financial Officer must review all rental contracts before the contract is awarded.

PERSONAL OR PROFESSIONAL SERVICES

Under the Professional Services Procurement Act, a contract for the purchase of a personal or professional service is exempt from competitive bidding requirements. The City also provides exemption for the purchasing of planning services.

The City may not select providers of professional services based on competitive bids. In these situations, the City must make the selection and award based on demonstrated competence and qualifications for performing the services for a fair and reasonable price.

Professional services may include:

- Accounting
- Architecture
- Landscape architecture
- Land surveying
- Medicine
- Optometry
- Engineering
- Real estate appraisal
- Nursing

According to the Texas Attorney General's Office professional services may include "*members of disciplines requiring special knowledge or attainment and a high order of learning, skill and intelligence.*"

OTHER EXEMPTIONS

State law authorizes other categories of exempt purchases. Purchases from other governments, some auctions and going-out-of-business sales, and other purchases are exempt under provisions of the Local Government Code and Vernon’s Statutes.

The following is a list of other areas that are exempt from competitive bidding requirements:

1. Land or right-of-way
2. Items that can be obtained from only one source, including:
 - a. items for which competition is precluded because of the existence of patents, copyrights, secret processes or monopolies;
 - b. films, manuscripts or books;
 - c. electric power, gas, water, and other utility services; and
 - d. captive replacement parts or components for equipment;
3. Food
4. Personal property sold:
 - a. at an auction by a state licensed auctioneer;
 - b. at a going-out-of-business sale; or
 - c. by a political subdivision of the state, a state agency, or an entity of the federal government
5. Any work performed and paid for by the day is exempt from the competitive bidding process.
6. Work performed under a contract for community and economic development made by a county designed to reasonably increase participation by historically underutilized businesses in public contract awards by establishing a contract percentage goal for HUB businesses.

SOLE SOURCE PURCHASES

Sole Source purchases must be approved by the City Manager before purchasing. These conditions occur when the purchase involves compatibility of equipment, accessories, or replacement parts or when the goods or services is a one-of-a kind or protected by a patent, copyright, secret process. The product is only available from a regulated or natural monopoly. The product is a component or repair part that may only be purchased from the original supplier. The following items are necessary to provide sufficient justification for sole source purchase:

1. A memorandum to the City Manager with a statement must be attached to the Purchasing Summary Form that says enough vendors have been contacted to determine that only one practical source of supply exists or states the reasons only one source exists. This memorandum should include the City Manager’s signature signifying his approval.
2. A bid from the sole source provider on company letterhead.
3. A letter from the vendor stating they are the sole supplier of the good.

A Purchasing Summary Form and purchase order is still required with the above information attached.

CHANGE ORDERS

According to purchasing law, the City of Bastrop may make changes to plans, specifications, or quantities after award of the contract, if necessary. However, no increase may exceed 25% of the original contract amount and any decrease of 25% or more must have the consent of the contractor.

Increases that cause a change in dollar limitations or purchasing law may supersede the 25% rule:

Example: If a contract is awarded for \$45,000, the allowable increase under the 25% rule would be \$11,250. However, this would cause the new price to exceed \$100,000, which by State law requires sealed bids and advertising. Increase would be limited.

Any change in a purchasing contract that exceeds 25% of the original amount will void the original contract.

MAKING THE PURCHASE

City of Bastrop buyers are responsible for making sure that the purchased good or service is received as specified. Under no circumstance should a buyer accept more goods or services than ordered. Employees are only authorized to purchase items that have been approved by their Department Head. A purchase over the original amount requires additional approval.

30 DAY ACCOUNTS PAYABLE CYCLE

Texas law requires municipalities to pay invoices within 30 days or be subject to the payment of interest. It is the responsibility of each department to make sure the signed invoices, purchase orders and any other required paperwork is submitted to the Finance Department as soon as the product is received, or service rendered.

It is the responsibility of Accounts Payable to pay all vendor invoices within 30 days of the date the services or products are received. If the invoice date is different from the service/product receipt date, the department will need to note on the invoice the date of receipt of the product or service. Any Variance between the purchase order and the vendor invoice must be reconciled and documented on the purchase order. Vendor payments can only be made for the original or modified purchase order amount.

EMERGENCY PROCEDURES

Valid emergencies are those that occur because of the breakdown of equipment which must be kept in operation to maintain the public's safety or health, or whose breakdown would result in the disruption of City operations. It is required to get City Manager or his designee approval on any emergency purchases.

The Legislature exempted certain items from sealed bidding in the ***Texas Local Government Code Section 252.022(a)***, including, but not limited to:

1. A procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;
2. A procurement necessary to preserve or protect the public health or safety of the municipality's residents;
3. Procurement necessary because of unforeseen damage to public machinery, equipment, or other property.

The following steps must be taken when making emergency purchases:

1. Employee must receive approval from the City Manager or his designee.
2. Employee will make every effort to solicit bids unless circumstances prevent employee from

doing so.

3. A written statement concerning the emergency must be provided following the incident to provide necessary documentation in Accounts Payable and must include the City Managers signature or his designees.

FEDERAL PROGRAMS

The City of Bastrop has adopted **Federal 2 CFR 200.318 - 200.326 and Appendix II to Part 200** for Federal Programs to ensure City procures materials and services in an efficient and economical manner that follows the applicable provisions of federal, state and local laws and executive orders. Federal 2 CFR 200 section 318 to 326 cover the following regulations:

200.318 – General Procurement Standards

200.319 – Competition

200.320 – Methods of Procurement to be followed

200.321 – Contracting with Small & Minority businesses, women business enterprises & labor surplus area firms

200.322 – Procurement of Recovered Materials

200.323 – Contract Cost & Price

200.324 – Federal awarding agency or pass-through entity review

200.325 – Bonding requirements

200.326 – Contract Provisions

ASSET CONTROL

INVENTORY CONTROL

The purpose of inventory control is to create and maintain a record/inventory of all fixed assets of the City of Bastrop. Fixed assets include all items over \$5,000 with a life expectancy of two (2) or more years. “Minor Capital Outlay” items must also be inventoried. These items will include assets purchased for \$1,000 to \$4,999.

When a fixed asset is received by the city, it is tagged with a City of Bastrop property tag (if feasible) and added to the Departments master list. A new asset form should be completed, signed, and provided to the Finance Department.

Each Department shall keep an inventory list of all fixed assets permanently assigned to an employee.

A wall-to-wall inventory of all fixed assets shall be performed every year or as deemed necessary. It is recommended that Departments perform an annual fixed assets inventory of equipment permanently assigned to employees.

USE OF PROPERTY

City of Bastrop employees should be aware that the use of City property for personal gain is strictly prohibited. City vehicles should only be used for official City business. City Personnel Policies list theft and unauthorized use of City property as grounds for immediate dismissal.

In addition, employees are not to use personal property for the performance of their job or at their work site. Personal items such as radios, coffee pots, picture frame, books, etc. is permissible: however, the City of Bastrop is not responsible for damage to or theft of these items.

DISPOSAL OF SURPLUS MATERIALS AND EQUIPMENT/ DONATIONS

City surplus materials and equipment (a/k/a 'surplus items') includes any City owned personal property such as furniture, fixtures, equipment, computers, vehicles, tools, clothing, or other such items, which have lost useful value to the City, have become non-functional or are obsolete. Such surplus items may be disposed of by one of the following methods:

- Sold competitively, by accepting sealed bids or by public auction;
- Traded in for acquisition of new equipment;
- Donated by the City to a recognized charitable organization;
- Provided to other governmental entities (donation or exchange).
- Sold as 'scrap' (for cash), if the items have no value except for salvage and the City Manager or his designee has authorized the sale for scrap; or
- Disposed of through solid waste collection services if the item has no salvage or other value and the City Manager or his designee has authorized such disposal.

Trade-In or Donation: Before trading-in and/or donating surplus items, the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department stating: 1) the identity of the surplus items to be disposed of, traded-in or donated, 2) the reasons for the surplus items being declared surplus, 3) the original purchase price (if ascertainable) of the surplus items, and 4) the value of proposed "trade-in" or "donation", in the estimation of the Department Head. If the Department Head receives approval by City Manager to proceed, the Department Head must coordinate their trading-in and/or donating surplus items with the Finance Department to ensure a Disposed Fixed Asset Form is completed and any other ancillary paperwork.

[Note: All property is owned in the name of the City of Bastrop and is not vested in any specific department.]

Sales: If the surplus items are to be sold, then the Department Head must prepare a memorandum to the City Manager and remit a copy to the Finance Department. The memo should include: 1) the identity of the items to be sold to include year, make, model, and any other identification characteristics, 2) a brief description providing why it is necessary to dispose of the item. The Department Head having received approval to sell a surplus item may then utilize one of the following options: 1) post notice in the local newspaper and/or through an approved on-line auction provider 2) advertise in the local newspaper, 3) request sealed bids, or 4) sell through a public auction, which may take place at a specified location or, by means of an on-line sale.

Preferred Disposition: Whenever reasonably feasible, it is the City's preference that the Department Head dispose of the surplus equipment by means of a public auction or sale held in cooperation with other City departments and surrounding government entities.

Procedures: The City Manager shall have the authority to approve the disposal, sale, trade-in, or donation of surplus items when the value of same is less than \$50,000, in total. If the total value exceeds \$50,001, then the City Manager shall obtain Council approval of the proposed disposal, sale, trade-in, or donation of surplus items.

Once approved by either the City Manager or Council, as appropriate, to document the disposal, sale, trade-in, or donation of surplus items a Disposed Fixed Asset Form must be prepared and submitted to

the Finance Department in addition to providing the license plates for any vehicles or equipment disposed of. The Finance Department manages the change of ownership and the receipt of funds.

City decals must be removed from all surplus City vehicles, machinery, and equipment before disposal, donation, trade-in, or sale.

City employees may participate, on their own time, in public auctions for the purchase of surplus City items.

LOST PROPERTY

After conducting an annual inventory and property is discovered to be lost, an explanation for the lost must be provided immediately to the Department Head using the Fixed Asset Form. Property losses that come to the attention of the employee before the annual inventory should be reported within 24 hours using the Fixed Asset Form.

All thefts are to be reported to a supervisor or Department Head as soon as possible. The City of Bastrop, Police Department must be notified immediately. Stolen fixed asset must be removed from the Master Inventory List and a copy of the police report attached to the Fixed Asset Form.

SECURITY MEASURES

All equipment will be kept in a secure area when not in use. Access to this area will be limited to the employees assigned to the secure area. In case of theft, the security of the area should be evaluated to determine if changes or re-keying of locks should be necessary.

RESPONSIBILITIES OF PARTIES

DEPARTMENT HEADS

1. Monitor and approve overall purchases to ensure that funds are spent judiciously and that budgeted resources are within their control and available for all procurement.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Approve all purchases up to \$9,999 excluding budgeted capital.
4. Adhere to the Purchasing Policies and the Code of Ethics.
5. Place cooperative agreements and Request for Proposals on file with Finance and monitor purchases to ensure that supply agreements are used.
6. Ensure that sole source requests meet the guidelines and include required documentation.
7. Inventory all fixed assets every year.
8. Verify goods and services are received as ordered before approving payment.
9. Annually inventory equipment assigned to employee.
10. Keep records of losses occurring in their areas to detect patterns of theft in one area or individual employee.

SUPERVISORS

1. Maintain security of equipment on-site
2. Keep a log of equipment issued to employees on a long-term basis.
3. Keep a log of equipment issued to employees on a short-term basis.
4. Forward all receipts and invoices to Department Head as soon as possible.
5. Check that equipment and supplies are returned upon termination of an employee.

CITY OF BASTROP ACCOUNTS PAYABLE

1. Pay bills in an accurate and timely manner.
2. Reject requests for purchases that do not have proper authorization or include required documentation.
3. Monitor purchases to ensure that supply agreements are used.
4. Ensure that purchasing policy requirement guidelines are met and required documentation included.

CITY OF BASTROP ACCOUNTING

1. Maintain the master fixed asset property list.
2. Assign inventory tags for fixed assets.
3. Provide Fixed Assets Forms.
4. Produce Master Inventory List as needed.
5. Process fixed asset transfers and retirements.
6. Review, approve and enter all purchase orders for budgeted fleet purchases.

PURCHASING CARD PROGRAM

PURPOSE

The purpose of the Purchasing Card Program is to provide the City with an efficient and controllable method of making small dollar commodity, service, and travel purchases. This program is to be used to procure low-value maintenance, repair, and operational expense items. By using the purchasing card, it will simplify the payment process and take advantage of the rebate program the card provider offers. The City will issue cards via the provider of its choice. This card policy is not intended to replace, but rather supplement existing purchasing, travel, and other City policies. The same restrictions that apply to other methods of purchasing also apply to the purchasing cards.

ELIGIBILITY

Department Directors and Supervisors can make a request to the City Manager for a purchasing card in their name. Department purchasing cards can be issued to each department and be the responsibility of the Department Director or his designee. Criteria for determining which departments should be issued a department card:

- Will the use of a Credit Card enhance productivity?
- Will the use of a Credit Card reduce paperwork?
- Will the Credit Card be utilized regularly for the purchasing of authorized (budgeted) goods, supplies and services?

USAGE

Each card will have a daily and monthly limit. The daily limit on the Department Director cards is set by the City Manager. The Department Directors will provide to the Program Administrator in writing, the limits for Supervisors individual cards. The daily limit for the department cards is \$500. Limits can be

changed on a temporary or permanent basis when warranted and a written request is received by the Program Administrator from the Department Director.

Purchasing Cards may be used for small dollar purchases which do not exceed the daily transaction limit established by the Purchasing Policy and that do not exceed the cards maximum limit.

Acceptable purchases are:

- Maintenance and repair of equipment
- Operational expense items (within the dollar limits stated above)
- Registration Fees
- Travel expenses (must adhere to the Travel Policy)

Purchases made on the purchasing card will be for City business only. The purchasing card is not a personal line of credit and must never be used for personal or private purchases of any nature. When in doubt as to whether a purchase is allowable under the City policy, the Cardholder should either contact the Program Administrator before making the purchase or make payment personally and seek reimbursement from the City afterwards. Please remember that reimbursement for any out-of-pocket purchase made without authorization is subject to the City Manager's approval. Unauthorized purchases or use of the purchasing card in violation of this or any other City policy are prohibited, and purchaser will be subject to disciplinary action.

The Finance Department has a purchasing card with a \$125,000 monthly limit. This card is used solely to pay vendors that allow credit card payments and do not charge a processing fee. The advantage to this additional payment method is to obtain the rebate provided through the purchasing card program.

DUTIES AND RESPONSIBILITIES

A. Cardholder

1. The employee who is issued a card is called a "Cardholder" whether it was issued in their name or just in their custody (i.e. department card). The purchasing card has daily transaction limits as well as a maximum monthly limit.
2. Every transaction made using the purchasing card must have corresponding backup and be entered into the credit card program. All transactions will be reviewed and approved by the appropriate supervisor. All transactions, once reconciled, will be downloaded into the accounting system monthly.
3. Each Cardholder shall use the card only for authorized purchases. A hardcopy itemized receipt must be obtained from the vendor each time the card is used and be signed by the Cardholder and their Supervisor (when applicable).
4. The Cardholder is responsible for immediately notifying the Purchasing Card Provider, their Supervisor, and the Program Administrator if the card is lost or stolen.
5. Each Cardholder must acknowledge receipt of the purchasing card, understand the rules of usage, and sign the Purchasing Cardholder Agreement. Failure to abide by this Purchasing Card Policy may result in disciplinary action, up to and including termination of the employee. The Cardholder will be required to reimburse the City for any unauthorized transaction.
6. Upon resignation or termination of employment of a Cardholder, the Department Director shall notify the Program Administrator immediately, and the card shall be turned in to the Program Administrator.

B. Program Administrator

The Program Administrator is the Chief Financial Officer or their designee. The Program Administrator manages the Purchasing Card Program and has the following responsibilities:

1. Establishing purchasing card accounts and authorized limits
2. Point of contact for any Purchasing Card Program questions
3. Ensure compliance with the Purchasing Card Policy and the Purchasing Policy
4. Reviews all purchasing card transactions monthly
5. Terminating cards as needed

C. Departmental Responsibility

The Department Director determines who will be issued a purchasing card and the daily and monthly limits assigned. The Department Director will also ensure that purchases are authorized and adhere to City policies. Departments may implement more stringent internal authorization procedures that its Cardholders must follow to make purchases with the card. Directors or their designee are responsible for approving receipts and making sure the statements for each card are reconciled and backup uploaded to the credit card program within 15 days of the statement date to facilitate timely approval and processing.

PURCHASING CARD PROVIDER

The Purchasing Card Provider will generate a monthly billing statement at the close of every month. This statement can be obtained online. All Cardholders should receive instructions on how to establish a login to their account. The Cardholder is responsible for reconciling their respective statement, matching each transaction with a receipt as soon as it is received. If a transaction is listed which is not known to the Cardholder, the Cardholder is responsible for immediately notifying the Purchasing Card Provider and the Program Administrator of the disputed charge. It is imperative that each Cardholder promptly process the transactions and for approval by their supervisor

TRANSACTION/CARD LIMITS

Each individual purchasing card will have transaction and/or spending limits. The Chief Financial Officer in coordination with Department Director has the authority to limit types of purchases, places of purchases, and hours of day purchases that can be made on individual cards. The total purchase price as printed on the individual credit card receipt is known as the “transaction amount”. The purchasing card may be limited by the merchant type, transaction amount, and monthly transaction limit. Each Cardholder will be set up with limits for each of these categories and will be made aware of the limits. A card transaction will be denied when swiped if the transaction exceeds any of the limits. The card transaction limits may not exceed those set in the policy guidelines.

SALES TAX

As a tax-exempt government agency, the City of Bastrop does not pay sales tax. Cardholders will be provided a copy of the City’s Tax Exemption Certificate when requested. Cardholders are responsible for ensuring that the merchant does not include sales tax in the transaction, if possible. In the event sales tax is charged, the Cardholder is required to go back to the vendor/merchant to request a refund of the sales tax paid. If a refund is not possible, the Cardholder is required to submit a memorandum monthly to the Finance Department that includes an explanation as to why the sales tax paid cannot be credited along with a copy of the receipts showing the sales tax amount. The Finance Department will deduct the sales tax paid during the monthly sales tax reporting process.

RETURNS

Each Cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the Cardholder's account. **Cash refunds are not allowed.**

RESTRICTIONS AND EXEMPTIONS

A. Employees may **not** use the card for the following:

1. Any purchases of items for personal use.
2. Cash refunds or advances.
3. Any purchase of goods/services or from a merchant type not considered prudent or of good judgment.
4. No purchases are to be processed through the employee's personal account online. You must establish a City account to process the purchase.
5. Any transaction amount greater than the Cardholder's transaction limit.
6. Items under contract unless an emergency exception is granted.
7. Alcohol or liquor of any kind. Patronization of bars, drinking places, and package stores must not be paid for with the purchasing card.
8. Separate, sequential, and component purchases or any transaction made with intent to circumvent the City Purchasing Policy or state law.
9. Any transaction that may cause or be perceived to cause damage to the City of Bastrop's reputation and goodwill, and/or reflect poorly on the ethical and moral decision-making of the Cardholder, staff, and elected officials.
10. Any other purchase specifically excluded in the City's Purchasing Policy.

B. Documentation

Supporting documentation must accompany each transaction including an itemized receipt signed by the Cardholder and Supervisor, when applicable. If a receipt is not obtained, a memo explaining the purchase must accompany the card statement.

C. Personal Use Restrictions

The card may not be used to pay spouse/family expense incurred while traveling. Only City business expenses are allowable, and the Cardholder must pay personal expenses separately.

OBTAINING A PURCHASING CARD

A. Steps:

1. Department Director submits in writing requests for a purchasing card and determines the appropriate daily and monthly transaction limits.
2. The Program Administrator will request the Purchasing Card Provider to issue a purchasing card with these established limits.

Upon receipt of the purchasing card, the Program Administrator will have the Cardholder review and sign the Purchasing Cardholder Agreement.

3. The new Cardholder receives copies of:
 - a) Purchasing Cardholder Agreement
 - b) Purchasing Card Policy
 - c) Purchasing Policy
 - d) Travel Policy

REVOCAION OF THE PURCHASING CARD

The purchasing card is subject to revocation at any time at the discretion of the Department Director or Chief Financial Officer. When a card is revoked, changes are made online and take effect immediately. The Program Administrator is further authorized to temporarily suspend use of the card via electronic methods if unauthorized use is discovered and such use poses a threat to internal financial controls.

PAYMENT OF FUNDS

PURPOSE

The Finance Department, under the direction of the Chief Financial Officer, is responsible for overseeing the payment process for the city, including oversight of appropriate payment methods, the approval process, and disbursement controls. This policy provides guidance governing all disbursements of city funds, except those for salaries and wages, and the appropriate usage of various payment methods. This policy establishes the Chief Financial Officer as the designated officer as required by Texas Local Government Code Section 105 to direct all payment of funds.

ROLES AND RESPONSIBILITIES

The finance department's accounts payable staff oversees the city disbursement process to ensure that only authorized disbursements are made, and that the disbursement process is efficient.

The Chief Financial Officer is responsible for working with accounts payable staff to develop and maintain adequate internal controls in the disbursement process, and to assess risks and review quality assurance standards. All disbursement documents are reviewed by the Chief Financial Officer or their designee prior to processing the disbursement to verify proper authorization of complete documentation is included.

The department heads are responsible for ensuring that the disbursement transactions are properly authorized, verifies that the transaction meets the conditions of this purchasing policy, is appropriate with the department's approved annual budget, and is allowable within the applicable funding source

restrictions.

The accounts payable staff will process only those transactions bearing appropriate departmental authorization and secondary authorization if required based on the approval limits stated in this purchasing policy.

TYPES OF PAYMENT REQUESTS

Invoices – It is the responsibility of the departments to submit invoices to accounts payable as quickly as possible and to expedite any other steps necessary to process invoices for payment. Vendor statements or quotes are not considered appropriate supporting documentation for purchases, and the city will not pay from such documents. It is expected that the purchaser of goods and services will always perform a receiving function, confirming that the goods and/or services ordered were received in accordance with the order. Department approval of invoices constitutes confirmation of receipt of goods and services.

Check Requests - Check requests may be submitted for payments of non-employees or employee reimbursements and other direct payments that cannot be made using a purchasing card or standard invoice submission. Appropriate supporting documentation must be attached to the check request to be processed.

FORMS OF PAYMENT

The City utilizes various forms of payment methods such as checks, direct deposit, electronic funds transfer (EFT), purchasing card, and wires. There is a two-step authorization process when using the check and EFT methods of payment, using secure signatures (electronic signatures) the employee processing the payments must enter a code and the Chief Financial Officer or their designee must enter a code. The signatures that appear on the checks must be authorized signers with the bank depository account.

The City encourages the electronic funds transfer payment method for the following reasons: eliminating storage of paper checks, reduce time spent on reconciliation, eliminating the occurrence of lost or stolen checks, reducing security risks, and improving tracking of payments using integrated banking technologies. This also gets the vendor paid much faster than mailing checks.

ANNUAL REVIEW AND REPORTING

These policies will be reviewed administratively by the City Manager at least annually, prior to preparation of the operating budget. The Chief Financial Officer will report to the City Manager on compliance with these policies.

Judy Sandroussi, Finance Director

Sylvia Carrillo, City Manager

History of Purchasing Policy:
Previously Approved 09/23/2014
Previously Approved 10/23/2018
Previously Approved 09/24/2019
Previously Approved 09/08/2020
Previously Approved 08/24/2021
Previously Approved 08/23/2022
Previously Approved 08/23/2023

Previously Approved 07/23/2024
Previously Approved 09/23/2025

GLOSSARY OF PURCHASING TERMS

Component Purchases: Purchases of component parts of an item that in normal purchasing practices would be accomplished by one purchase. (Purchasing parts and assembling a finished product.)

Pecuniary Benefit: Any form of economic gain (money, gifts, etc.).

Fixed Assets: A piece of equipment with a value of \$5,000 or more and a life expectancy of two (2) year or more.

Separate Purchases: Purchases made separately of items that in normal purchasing practices would be accomplished by one consolidated purchase. (Multiple purchase orders of similar items to avoid bidding procedures.)

Sequential Purchases: Purchases, made over a period, of items in normal purchasing practices would be combined and bid as one purchase. (Similar to above but multiple purchases of the same items to avoid bids.)

Vernon's Texas Statutes and Codes Annotated
Local Government Code (Refs & Annos)
Title 8. Acquisition, Sale, or Lease of Property
Subtitle A. Municipal Acquisition, Sale, or Lease of Property
Chapter 252. Purchasing and Contracting Authority of Municipalities (Refs & Annos)
Subchapter B. Competitive Bidding or Competitive Proposals Required (Refs & Annos)

V.T.C.A., Local Government Code § 252.021

§ 252.021. Competitive Requirements for Purchases

Effective: September 1, 2025

[Currentness](#)

(a) Before a municipality may enter into a contract that requires an expenditure of more than \$100,000 from one or more municipal funds, the municipality must:

- (1) comply with the procedure prescribed by this subchapter and Subchapter C for competitive sealed bidding or competitive sealed proposals;
- (2) use the reverse auction procedure, as defined by [Section 2155.062\(d\), Government Code](#), for purchasing; or
- (3) comply with a method described by Chapter 2269, Government Code.

(b) A municipality may use the competitive sealed proposal procedure for the purchase of goods or services, including high technology items and insurance.

(c) The governing body of a municipality that is considering using a method other than competitive sealed bidding must determine before notice is given the method of purchase that provides the best value for the municipality. The governing body may delegate, as appropriate, its authority under this subsection to a designated representative. If the competitive sealed proposals requirement applies to the contract, the municipality shall consider the criteria described by [Section 252.043\(b\)](#) and the discussions conducted under [Section 252.042](#) to determine the best value for the municipality.

(d) This chapter does not apply to the expenditure of municipal funds that are derived from an appropriation, loan, or grant received by a municipality from the federal or state government for conducting a community development program established under Chapter 373 if under the program items are purchased under the request-for-proposal process described by [Section 252.042](#). A municipality using a request-for-proposal process under this subsection shall also comply with the requirements of [Section 252.0215](#).

Credits

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1, § 56(b), eff. Aug. 28, 1989; Acts 1993, 73rd Leg., ch. 749, § 1, eff. Sept. 1, 1993; Acts 1993, 73rd Leg., ch. 757, § 11, eff. Sept. 1, 1993; Acts 1995, 74th

Leg., ch. 45, § 1, eff. May 5, 1995; Acts 1997, 75th Leg., ch. 790, § 1, eff. June 17, 1997; Acts 1999, 76th Leg., ch. 571, § 1, eff. June 18, 1999; Acts 2001, 77th Leg., ch. 115, § 1, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 436, §§ 2, 3, eff. May 28, 2001; Acts 2001, 77th Leg., ch. 1409, § 1, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 217, § 1, eff. June 18, 2003; Acts 2003, 78th Leg., ch. 1276, § 12.003, eff. Sept. 1, 2003; Acts 2007, 80th Leg., ch. 434, § 1, eff. Sept. 1, 2007; Acts 2007, 80th Leg., ch. 1213, § 1, eff. Sept. 1, 2007; Acts 2007, 80th Leg., ch. 1272, §§ 1, 2, eff. Sept. 1, 2007; Acts 2011, 82nd Leg., ch. 1129 (H.B. 628), § 4.01, eff. Sept. 1, 2011; Acts 2013, 83rd Leg., ch. 161 (S.B. 1093), § 22.002(20), eff. Sept. 1, 2013; Acts 2025, 89th Leg., ch. 256 (S.B. 1173), § 3, eff. Sept. 1, 2025.

Notes of Decisions (37)

V. T. C. A., Local Government Code § 252.021, TX LOCAL GOVT § 252.021

Current through the end of the 2025 Regular and Second Called Sessions of the 89th Legislature.

End of Document

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STAFF REPORT

MEETING DATE: February 24, 2026

TITLE:

Consider and act on Resolution No. R-2026-30, approving a Tri-party Agreement for the Ironwood Subdivision, with Bastrop County, the City of Bastrop, WB Bastrop Land, LLC, and W Land Development Management, LLC, clarifying the regulatory authority as it relates to Resolution R-2025-69 and Resolution R-2023-33; as attached in Exhibit A.

STAFF REPRESENTATIVE:

Vivianna Nicole Andres, Assistant to the City Manager

BACKGROUND/HISTORY:

The Ironwood Subdivision is a 289.249-acre mixed-use master-planned community that will be developed as a Municipal Utility District (MUD) and is currently located within the City's extraterritorial jurisdiction (ETJ). The project is subject to a Development Agreement (Resolution No. R-2025-69) that establishes requirements for annexation of the property into the City of Bastrop prior to the formation of the MUD board.

Pursuant to the Interlocal Agreement for Subdivision Plat Regulation in Bastrop County and the City of Bastrop's Extraterritorial Jurisdiction (Resolution No. R-2023-33) (the "1445 Agreement"), the City is required to enter into a tri-party agreement with Bastrop County when executing an agreement with a development that is not yet located within the city limits.

At this time, the developer has requested that the City of Bastrop enter into a tri-party agreement with Bastrop County to allow the developer to proceed with submitting development applications prior to annexation of the property into the city limits. Annexation will occur after approval of the MUD by the Texas Commission on Environmental Quality (TCEQ) and prior to formation of the MUD board, consistent with the Development Agreement.

The City of Bastrop has adopted nine focus areas to guide Council and staff policy decisions. Focus Area #4, "**Manage Growth**," is defined as:

"Plan and manage growth while meeting the needs of the community through responsible and efficient processes for both infill and new development."

Execution of the tri-party agreement will allow the developer to continue advancing the development process while fostering a coordinated and collaborative effort between the City of Bastrop and Bastrop County.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve Resolution No. R-2026-30, approving a Tri-party Agreement for the Ironwood Subdivision, with Bastrop County, the City of Bastrop, WB Bastrop Land, LLC, and W Land Development Management, LLC, clarifying the regulatory authority as it relates to Resolution R-2025-69 and Resolution R-2023-33; as attached in Exhibit A.

ATTACHMENTS:

- Resolution R-2026-30
- Exhibit A – Tri-party Agreement for the Ironwood Subdivision

RESOLUTION NO. R-2026-30

A RESOLUTION OF THE CITY OF BASTROP, TEXAS, APPROVING A TRI-PARTY AGREEMENT FOR THE IRONWOOD SUBDIVISION, WITH BASTROP COUNTY, THE CITY OF BASTROP, WB BASTROP LAND, LLC, AND W LAND DEVELOPMENT MANAGEMENT, LLC; AS ATTACHED IN EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING FOR FINDINGS OF FACT; REPEALER; SEVERABILITY; EFFECTIVE DATE; PROPER NOTICE AND MEETING.

WHEREAS, WB BASTROP LAND, LLC, a Texas limited liability company ("Landowner"), W LAND DEVELOPMENT MANAGEMENT LLC, a Texas limited liability company (the "Developer") are developing approximately 289.249 acres (the "Property") as a mixed-use master planned community (the "Development") in the City's extraterritorial jurisdiction; and

WHEREAS, the City of Bastrop has entered into a Development Agreement (Resolution No. R-2025-69) with WB BASTROP LAND, LLC, a Texas limited liability company ("Landowner"), W LAND DEVELOPMENT MANAGEMENT LLC, a Texas limited liability company (the "Developer"); and

WHEREAS, the City of Bastrop entered into a "Second Amendment to Consent Agreement for The Colony Municipal Utility District No. 1 and Successor Districts to be Created by the Division of the Colony Municipal District No. 1" on November 7, 2017; and

WHEREAS, the Property is intended to be included within the boundaries of a municipal utility district to be known as Bastrop County Municipal Utility District No. 5 (or next available numerical designation); and

WHEREAS, the Parties desire to clarify which entity regulates certain aspects of development within the Development; and

WHEREAS, the Parties acknowledge and agree that the County and the City are parties to that certain Interlocal Agreement for Subdivision Plat Regulation in Bastrop County and the City of Bastrop's Extraterritorial Jurisdiction (Resolution No R-2023-33) (the "1445 Agreement"); and

WHEREAS, the Parties further acknowledge and agree that this Agreement is required pursuant to Section 4.2.2, which requires a tri-party agreement between the City, County, and a subdivision developer, where such subdivision is located within the City's voluntary extraterritorial jurisdiction ("Area V") and is intended to be included within a "Special Utility District", and the Parties agree that this Agreement satisfies such requirement; and

WHEREAS, the Bastrop City Council has determined that the changes recommended are in the best interest of the City and its citizens and should be adopted.

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

- Section 1:** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.
- Section 2:** The City Council approves and authorizes the execution of the Tri-party Agreement for the Ironwood Subdivision attached hereto as **Exhibit "A"**, on behalf of the City.
- Section 3. Repealer:** To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.
- Section 4. Severability:** Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.
- Section 5. Effective Date:** This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, its Code of Ordinances, and the laws of the State of Texas.
- Section 6. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

[Signature Page to Follow]

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas,
on this, the ____ day of February 2026.

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscerello, City Secretary

APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.



**TRI-PARTY AGREEMENT RELATED TO THE
IRONWOOD SUBDIVISION**

THIS TRI-PARTY AGREEMENT (the “Agreement”) is made and entered into by and between THE CITY OF BASTROP, a political subdivision of the State of Texas (the “City”), BASTROP COUNTY, a political subdivision of the State of Texas (the “County”), and WB BASTROP LAND, LLC, a Texas limited liability company (“Landowner”), W LAND DEVELOPMENT MANAGEMENT LLC, a Texas limited liability company (the “Developer”). The City, County, and the Developer may hereinafter collectively be referred to as the “Parties.”

RECITALS

WHEREAS, WB BASTROP LAND, LLC, a Texas limited liability company (“Landowner”), W LAND DEVELOPMENT MANAGEMENT LLC, a Texas limited liability company (the “Developer”) are developing approximately 289.249 acres (the “Property”) as a mixed-use master planned community (the “Development”) in the City’s extraterritorial jurisdiction, but the “Development” also has a current Development Agreement (Resolution No. R-2025-69) in place that provides requirements for annexation of the Property into the city limits of the City of Bastrop.

WHEREAS, the Property is intended to be included within the boundaries of a municipal utility district to be known as Bastrop County Municipal Utility District No. 5 (or next available numerical designation).

WHEREAS, the Parties desire to clarify which entity regulates certain aspects of development within the Development.

Now, therefore, the Parties agree as follows:

ARTICLE ONE

- 1.1 The Parties acknowledge and agree that the County and the City are parties to that certain Interlocal Agreement for Subdivision Plat Regulation in Bastrop County and the City of Bastrop’s Extraterritorial Jurisdiction (Resolution No R-2023-33) (the “1445 Agreement”). The Parties further acknowledge and agree that this Agreement is required pursuant to Section 4.2.2, which requires a tri-party agreement between the City, County, and a subdivision developer, where such subdivision is located within the City’s voluntary extraterritorial jurisdiction (“Area V”) and is intended to be included within a “Special

Utility District”. The Parties agree that this Agreement satisfies such requirement for a tri-party agreement under the 1445 Agreement and governs which development regulations apply to the Development and which Party, the County or the City, has the authority to approve and/or issue subdivisions, plats, plans and permits under such development regulations.

- 1.2 This Agreement applies to all subdivisions, plats, construction plans and specifications, and all building or development permits (including, without limitation, site plans) related to construction within the Development. As between the City and County, the City will review and grant approval of any and all subdivisions, plats, construction plans and specifications, and all building and development permits and such permits will comply with the City’s ordinances and land use regulations, as modified or varied, per the May 7, 2025, Development Agreement (the “Development Agreement”), and any amendments thereto, between the City and Developer. Further, as between the City and the County, the City shall be responsible for the inspection of the construction of improvements permitted pursuant to the foregoing subdivisions, plats, constructions plans and specifications, and all building and development permits. Finally, as between the City and the County, the City shall be responsible for inspecting compliance with, and the Landowner, Developer, or a municipal utility district created over the Property, shall comply with, the City’s ordinances and land use regulations, as modified or varied, per the Development Agreement, and any amendments thereto, relating to payment, performance, and maintenance bonds, and the posting of fiscal security, if applicable.
- 1.3 Notwithstanding the foregoing, the Parties agree that, (i) prior to annexation of the Property into the City’s corporate limits, the County will regulate all development within the floodplain and floodway within the Development, in accordance with the Bastrop County, Texas Flood Damage Prevention Order adopted July 14, 2025 (the “Order”), subject to any changes required by FEMA or federal regulation and will act as the designated FEMA floodplain administrator for all construction within the floodplain and floodway in the Development, as set forth in the Order; and, (ii) following annexation of the Property into the City’s corporate limits, the County shall have no further responsibility to, and the City will, regulate all development within the floodplain and floodway within the Development, in accordance with Article 3.17, Bastrop Code of Ordinances, as the designated FEMA

floodplain administrator for all construction within the floodplain and floodway in the Development. Prior to such annexation, County approval will be required for any matters the County is required to perform as the FEMA floodplain administrator with respect to development that affects the floodplain or floodway, all in accordance with the Order, and, following such annexation, City approval will be required for any matters the City is required to perform as the FEMA floodplain administrator with respect to development that affects the floodplain or floodway, all in accordance with Article 3.17, Bastrop Code of Ordinances. For the avoidance of doubt, nothing in this Section 1.3 shall be construed to permit or require the County's review or approval of any design and construction of stormwater drainage systems or facilities within the Development, which such design and construction shall be reviewed and approved by the City pursuant to Section 1.2 of this Agreement. Annexation by City will be completed prior to any construction of stormwater drainage systems or facilities within the Development.

- 1.4 The Parties acknowledge that the City, the Landowner, and the Developer executed a memorandum of agreement evidencing the Development Agreement, recorded as Instrument No. 202515158 in the Real Property Records of Bastrop County, Texas, to evidence compliance with Texas Local Government Code Section 212.172(c).
- 1.5 Except as provided for in Section 1.3 of this Agreement, the Development shall be subject to all applicable City codes, regulations, and standards related to the Development, as modified or varied pursuant to the Development Agreement, and all subdivisions, plats, construction plans and specifications, and building or development permits for the Development shall be filed with and approved and/or issued by the City in accordance therewith.

ARTICLE TWO

- 2.1 This Agreement contains the entire agreement of the Parties concerning the subject matter of this Agreement and supersedes all prior and contemporaneous understandings or representations, whether oral or written, respecting the subject matter hereof, which are not expressed herein.
- 2.2 Any amendment to the Agreement must be in writing and signed by the authorized representatives of all Parties.

- 2.3 The Parties acknowledge that this Agreement is entered into pursuant to the authority of Texas law, including, without limitation, the authority conferred in Texas Government Code, Chapter 791, et. seq. In the event of any conflict between the provisions of this Agreement and the provisions of any other agreement entered into by and between the Parties, the provisions of this Agreement shall prevail with respect to the subject matter hereof.
- 2.4 Except as set forth above, this Agreement shall not be construed so as to modify, supplement, or otherwise alter the provisions of any other agreement entered into by and between the Parties.
- 2.5 This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any suit arising under this Agreement shall be Bastrop County, Texas, or in the United States District Court of the Western District of Texas, Austin Division.
- 2.6 This Agreement may be executed in one or more duplicate originals, each of equal dignity.
- 2.7 This Agreement shall be effective on the later of the dates this Agreement is executed by the authorized representative of the Parties.

[Remainder of page intentionally left blank.]

EXECUTED as of this ____ day of _____, 202__, by the City of Bastrop, Texas.

CITY OF BASTROP, TEXAS

By: _____

Name: _____

Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 202__, by _____, _____ of the City of Bastrop, Texas.

Notary Public, State of Texas

(NOTARY SEAL)



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on Resolution R-2026-33 suspending the proposed effective date of a gas rate increase requested by CenterPoint Energy Resources Corp., South Texas Division, under the Gas Reliability Infrastructure Program (GRIP), and authorize continued participation in the Alliance of CenterPoint Municipalities.

AGENDA ITEM SUBMITTED BY:

Submitted by: Michael Muscarello, TRMC, CMC, CPM, City Secretary

BACKGROUND/HISTORY:

On or about February 17, 2026, CenterPoint filed an application seeking an interim rate adjustment affecting residential and commercial customers. The requested increases would raise monthly customer charges as follows:

- **Residential:** Increase of \$2.47/month (from \$22.36 to \$24.83)
- **General Service – Small:** Increase of \$4.18/month (from \$35.12 to \$39.30)
- **General Service – Large Volume:** Increase of \$55.23/month (from \$450.89 to \$506.12)

The proposed effective date for these rate adjustments is April 18, 2026.

Under Section 104.301 of the Texas Utilities Code, municipalities have authority to suspend a proposed rate increase for up to 45 days to allow adequate review of the filing. Suspending the effective date would delay implementation until no earlier than June 2, 2026.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of Resolution No. R-2026-33 to allow adequate review time and to protect the interests of residents and businesses in Bastrop.

ATTACHMENTS:

1. Resolution No. R-2026-33 (Rate Increase Suspension)

RESOLUTION NO. R-2026-33

A RESOLUTION BY THE CITY OF BASTROP, TEXAS, ("CITY") REGARDING THE APPLICATION OF CENTERPOINT ENERGY RESOURCES CORP., SOUTH TEXAS DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING CENTERPOINT’S PROPOSED EFFECTIVE DATE FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY’S CONTINUED PARTICIPATION IN A COALITION OF CITIES KNOWN AS THE "ALLIANCE OF CENTERPOINT MUNICIPALITIES;" DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 17, 2026 CenterPoint Energy Resources Corp., South Texas Division (“CenterPoint”) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”), resulting in a requested increase in the monthly customer charges as shown in the table below:

| Rate Schedule | Current Customer Charge | Proposed 2026 Interim Rate Adjustment | Adjusted Charge | Increase Per Bill |
|--|---------------------------------------|--|---------------------------------------|--------------------------------------|
| R-2099-I-GRIP 2026; R-2099-U-GRIP 2026 Residential | \$22.36 per customer per month | \$2.47 per customer per month | \$24.83 per customer per month | \$2.47 per customer per month |
| GSS-2099-I-GRIP 2026; GSS-2099-U-GRIP 2026 General Service Small | \$35.12 per customer per month | \$4.18 per customer per month | \$39.30 per customer per month | \$4.18 per customer per month |
| GSLV-630-I-GRIP 2026; GSLV-630-U-GRIP 2026 General Service Large Volume | \$450.89 per customer per month | \$55.23 per customer per month | \$506.12 per customer per month | \$55.23 per customer per month |

WHEREAS: The City has a responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: The application to increase rates by CenterPoint is complex; and

WHEREAS: It is necessary to suspend CenterPoint’s proposed effective date of April 18, 2026, for its increase in rates for forty-five days so that the City can assure itself that the data and calculations in CenterPoint’s rate application are in accordance with the Section 104.301 of the Gas Utility Regulatory Act; and

WHEREAS: The effective date proposed by CenterPoint is April 18, 2026 but a suspension by the City will mean that the rate increase cannot go into effect prior to June 2, 2026.

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

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by CenterPoint for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application.

Section 3. The City shall continue its participation with other cities that are part of a coalition of cities known as the Alliance of CenterPoint Municipalities.

Section 4. To the extent allowed by law, CenterPoint is ordered to pay the City's reasonable rate case expenses incurred in response to CenterPoint's rate increase application within 30 days of receipt of invoices for such expenses.

Section 5. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. This resolution shall be effective immediately upon passage.

PASSED AND APPROVED this 10th day of March 2026.

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, TRMC, CMC, CPM
City Secretary

APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.





STAFF REPORT

MEETING DATE: March 10th, 2026

TITLE:

Consider action to approve Resolution No. R-2026-34 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the Texas Department of Transportation (TXDOT) for Two thousand, nine hundred sixty seven dollars and zero cents (\$2,967.00) allowing officers to provide education, enforcement and participate in on-going public engagement for a specified mobilization period (two weeks in May 2026) regarding the State of Texas' "Click It Or Ticket" initiative. With 20 percent matching funds (fringe benefits equating to \$595.20) from the City of Bastrop; authorizing the Chief of Police as the grantee's authorized official; providing for a severability clause and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Vicky Steffanic, Chief of Police

BACKGROUND/HISTORY:

Click It Or Ticket provides grant money for local law enforcement agencies to conduct traffic enforcement specifically focused on seatbelt laws (a 2-week period in May of 2026) in an effort to participate in a statewide educational campaign that can help reduce fatal and serious bodily injury crashes. The Texas Department of Transportation 'Click It Or Ticket' grant requires a 20% minimum matching share from the subgrantee. This 20% contribution will come from the participating officers overtime payment through their fringe benefits (Retirement, FICA and workman's compensation contribution). TXDOT will re-imburse the city for the officer's overtime pay when participating in the program

If selected to participate in the Click it or Ticket campaign, law enforcement agencies must conduct the following activities:

- Pre-Media Campaign.
- Enforcement Effort.
- Post-Media Campaign.

FISCAL IMPACT:

Total funds will be \$3562.20 with 80% reimbursement to the City of Bastrop for Officers overtime pay (\$2967.00). The 20% matching (\$595.20) is accounted for through the officer's overtime 'fringe benefits pay'.

RECOMMENDATION:

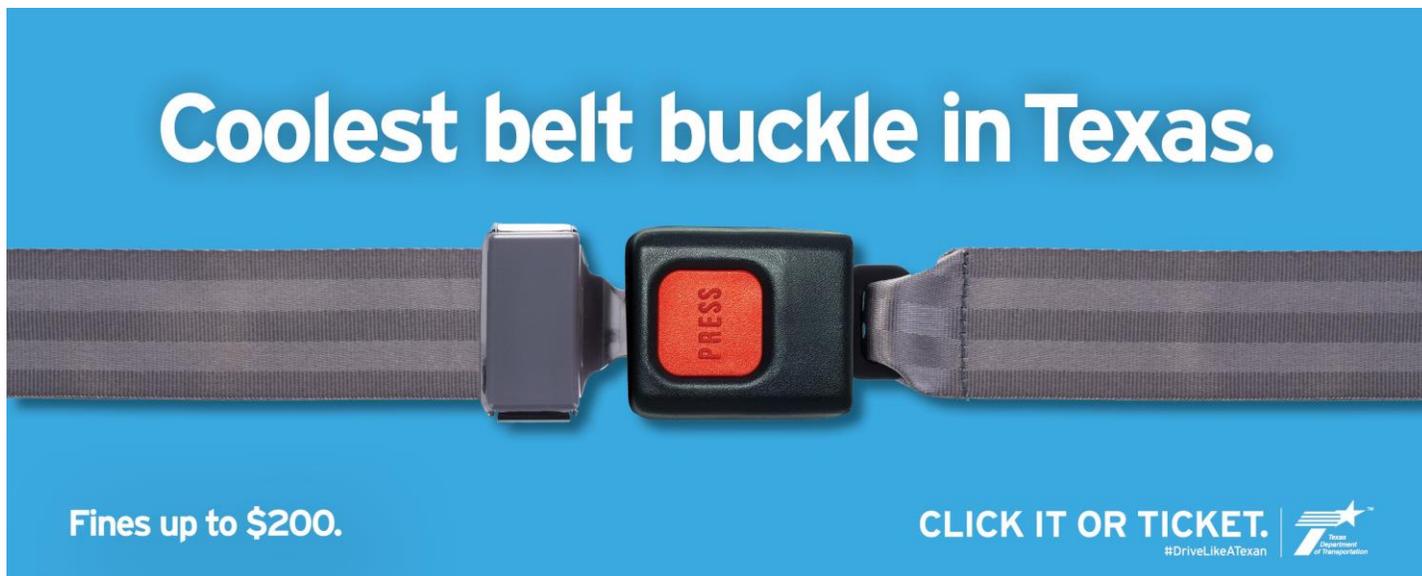
Chief Vicky Steffanic recommends approval of Resolution No. R-2026-34 of the City Council of the City of Bastrop, Texas, approving the submittal of grant funds to the Texas Department of Transportation in the amount of two thousand , nine hundred, sixty seven dollars and zero cents (\$2,967.00) allowing officers to education, enforce and participate in on-going public engagement for a specified mobilization period (two weeks in May 2026) regarding the Click it or Ticket initiative.

ATTACHMENTS:

1. Resolution number: 2026-34
2. Grant Overview
3. Financial summary

[< Traffic safety campaigns](#)

Click It or Ticket



The annual "[Click It or Ticket](#) [🔗](#)" campaign reminds Texans to buckle up day and night, front seat or back, every time they get in a vehicle. Currently, 90% of Texans buckle up, yet too many crashes turn deadly because someone wasn't wearing a seat belt. In 2024, 1,069 unbuckled drivers and passengers were killed on Texas roadways.

The National Highway Traffic Safety Administration estimates that the Click It or Ticket initiative in Texas has saved more than 8,200 lives, prevented 148,000 serious injuries, and resulted in more than \$33 billion in economic savings since its inception 23 years ago.

Wearing a seat belt reduces the risk of dying in a crash by 45% for people in the front seat of passenger cars. For those in pickups, seat belts reduce that risk by 60%. Your seat belt is designed to keep you from being thrown into the dashboard or windshield—or even onto the road. An airbag can be a big lifesaver. But without a seat belt, it can be ineffective and even dangerous. In a crash, a seat belt ensures you're not thrown into a fast-opening airbag—a force that could injure or kill you. You may think your airbag is going to protect you, but it's designed to work with seat belts, not to replace them.

In Texas, the law requires everyone in a vehicle to buckle up or face fines and court costs of up to \$200. Children younger than 8 years must be in a child safety seat or booster seat unless they're taller than 4 feet 9 inches. If they aren't properly restrained, the driver faces fines up to \$250, plus court costs.



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RESOLUTION NO. R-2026-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING THE APPLICATION OF A GRANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR TWO THOUSAND, NINE HUNDRED SIXTY SEVEN DOLLARS AND ZERO CENTS (\$2,967.00) ALLOWING OFFICERS TO EDUCATE, ENFORCE AND PARTICIPATE IN ON-GOING PUBLIC ENGAGEMENT FOR A SPECIFIED MOBILIZATION PERIOD REGARDING THE CLICK IT OR TICKET CAMPAIGN; AUTHORIZING THE CHIEF OF POLICE AS THE GRANTS AUTHORIZING OFFICIAL; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City of Bastrop finds it in the best interest of the citizens of Bastrop and the officers, that the city of Bastrop Police Department apply for a grant from the Texas Department of Transportation (TXDOT) for overtime pay at a total cost of Two Thousand, Nine Hundred, Sixty Seven dollars and zero cents, with 20% matching funds from the city of Bastrop through fringe benefits; and

WHEREAS, the City of Bastrop agrees that the Police Department shall participate in the Click It Or Ticket campaign for a specified period of time with the goals of education and enforcement; and

WHEREAS, The City of Bastrop designates the Chief of Police as the Grantee’s authorized official. The authorized official is given the power to apply for, reject, alter, accept, or terminate the grant on behalf of the applicant agency.

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

Section 1: The City Council of the City of Bastrop approves the City of Bastrop Police Department’s application to the Texas Department of Transportation (TXDOT) for overtime pay for participation in the Click It Or Ticket campaign.

Section 2: Any prior resolution of the City Council in conflict with provisions contained in this resolution are hereby repealed and revoked.

Section 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby severable.

Section 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 10th day of March 2026.

APPROVED:

Item 8D.

Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

MEETING DATE: March 10th, 2026

TITLE:

Consider action to approve Resolution No. R-2026-35 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the Texas Department of Transportation (TXDOT) for Two thousand, nine hundred sixty seven dollars and zero cents (\$2,967.00) allowing officers to provide education, enforcement and participate in on-going public engagement for a specified mobilization period (two weeks in July / August 2026) regarding the State of Texas' "OpSlow" initiative (Operation Slow Down). With 20 percent matching funds (fringe benefits equating to \$595.20) from the City of Bastrop; authorizing the Chief of Police as the grantee's authorized official; providing for a severability clause and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Vicky Steffanic, Chief of Police

BACKGROUND/HISTORY:

Operation Slow Down provides grant money for local law enforcement agencies to conduct traffic enforcement specifically focused on speeding (a 2-week period in July / August of 2026) in an effort to participate in a statewide educational campaign that can help reduce fatal and serious bodily injury crashes. The Texas Department of Transportation 'OpSlow" grant requires a 20% minimum matching share from the subgrantee. This 20% contribution will come from the participating officers overtime payment through their fringe benefits (Retirement, FICA and workman's compensation contribution). TXDOT will re-imburse the city for the officer's overtime pay when participating in the program

If selected to participate in the OpSlow campaign, law enforcement agencies must conduct the following activities:

- Pre-Media Campaign.
- Enforcement Effort.
- Post-Media Campaign.

FISCAL IMPACT:

Total funds will be \$3562.20 with 80% reimbursement to the City of Bastrop for Officers overtime pay (\$2967.00). The 20% matching (\$595.20) is accounted for through the officer's overtime 'fringe benefits pay'.

RECOMMENDATION:

Chief Vicky Steffanic recommends approval of Resolution No. R-2026-35 of the City Council of the City of Bastrop, Texas, approving the submittal of grant funds to the Texas Department of Transportation in the amount of two thousand , nine hundred, sixty seven dollars and zero cents (\$2,967.00) allowing officers to education, enforce and participate in on-going public engagement for a specified mobilization period (two weeks in July / August 2026) regarding the Operation Slowdown initiative.

ATTACHMENTS:

1. Resolution number: 2026-35

RESOLUTION NO. R-2026-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING THE APPLICATION OF A GRANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR TWO THOUSAND, NINE HUNDRED SIXTY SEVEN DOLLARS AND ZERO CENTS (\$2,967.00) ALLOWING OFFICERS TO EDUCATE, ENFORCE AND PARTICIPATE IN ON-GOING PUBLIC ENGAGEMENT FOR A SPECIFIED MOBILIZATION PERIOD REGARDING THE OPERATION SLOWDOWN CAMPAIGN; AUTHORIZING THE CHIEF OF POLICE AS THE GRANTS AUTHORIZING OFFICIAL; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City of Bastrop finds it in the best interest of the citizens of Bastrop and the officers, that the city of Bastrop Police Department apply for a grant from the Texas Department of Transportation (TXDOT) for overtime pay at a total cost of Two Thousand, Nine Hundred, Sixty Seven dollars and zero cents, with 20% matching funds from the city of Bastrop through fringe benefits; and

WHEREAS, the City of Bastrop agrees that the Police Department shall participate in the “OpSlow” campaign for a specified period of time with the goals of education and enforcement; and

WHEREAS, The City of Bastrop designates the Chief of Police as the Grantee’s authorized official. The authorized official is given the power to apply for, reject, alter, accept, or terminate the grant on behalf of the applicant agency.

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

Section 1: The City Council of the City of Bastrop approves the City of Bastrop Police Department’s application to the Texas Department of Transportation (TXDOT) for overtime pay for participation in the Operation Slowdown campaign.

Section 2: Any prior resolution of the City Council in conflict with provisions contained in this resolution are hereby repealed and revoked.

Section 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby severable.

Section 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 10th day of March 2026.

APPROVED:

Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

MEETING DATE: March 10th, 2026

TITLE: Grant Application to the Department of Homeland Security

Consider action to approve Resolution No. R-2026-36 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the Department of Homeland Security for twenty thousand dollars (\$20,000) and zero cents for a with no matching funds from the City of Bastrop for a threat assessment and risk intelligence software program; authorizing the Chief of Police as the grantee's authorized official; providing for a severability clause and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Vicky Steffanic, Chief of Police

BACKGROUND/HISTORY:

The City of Bastrop Police Department is seeking grant funding for threat assessment and risk intelligence software that alerts the department to any violence or threatening activities on social media that are geared towards the Bastrop community, specific events and or persons.

FISCAL IMPACT:

No fiscal impact.

RECOMMENDATION:

Chief Vicky Steffanic recommends approval of Resolution No. R-2026-36 of the City Council of the City of Bastrop, Texas, approving the submittal of grant funds to the Department of Homeland Security for twenty thousand dollars and zero cents (\$20,000) for threat assessment and risk intelligence software.

ATTACHMENTS:

1. Resolution number: 2026-36

RESOLUTION NO. R-2026-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING THE APPLICATION OF A GRANT TO THE DEPARTMENT OF HOMELAND SECURITY FOR TWENTY THOUSAND DOLLARS (\$20,000) AND ZERO CENTS, WITH NO MATCHING FUNDS FROM THE CITY OF BASTROP; AUTHORIZING THE CHIEF OF POLICE AS THE GRANTS AUTHORIZING OFFICIAL; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop finds it in the best interest of the citizens of Bastrop and the officers, that the City of Bastrop Police Department apply for a grant from the Department of Homeland Security for twenty thousand dollars and zero cents for threat assessment and risk analysis software; and

WHEREAS, the City of Bastrop agrees that in the event of loss or misuse of the Department of Homeland security funds, the City of Bastrop City Council assures that the funds will be returned to Department of Homeland Security in full; and

WHEREAS, the City of Bastrop designates the Chief of Police as the Grantee’s authorized official. The authorized official is given the power to apply for, reject, alter, accept, or terminate the grant on behalf of the applicant agency; and

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

Section 1. That the City Council of the City of Bastrop approves submission of the grant application for threat assessment and risk analysis intelligence software to the Department of Homeland Security.

Section 2. Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

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

APPROVED & ADOPTED by the City Council of the City of Bastrop on this 10th day of March 2026.

APPROVED:

Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary



APPROVED AS TO FORM:

City Attorney
Denton, Navarro, Rodriguez, Bernal, Santee, & Zech



STAFF REPORT

MEETING DATE: March 10th, 2026

TITLE: Resolution 2026-37 Grant application – K9 Vest

Consider action to approve Resolution No. R-2026-37 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the 501(3)C-Vested Interest in K9's, Inc. providing for a K9 bullet proof vest manufactured by Survival Armor. With no matching funds from the City of Bastrop; authorizing the Chief of Police as the grantee's authorized official; providing for a severability clause and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Vicky Steffanic, Chief of Police

BACKGROUND/HISTORY:

Vested Interest in K9s, Inc. is a 501(c)(3) non-profit organization providing bullet and stab proof-protective vests for working K9s, and our manufacturing partner is Survival Armor, located in Fort Myers, FL.

This vest would be for our currently active K9 – Officer Fi-Vo.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Chief Vicky Steffanic recommends approval of Resolution No. R-2026-37 of the City Council of the City of Bastrop, Texas, approving the submittal of grant funds to Vested Interest in K9's, Inc. in the amount of one thousand, one hundred dollars and zero cents (\$1,100.00) allowing for a bullet and stab proof K9 vest.

ATTACHMENTS:

1. Resolution number: 2026-37
2. K9 Vest Information

RESOLUTION NO. R-2026-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING THE APPLICATION OF A GRANT TO VESTED INTEREST IN K9'S INC. FOR ONE THOUSAND, ONE HUNDRED DOLLARS AND ZERO CENTS (\$1,100) FOR A BULLET PROOF K9 VEST; AUTHORIZING THE CHIEF OF POLICE AS THE GRANTS AUTHORIZING OFFICIAL; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City of Bastrop finds it in the best interest of the citizens of Bastrop and the officers, that the city of Bastrop Police Department apply for a grant from Vested Interest in K9's for one thousand, One Hundred dollars and zero cents, with no matching funds from the city of Bastrop; and

WHEREAS, the City of Bastrop agrees that the Police Department shall promote acceptance of the grant / vest on social media; and

WHEREAS, The City of Bastrop designates the Chief of Police as the Grantee's authorized official. The authorized official is given the power to apply for, reject, alter, accept, or terminate the grant on behalf of the applicant agency.

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

Section 1: The City Council of the City of Bastrop approves the City of Bastrop Police Department's application to Vested Interest in K9's, Inc. for a K9 bullet proof armored vest.

Section 2: Any prior resolution of the City Council in conflict with provisions contained in this resolution are hereby repealed and revoked.

Section 3: Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby severable.

Section 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 10th day of March 2026.

Item 8G.

APPROVED:

Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

APPROVED AS TO FORM:

City Attorney



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on Resolution No. R-2026-40, approving the purchase of Orthophosphate (Napco 206) from Hawkins, Inc. for a not-to-exceed amount of One Hundred, Twenty-Two Thousand, Nine Hundred, Thirty-Three Dollars and Fifty Cents (\$122,933.50) for the delivery and use for the City of Bastrop's Public Water System; authorizing the execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

AGENDA ITEM SUBMITTED BY:

Curtis Hancock, Director of Water & Wastewater

BACKGROUND/HISTORY:

Orthophosphates are commonly used in public drinking water systems to prevent the corrosion of pipes and plumbing and to prevent the potential leaching of lead and/or copper into the public water supply.

Municipalities partner with specialized engineering firms and manufacturers to manage this process, which is subject to strict federal and state regulations to ensure public health is protected.

The City of Bastrop Water/Wastewater Department completed a Corrosion Control Treatment Study utilizing Napco 206 while using the City's alluvial wells and received directions from the Texas Commission on Environmental Quality (TCEQ) in 2023 requiring the addition of orthophosphate as part of the City's water treatment process; Hawkins, Inc. is the sole distributor of Napco 206.

Since the City has started utilizing the Simsboro aquifer wells, Napco 206 has proved to be less effective when combined with the different water chemistry, requiring higher dosage rates than previously (see Exhibit B).

Money allocated to Hawkins, Inc. for Napco 206 in FY26 to date is \$49,929.25, and projected procurement is needed for the remainder of FY26 in the amount of \$73,004.25, for a total of \$122,933.50 for the year. Since the total projected procurement value exceeds \$50,000, it will require City Council's approval to move forward.

Until a new Corrosion Control Study can be completed and approved on the Simsboro wells, the City is required by TCEQ to continue using orthophosphate as a corrosion inhibitor.

FISCAL IMPACT:

The \$122,933.50 will be funded by the City's Water Treatment Chemicals Budget.

RECOMMENDATION:

Approve Resolution No. R-2026-40, authorizing the purchase of orthophosphate from Hawkins, Inc.

ATTACHMENTS:

- Resolution No. R-2026-40
- Exhibit A: Hawkins, Inc. Napco 206 Quote
- Exhibit B: Orthophosphate Demand Comparison
- Exhibit C: Hawkins, Inc. Napco 206 Sole Source Letter

CITY OF BASTROP, TEXAS

RESOLUTION NO. 2026-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE PURCHASE OF ORTHOPHOSPHATE (NAPCO 206) FROM HAWKINS, INC. IN AN AMOUNT NOT TO EXCEED \$122,933.50; FOR THE DELIVERY AND USE FOR THE CITY OF BASTROP'S PUBLIC WATER SYSTEM; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; UPON REQUEST AND PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.

WHEREAS, the City Council of the City of Bastrop, Texas 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, Hawkins, Inc. has provided a sales quote dated February 12, 2026, for the requested goods/materials not to exceed Thirteen Dollars and 25/100 per gallon; and

WHEREAS, the City Council finds that approving this purchase is in the best interests of the City and supports the public health, safety, and welfare of the community.

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

SECTION 1. Finding of Fact: All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2. Execution: The City Council authorizes the City Manager to negotiate and execute all necessary documents and take all necessary actions to purchase Orthophosphate (Napco 206) from Hawkins, Inc. as a sole source provider of Napco 206, for an amount not to exceed One Hundred, Twenty-Two Thousand, Nine Hundred, Thirty-Three Dollars and Fifty Cents (\$122,933.50). A quote for the specific products and services is attached and incorporated herein as Exhibit A.

SECTION 3. Repealer: To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.

SECTION 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

SECTION 5. Effective Date: This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, its Code of Ordinances, and the laws of the State of Texas.

Section 6. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas, on this, the 10th day of March, 2026.

APPROVED:

By: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

February 12, 2026

Sales Quotation

**HAWKINS INC.**

600 N. Magnolia
Luling, TX 78648
Phone: 512-484-1540
Email: lance.roach@hawkinsinc.com
Website: www.hawkinsinc.com

Date Issued: 2-12-26
Validity: 180 days

Customer Information

Customer: City of Bastrop
Site: All sites
Location: Bastrop, TX

Product Details

| Item | Chemical Name | Grade / Concentration | Packaging | Quantity (lbs) | Delivered Unit Price (\$/gallon) | Extended Price (\$) |
|-------|---------------|-----------------------|-----------|----------------|----------------------------------|---------------------|
| 61120 | Napco 206 | Zinc orthophosphate | Mini bulk | As needed | \$13.25 | |

Pricing Summary

- **Taxes:** As applicable
- **Freight / Handling:** Included unless otherwise specified

Lance Roach
Sales Manager, South

| Napco 206 (Orthophosphate) Demand Comparison | | | | | | | | | | |
|--|------------------------|------------------------|------------------------|------------------------------|----------------------------|------------------------|------------------------|------------------------|------------------------------|--|
| Pre-Simsboro Gallons Used | | | | | Post-Simsboro Gallons Used | | | | | Average % of Increased Demand |
| Date | Zone 1 Gals Used | Zone 2 Gals Used | Zone 3 Gals Used | Combined Zones Total Gals | Date | Zone 1 Gals Used | Zone 2 Gals Used | Zone 3 Gals Used | Combined Zones Total Gals | |
| 24-Jul | 50 | 97 | 224 | 371 | 25-Jul | 102 | 202 | 235 | 539 | 45.28% |
| 24-Aug | 57 | 98 | 275 | 430 | 25-Aug | 194 | 235 | 255 | 684 | 59.07% |
| 24-Sep | 45 | 111 | 221 | 377 | 25-Sep | 132 | 268 | 245 | 645 | 71.09% |
| 24-Oct | 14 | 37 | 199 | 250 | 25-Oct | 131 | 281 | 225 | 637 | 154.80% |
| 24-Nov | 45 | 38 | 187 | 270 | 25-Nov | 131 | 288 | 187 | 606 | 124.44% |
| 24-Dec | 50 | 37 | 172 | 259 | 25-Dec | 107 | 289 | 191 | 587 | 126.64% |
| 25-Jan | 51 | 40 | 170 | 261 | 26-Jan | 114 | 280 | 187 | 581 | 122.61% |
| 25-Feb | 45 | 33 | 153 | 231 | 26-Feb | 141 | 266 | 177 | 584 | 152.81% |
| Annual Totals | 357 | 491 | 1601 | 2449 | | 1052 | 2109 | 1702 | 4863 | 107.09% |



February 11, 2026

Fernando Guerrero

City of Bastrop

To The City of Bastrop,

Please accept this letter as confirmation from Hawkins Chemical Company, a sole source provider of Napco 206. Hawkins Chemical Products are proprietary and there are currently no direct competitors for our specific products. Napco 206 was specifically blended for the City of Bastrop wells. Napco 206 is an aggressive corrosion inhibitor which is an ideal product for the water of the City of Bastrop.

Please feel free to call if you have any questions.

Best Regards,

Lance Roach

Sales Manager, South

Hawkins Chemical Company.

512-484-1540



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on Resolution 2026-42 awarding a \$20,000 grant from the Hotel Occupancy Tax Fund to Lonestar Cowboy Promotion for event known as the Lonestar Cowboy Poetry.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

The Lonestar Cowboy Poetry event was a first for Bastrop. It was held in Alpine and in Bastrop in February 2026. The event used a variety of venues including the Convention Center, the Bastrop Public Library, the Museum and Visitor Center, as well as Film Alley.

The event drew

- Total estimated draw to the four-day event was 2,400 (about 1/4 were day-trippers).
- 156 hotel nights were paid for by our organization (performers, contractors, and staff).
- 462 hotel nights estimated from attendees and press from 15 states.
(based on zip code of ticket purchase/press pass and span of days per ticket/pass).
- **618 total hotel nights for week of Feb 16-22, 2026.**
(This does not include at least 40 hotel nights for preparation from May 2025 through event.)

The original request was for \$40,000, however, the scale of the event is similar to Corvette Invasion which was granted \$20,000 in 2025.

HOT fund use

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

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

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

FISCAL IMPACT:

\$20,000 from the HOT fund account

RECOMMENDATION:

Award the \$20,000 as recommended.

ATTACHMENTS:

1. Resolution
2. HOT Application

CITY OF BASTROP, TX
RESOLUTION NO. R-2026-42

A RESOLUTION OF THE CITY OF BASTROP, TEXAS, TO APPROVE AN APPLICATION BY LONESTAR COWBOY POETRY FOR THE EVENT KNOWN AS LONESTAR COWBOY POETRY FOR A \$20,000 GRANT FROM THE HOTEL OCCUPANCY TAX FUND TO FUND A UNIQUELY BASTROP EVENT; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND MEETING

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

WHEREAS, Texas Tax Code Section 351.101(a)(3)(4)(5) authorizes hotel occupancy tax to be used for advertising and conducting solicitations and promotional programs to attract tourists; the encouragement, promotion, improvement, and application of the arts, including drama, folk art; and advertising and conducting solicitations and promotional programs to encourage tourists to visit preserved historic sites or museums; and

WHEREAS, having received an application from Lonestar Cowboy Poetry for a \$20,000 grant from the Hotel Occupancy Tax to fund a uniquely Bastrop event.

WHEREAS, the City Council has determined that Corvette Invasion as a uniquely Bastrop event, will promote tourism within the City of Bastrop.

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

Section 1. Findings of Fact: The foregoing recitals are incorporated into this resolution ("Resolution") by reference as findings of fact as if expressly set forth word-for-word herein.

Section 2. Authorization of Grant Funds: The City Council authorizes a \$20,000 grant to be awarded for use in funding Corvette Invasion.

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

PASSED & APPROVED on First Reading by the City Council of the City of Bastrop, on this, the 10th day of March 2026.

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

CITY OF BASTROP 2026 HOTEL OCCUPANCY TAX FUNDING APPLICATION

ORGANIZATION INFORMATION:

| | | |
|-----------------------------------|-------------------|--------------|
| Lone Star Cowboy Poetry Gathering | | Jan 8, 2026 |
| Official Name of Organization | | Date |
| Bob Saul | bob@saulgroup.com | |
| Contact Person | E-mail | |
| P.O. Box 1076, Alpine, TX 79831 | | 817-348-8885 |
| Organization Address | | Phone Number |
| LoneStarCowboyPoetry.com | | |
| Website Address | | |

Is your Organization:

Yes 501(c)3 Other (provide description) _____

\$40,000 _____ Requested amount as a % of Total Budget? 14.69 %
Total Amount Requested

Provide a brief description of your organization's mission:

The purpose of Lone Star Cowboy Poetry Gathering is exclusively charitable and educational in nature, and shall be to remember, recite, sing, record, publish, illustrate, film, portray, broadcast, market, and honor narratives of the cowboy way told in poetry, song, stories, and art by those who have lived that life to those who enjoy and learn from it every day.

**CITY OF BASTROP
2026 HOTEL OCCUPANCY TAX FUNDING APPLICATION**

PROGRAM INFORMATION

July 1, 2025 - June 30, 2026

Fiscal Year of Request

3,000

Expected Visitor Attendance Annually

70%

Percentage of attendees that will be staying overnight in hotels

How will you measure the impact of your program/event on area tourism?

Onsite count of attendance at both ticketed shows and non-ticketed shows during four day event Feb 18-21, 2026.

Do your promotional materials/website note area lodging facilities that can host participants?

Yes

Tell us about your programming/events planned for next fiscal year:

One annual 4-day Cowboy Poetry Gathering and one 3-day Celebrating the West Weekend, bringing a total of 5,000 visitors to Bastrop.

CITY OF BASTROP 2026 HOTEL OCCUPANCY TAX FUNDING APPLICATION

How will you collaborate with other community assets & Visit Bastrop to increase tourism to Bastrop?

For 6 years we have produced an annual Cowboy Poetry Gathering in Alpine, Texas, which last year drew 2508 people from 37 states and 6 countries. We advertise nationwide via newspaper, radio, magazine, billboards, social media, and press releases, as well as internationally via social media. We would like to use your logo "Discover Bastrop" in our advertising. We have joined Bastrop Chamber of Commerce in order to work with businesses in Bastrop. The venues for the Gathering are Bastrop Convention Center, Film Alley

To qualify for financial assistance under the Hotel Occupancy Tax for Bastrop, the expenditure must satisfy Part One and at least ONE of the options in Part Two.

PART ONE - In order to be eligible to receive HOT Funding you must comply with State Law/Chapter 351 of the Tax Code. Revenues must be used to directly promote tourism and the convention and hotel industry. How will this event promote tourism and the convention and hotel industry. Which expenditure category, as found below, is the most relevant to your project event? Please explain.

Grant funds will be used to advertise nationwide via newspaper, radio, magazine, billboards, social media, and press releases, as well as internationally via social media. We would like to use your logo "Discover Bastrop" in our advertising.

PART TWO

Yes The programming "directly enhances and promotes tourism AND the convention and hotel industry." (Tax Code, Sec. 351.101) **(This is a requirement)**

The organization qualifies under AT LEAST ONE of the following categories:
(Please circle category number)

(1) the establishment, improvement, or maintenance of a convention center or visitor information center

(2) the facilitation of convention registration

(3) advertising, solicitations and promotions that attract tourist and convention delegates to City of Bastrop
NOTE: If applying under this category, legitimate media must be utilized IN ADVANCE of the event (examples include direct mail, postage, newspapers, magazines, radio, television, billboards, newsletters, brochures and other collateral material).

(4) the encouragement, promotion, improvement and application of the arts
NOTE: Must be a viable art form (examples include instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft

(5) the enhancement of historical restoration and preservation projects

(6) funding cost in certain counties to hold sporting events that substantially increase hotel activity: (cities within counties of under 1 million population

(7) the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities

(8) funding transportation systems for tourist

Yes The application is filled out thoroughly and completely with all requested documentations attached

Yes It has been determined how the organization will track out-of-town guest, demonstrating that the programming will attract tourist that will increase tourism & support the convention and hotel industry

CITY OF BASTROP
2026 HOTEL OCCUPANCY TAX FUNDING APPLICATION

The information contained herein and attached to this application is true and correct to the best of my knowledge. I hereby acknowledge that any funding received from the City of Bastrop must be expended as I have represented in this application and according to any requirements set by the City of Bastrop City Council and according to the program guidelines. I agree that if funds are not expended accordingly, in the opinion of the City of Bastrop, said funds will be returned to the City of Bastrop within ten (10) days from the date the City of Bastrop demands such.



Jan 8, 2026

Authorized Signature for the Applicant

Date

Bob Saul

Event Producer

Name Printed or Typed

Title

Return completed application and attachments to:

DEADLINE: 5:00 P.M., JUNE 20, 2025

City of Bastrop

1311 Chestnut Street

Bastrop, Texas 78602

Electronic/Facsimile submissions will not be considered.

Required Attachments:

- 1) Last fiscal year's financial statement (profit & loss statement) for your organization as a whole
- 2) Proposed Budget FY2026 (10/01/25 - 09/30/26) itemized detail relevant to HOT fund revenue requesting
- 3) Copy of 501 (c) letter from Internal Revenue Service (only if 1st submittal)
- 4) Programing schedule including planned events
- 5) Identify other sources of funding
- 6) ALL ATTACHMENTS SHOULD BE PROVIDED IN 8.5" X 11" SIZE, NO OTHER ATTACHMENTS ACCEPTED
- 7) Marketing plan



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

LONE STAR COWBOY POETRY GATHERING
PO BOX 1076
ALPINE, TX 79831

Date:
01/26/2021
Employer ID number:
84-2494155
Person to contact:
Name: Kala Johnson
ID number: 36008
Telephone: 877-829-5500
Accounting period ending:
June 30
Public charity status:
509(a)(2)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
May 13, 2020
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053652004510

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

| | C | D | E | F |
|----|---|---|-----------------------------------|---------------------|
| 2 | Lone Star Cowboy Poetry Gathering | | | |
| 3 | Statement of Operations (P&L) Jul 1, 2024 - Jun 30, 2025 - Fiscal Year | | | |
| 4 | | | Oper Bal Jul 1 | 12,920.79 |
| 5 | INCOME | | INCOME | |
| 6 | <i>Grant* (direct/reimbursed)</i> | | 47,950.00 | |
| 7 | <i>Donations Awards (designated)</i> | | 1,000.00 | |
| 8 | Donations Regular | | 1,260.00 | |
| 9 | Donations Matching Fund | | 59,580.00 | |
| 10 | Donations Raffles | | 6,825.00 | |
| 11 | Members Fees | | 27,562.00 | |
| 12 | Sponsors Fees | | 20,125.00 | |
| 13 | Event Show Tickets | | 52,355.29 | |
| 14 | Event Food Tickets | | 13,225.87 | |
| 15 | Videos Streaming/DVDs | | - | |
| 16 | Merchandise - Logo | | 11,636.63 | |
| 17 | Merchandise - Performers | | 6,741.85 | |
| 18 | Misc Received | | 2,085.83 | |
| 19 | Loans Received | | 32,445.38 | |
| 20 | | | Income Jul-Jun | 282,792.85 |
| 21 | EXPEND | | EXPEND | |
| 22 | <i>Grant* (advert/arts/shuttles/civ-cntr)</i> | | (32,356.23) | |
| 23 | <i>Awards (designated)</i> | | (1,000.00) | |
| 24 | Accounting/Banking*/Legal | | (8,292.40) | |
| 25 | Taxes | | (2,495.47) | |
| 26 | Web | | (1,749.96) | |
| 27 | Advertising | | (3,329.44) | |
| 28 | Facilities | | (4,014.44) | |
| 29 | Insurance | | (700.94) | |
| 30 | Printing | | (9,734.27) | |
| 31 | Supplies/Mail/Ship | | (1,841.28) | |
| 32 | Video/Film Production | | (5,500.00) | |
| 33 | Performers Fees | | (85,500.00) | |
| 34 | Performers/Contractors Lodging | | (33,538.00) | |
| 35 | Performers Welcome/Room/Lunch | | (899.03) | |
| 36 | Event AV/Mercantile/IT/Admin | | (44,098.17) | |
| 37 | Chuckwagon Breakfast/Cowboy Supper | | (13,390.80) | |
| 38 | Auxillary Events (Dance/Rodeo/Youth) | | (162.00) | |
| 39 | Merchandise - Logo | | (7,213.21) | |
| 40 | Merchandise - Performers | | (5,402.20) | |
| 41 | Misc Paid | | (4,623.35) | |
| 42 | Loans Paid | | - | |
| 43 | | | Expense Jul-Jun | (265,841.19) |
| 44 | | | Funds Balance Jun 30, 2025 | 29,872.45 |
| 46 | <i>Restricted Assets Received</i> | | 13,500.00 | |
| 47 | <i>Restricted Assets Expended</i> | | - | |
| 48 | Endowment Fund Activity Balance Jun 1 - 30, 2025 | | | 13,500.00 |
| 50 | TOTAL OPERATING/ENDOWMENT FUNDS BALANCE Jun 30, 2025 | | | 43,372.45 |

| | B | D | E | F | G | H | I |
|----|---|-------------------|-------------------|-------------------|-------------------|------------------|------------------|
| 2 | Lone Star Cowboy Poetry Gathering INCOME/EXPEND Annual COMPARISONS | | | | | | |
| 3 | INCOME | .. 2023 .. | .. 2024 .. | .. 2025 .. | . 26Alpine | 26Bastrop | 26 Total |
| 4 | <i>Grants* (direct/reimbursed)</i> | 43,791 | 55,263 | 50,176 | 50,000 | 40,000 | 90,000 |
| 5 | <i>Donations Designated</i> | 500 | 1,500 | 1,000 | 500 | 500 | 1,000 |
| 6 | Donations Regular | 3,100 | 13,744 | 1,260 | - | - | - |
| 7 | Donations Matching | 49,970 | 3,560 | 59,580 | 40,000 | 50,000 | 90,000 |
| 8 | Donations Raffles | 3,805 | 4,620 | 6,825 | 5,000 | 10,000 | 15,000 |
| 9 | Sponsors Fees | 28,750 | 30,375 | 19,875 | 20,000 | 30,000 | 50,000 |
| 10 | Members Fees | 17,672 | 30,226 | 27,360 | 30,000 | 20,000 | 50,000 |
| 11 | Videos Streaming/DVDs | 230 | 276 | - | - | 500 | 500 |
| 12 | Event Show Ticket Sales | 58,876 | 62,067 | 52,355 | 30,000 | 80,000 | 110,000 |
| 13 | Event Food Sales | 9,495 | 14,801 | 13,226 | 5,000 | 10,000 | 15,000 |
| 14 | Merchandise - Logo | 13,263 | 14,536 | 11,637 | 6,000 | 18,000 | 24,000 |
| 15 | Merchandise - Performers | 13,971 | 9,054 | 6,742 | 3,000 | 12,000 | 15,000 |
| 16 | Misc Received | 151 | 200 | 2,086 | - | - | - |
| 17 | Loans Received | 20,000 | 62,190 | 37,472 | - | - | - |
| 18 | Total Income | 263,573 | 302,411 | 289,594 | 189,500 | 271,000 | 460,500 |
| 20 | EXPEND | .. 2023 .. | .. 2024 .. | .. 2025 .. | . 26Alpine | 26Bastrop | 26 Total |
| 21 | <i>Grants* (adv/arts/transp/facil)</i> | (48,336) | (56,485) | (27,356) | (30,000) | (40,000) | (70,000) |
| 22 | <i>Designated</i> | (500) | (1,000) | (1,000) | (500) | (500) | (1,000) |
| 23 | Accounting/Banking*/Insur/Legal | (10,067) | (7,024) | (8,940) | (5,919) | (8,841) | (14,760) |
| 24 | Taxes | (6,389) | (2,420) | (2,495) | (1,155) | (3,300) | (4,455) |
| 25 | Web | (1,360) | (1,360) | (1,737) | (6,140) | (6,140) | (12,280) |
| 26 | Advertising local (not HOT grants) | (2,400) | (2,083) | (3,329) | (2,000) | (2,000) | (4,000) |
| 27 | Facilities | (3,301) | (4,743) | (4,014) | (4,000) | (20,000) | (24,000) |
| 28 | Printing | (11,775) | (9,907) | (9,734) | (1,000) | (2,000) | (3,000) |
| 29 | Supplies/Mail/Ship | (1,086) | (1,056) | (1,841) | (1,000) | (3,000) | (4,000) |
| 30 | Video Production/Stream | (10,000) | - | (5,500) | (10,000) | (10,000) | (20,000) |
| 31 | Performers Fees | (74,238) | (84,045) | (85,500) | (39,250) | (76,300) | (115,550) |
| 32 | Performers Lodging | (20,863) | (23,194) | (38,565) | (10,000) | (8,750) | (18,750) |
| 33 | Performers Welcome/Room/Luncl | (8,148) | (5,504) | (899) | (2,250) | (6,000) | (8,250) |
| 34 | Event Mgrs AV/Merch/IT/Admin | (33,008) | (39,833) | (41,796) | (25,000) | (50,000) | (75,000) |
| 35 | Event Mgrs Lodging/Travel | | | | (1,000) | (8,000) | (9,000) |
| 36 | Event Food Costs | (11,128) | (21,290) | (13,391) | (3,300) | (5,000) | (8,300) |
| 37 | Aux Events (Dance/Rodeo/Youth) | (2,282) | (1,375) | (162) | (200) | (200) | (400) |
| 38 | Merchandise - Logo | (8,545) | (9,792) | (7,213) | (4,200) | (12,600) | (16,800) |
| 39 | Merchandise - Performers | (7,907) | (6,995) | (5,402) | (2,400) | (9,600) | (12,000) |
| 40 | Misc Paid | - | (290) | (4,623) | - | - | - |
| 41 | Loans Paid | (40,000) | (17,802) | - | (37,472) | - | (37,472) |
| 42 | Total Expenses | (301,333) | (296,199) | (263,499) | (186,786) | (272,231) | (459,017) |
| 44 | BALANCE | (37,759) | 6,212 | 26,095 | 2,714 | (1,231) | 1,484 |

Bastrop 2026: Schedule

Schedule of Events

Feb. 18-21, 2026

Tickets are required for the chuckwagon breakfasts, all paid shows, and the dinner & supper shows at Film Alley. [See all the performers.](#)

NOTE: Your ticket for dinner and supper shows at Film Alley only covers the music. Ticketholders are expected to purchase a meal from the food menu. This will be paid separately at the venue.

[Map of event venues in Bastrop](#)

Wed., Feb. 18, 2026

- Wed **12:00 pm**: The Mercantile opens; ticket sales and packet pickup begin (Bastrop Convention & Exhibit Center)
- Wed **6:00-6:30**: [Meet Barry Corbin](#) (ticket required: \$50 online; \$55 onsite)
- Wed **7:00-9:30 pm**: [An Evening with Barry Corbin](#) (Bastrop Convention & Exhibit Center) (with intermission; ticket required: \$40 online; \$45 onsite)

Thu., Feb. 19, 2026

- Thu **8:00 am**: The Mercantile opens; ticket sales and packet pickup continue (Bastrop Convention & Exhibit Center)
- Thu **10:00 am**: Welcome and press conference with Barry Corbin (Bastrop Convention & Exhibit Center)
- Thu **10:20-11:45 am**: Free session (Bastrop Convention & Exhibit Center)

A Taste of the Gathering

Kristyn Harris, Amy Hale, Rod Taylor, Carson Houser, Juni Fisher, Jay Snider, Jim Jones, Terry Nash, John and Joanne Lowell, Kye Rieff, Randy Huston, Gail Steiger, Mike Blakely, Dick Warwick, Doug Figgs, Dakota Robinson, and Jeff Gore
Gene Nowell, MC

- Thu **12:00-1:00 pm**: [Noon Dinner Show](#) (Film Alley) (ticket required: \$10 plus onsite meal purchase from menu)

Stampede!

Jim Jones, Doug Figgs, and Terry Nash

-
- Thu **1:30-2:45 pm**: [Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$30 online; \$35 onsite)

The Cowboy Life

Carson Houser, Dakota Robinson, Jeff Gore, and Kristyn Harris
Gene Nowell, MC

- Thu **1:30–2:45 pm**: [Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

The Outside Circle

Gail Steiger (host), Rod Taylor, Kye Rieff, and Mike Blakely

- Thu **1:30–2:45 pm**: Free session (Bastrop Library)

Rhymes and Tunes

Jim Jones (host), Jay Snider, Dick Warwick, and John & Joanne Lowell

- Thu **3:30–4:45 pm**: [Late Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$35 online; \$40 onsite)

Saddlin' Up Time

John and Joanne Lowell, Randy Huston, Juni Fisher, and Amy Hale

Gene Nowell, MC

- Thu **3:30–4:45 pm**: [Late Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Cowboy Connections

Terry Nash (host), Dick Warwick, Rod Taylor, and Gail Steiger

- Thu **5:30-6:30 pm**: [Evening Supper Show](#) (Film Alley) (ticket required: \$10 plus onsite meal purchase from menu)

Range Memories

Deanna McCall, Chuck Milner, and Mike Blakely

- Thurs **7:00-9:20 pm**: [Thursday Night Show](#) (Bastrop Convention & Exhibit Center) (with intermission; ticket required: \$40 online; \$45 onsite)

Ridin' Drag

Kye Rieff, Dale Burson, Jay Snider, and Pipp Gillette; Barry Corbin introduces show

Gene Nowell, MC

Fri., Feb. 20, 2026

- Fri **7:00-8:00 am**: [Chuckwagon Breakfast](#) (location TBA) (ticket required: \$10 online or onsite)
- Fri **8:00 am**: The Mercantile opens (Bastrop Convention & Exhibit Center)
- Fri **8:45 am**: Welcome (Bastrop Convention & Exhibit Center)
- Fri **9:00–10:00 am**: Free session (Bastrop Convention & Exhibit Center)

A Taste of the Gathering

Dale Burson, Carson Houser, Kristyn Harris Trio, Deanna McCall, The Rifters, Dakota Robinson, Dave Stamey, Jake Riley, Juni Fisher, Annie Mackenzie, Sarah Pierce, and Pipp Gillette

Gene Nowell, MC

- **Fri 10:30–11:45 pm:** [Morning Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$30 online; \$35 onsite)

The Real Deal

Dale Burson, Sarah Pierce, John Moore, and Dave Stamey

Gene Nowell, MC

- **Fri 10:30–11:45 pm:** [Morning Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Lessons from the Classics

Carson Houser (host), Dick Warwick, Chuck Milner, and Dakota Robinson

- **Fri 12:00–1:00 pm:** [Noon Dinner Show](#) (Film Alley) (ticket required: \$10 + onsite meal purchase from menu)

Cowboy Lore

Jeff Gore, Randy Huston, and Annie MacKenzie

- **Fri 1:30–2:45 pm:** [Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$30 online; \$35 onsite)

Favorite Traditions

Chuck Milner, Pipp Gillette, Gail Steiger, and the Kristyn Harris Trio

Gene Nowell, MC

- **Fri 1:30–2:45 pm:** [Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

The West in Prose

Amy Hale (host), Juni Fisher, Jim Jones, and Deanna McCall

- **Fri 1:30–2:45 pm:** Free session (Bastrop Library)

Not Their First Rodeo

Doug Figgs (host), Mike Blakely, Kye Rieff, and Jake Riley

- **Fri 3:30–4:45 pm:** [Late Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$35 online; \$40 onsite)

Tres Amigos

Dale Burson, John Moore, and Rod Taylor

Gene Nowell, MC

- **Fri 3:30–4:45 pm:** [Late Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Western Tales

Sarah Pierce (host), Amy Hale, Doug Figgs, and Dave Stamey

- **Fri 3:30–4:45 pm:** Free session (Bastrop Library)

Open Mic

Hosted by Joel Alden White

[sign up to perform](#)

- **Fri 5:30-6:30 pm:** [Evening Supper Show](#) (Film Alley) (ticket required: \$10 + onsite meal purchase from menu)

Minstrels and Bards

R.P. Smith, Carson Houser, and Pipp Gillette

- **Fri 7:00-9:20 pm:** [Friday Night Show](#) (Bastrop Convention & Exhibit Center) (with intermission; ticket required: \$45 online; \$50 onsite)

Around the Campfire

Terry Nash, Juni Fisher, Jake Riley and The Riffers; Barry Corbin introduces show

Gene Nowell, MC

Sat., Feb. 21, 2026

- **Sat 7:00-8:00 am:** [Chuckwagon Breakfast](#) (location TBA) (ticket required: \$10 online or onsite)
- **Sat 8:00 am:** The Mercantile opens (Bastrop Convention & Exhibit Center)
- **Sat 8:45 am:** Welcome (Bastrop Convention & Exhibit Center)
- **Sat 9:00–10:00 am:** Free session (Bastrop Convention & Exhibit Center)

A Taste of the Gathering

John and Joanne Lowell, Dakota Robinson, Kristyn Harris Trio, Deanna McCall, The Riffers, R.P. Smith, Dave Stamey, Annie Mackenzie, Jeff Gore, Amy Hale, Chuck Milner, and Doug Figgs

Gene Nowell, MC

- **Sat 10:30–11:45 am:** [Morning Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$30 online; \$35E onsite)

Ride for the Brand

Kye Rieff, Doug Figgs, Kristyn Harris Trio, and Pipp Gillette

Gene Nowell, MC

- **Sat 10:30–11:45 am:** [Morning Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Word Wranglers

Jeff Gore (host), Gail Steiger, Jay Snider, and Terry Nash

- Sat **10:30–11:45 am**: Free session (Bastrop Library)

Youth Poetry Contest Winners

- Sat **12:00-1:00 pm**: [Noon Dinner Show](#) (Film Alley) (ticket required: \$10 + onsite meal purchase from menu)

Brushpoppers

Jim Jones, Sarah Pierce, and Dakota Robinson

- Sat **1:30–2:45 pm**: [Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$30 online; \$35 onsite)

Cowboy Humor

Jake Riley, Dick Warwick, Randy Huston, and Dave Stamey
Gene Nowell, MC

- Sat **1:30–2:45 pm**: [Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Making a Hand

Juni Fisher (host), Doug Figgs, Deanna McCall, and Chuck Milner

- Sat **1:30–2:45 pm**: Free session (Bastrop Library)

Rope Burns

Annie MacKenzie (host), Jay Snider, Mike Blakely, and Jeff Gore

- Sat **3:30–4:45 pm**: [Late Afternoon Show](#) (Bastrop Convention & Exhibit Center) (ticket required: \$35 online; \$40 onsite)

Rattlin' Rocks

R.P. Smith, Annie MacKenzie, Carson Houser, and The Rifiers
Gene Nowell, MC

- Sat **3:30–4:45 pm**: [Late Afternoon Show](#) (Bastrop County Historical Society Museum) (ticket required: \$30 online; \$35 onsite)

Spurs That Jingle

John and Joanne Lowell (hosts), Sarah Pierce, Dakota Robinson, and Randy Huston

- Sat **3:30–4:45 pm**: Free session (Bastrop Library)

Open Mic

Hosted by Joel Alden White

[sign up to perform](#)

- Sat **5:30-6:30 pm**: [Evening Supper Show](#) (Film Alley) (ticket required: \$10 + onsite meal purchase from menu)

Hang and Rattle!

Dale Burson, Jake Riley, and John and Joanne Lowell

- Sat **7:00-9:20 pm**: [Saturday Night Show](#) (Bastrop Convention & Exhibit Center) (with intermission; ticket required: \$45 online; \$50 onsite)

Twilight on the Trail

Amy Hale, Dave Stamey, R.P. Smith, and the Kristyn Harris Trio; Barry Corbin introduces show

Gene Nowell, MC



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act to approve the Bastrop City Council minutes from the February 10, 2026, Regular Meeting.

AGENDA ITEM SUBMITTED BY:

Victoria Psencik, TRMC, Assistant City Secretary

BACKGROUND/HISTORY:

N/A

FISCAL IMPACT:

N/A

RECOMMENDATION:

Approve the Bastrop City Council minutes from the February 10, 2026, Regular Meeting.

ATTACHMENTS:

- DRAFT February 10, 2026 Regular Meeting Minutes

CITY OF BASTROP

BASTROP CITY COUNCIL

REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, February 10, 2026

The Bastrop City Council met at a Regular Meeting at 6:30 p.m. on Tuesday, February 10, 2026, at the Bastrop City Hall Council Chambers, 1311 Chestnut Street, Bastrop, Texas, with the following action taken to wit:

Council Members Present

Mayor Pro-Tem John Kirkland
Council Member Cynthia Meyer
Council Member Kerry Fossler
Council Member Perry Lowe
Council Member Kevin Plunkett

Staff Present

City Manager Sylvia Carrillo-Trevino
City Attorney Charlie Zech
City Secretary Michael Muscarello
Assistant City Secretary Victoria Psencik
Assistant to the City Manager Vivianna Andres
Public Information Manager Colin Guerra
Assistant City Manager Andres Rosales
Finance Director Judy Sandroussi
Police Chief Vicky Steffanic
BEDC Operations Manager Angela Ryan
Development Services Director James Cowey
Discover Bastrop Director Michaela Joyce
Assistant Finance Director Laura Allen

Council Members Absent

Mayor Ishmael Harris

1. CALL TO ORDER

With a quorum present, Mayor Pro-Tem Kirkland called the Regular City Council Meeting to order at 6:30 p.m.

2. PLEDGE OF ALLEGIANCE – United States of America and Texas Flags

Joshua Dworaczyk and Ivany Monroy-Campos, students from Creekside Middle School, led the Pledge of Allegiance.

3. INVOCATION

Pastor Doug DeShay delivered the Invocation.

4. PRESENTATIONS

4A. **Mayor's Report**

4B. **Council Members' Report**

4C. **City Manager's Report**

1. Bastrop Day of Giving

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

4D. **PROCLAMATION – Black History Month.**

The proclamation was read into the record by Mayor Pro-Tem Kirkland.

5. **WORK SESSIONS / BRIEFINGS – NONE**

6. **STAFF AND BOARD REPORTS – NONE**

7. **CITIZEN COMMENT(S)**

Citizen(s) addressing the City Council on an item, not on the agenda: **No** comments were submitted.

8. **CONSENT AGENDA**

8A. **Consider and act on Resolution No. 2026-19, amending the Master Fee Schedule, General Provisions - Bastrop Building Block (B³) Code, amending the fee category title to “Development Fees”, and adopting a fee structure for the recordation of Agreements at the Bastrop County Clerk’s Office, as attached in Exhibit A.**

Submitted by: Vivianna Nicole Andres, Assistant to the City Manager

8B. **Consider and act on the second reading of Resolution No. R-2026-14, approving the Bastrop Economic Development Corporation’s expenditure for a Hospital Feasibility Study in an amount not to exceed fifty-two thousand five hundred dollars (\$52,500); authorizing the City Manager to execute all necessary documents; repealing all resolutions in conflict; and establishing an effective date.**

Submitted by: Angela Ryan, BEDC Operations Manager, CEcD

8E. **Consider action to approve Resolution No. R-2026-25 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the Texas Public Safety Office (PSO) for seventeen thousand, seven hundred fifty dollars and fifty six cents (\$17,750.56) for eight (8) new Body Worn Cameras, with 25% matching funds from the City of Bastrop if approved in Fiscal Year 2026; authorizing the Chief of Police as the grantee's authorized official.**

Submitted by: Vicky Steffanic, Chief of Police

8G. **Consider and act on Resolution No. R-2026-27, approving to extend the term of the current Bank Depository Agreement with First National Bank of Bastrop, from January 31, 2026 until January 31, 2027.**

Submitted by: Laura Allen, Assistant Finance Director

8H. Consider and act on Resolution No. R-2026-29, approving the acquisition of a permanent waterline easement; permanent wastewater easement; a fee simple acquisition for a Right-Of-Way expansion; and three temporary construction easements; along FM 969 and Blakey Lane, in the City of Bastrop; authorizing the City Manager to execute a Purchase & Sale Agreement and all other necessary documents for the acquisition of said property as described in Exhibits A-F; for the amount of eight hundred thirty-six thousand six hundred ten and no/100 (\$836,610.00).

Submitted by: Andres Rosales, Assistant City Manager

8I. Consider action to approve Resolution No. R-2026-28 of the City Council of the City of Bastrop, Texas, confirming annual board appointments of the Mayor, as required in Section 3.08 of the City’s Charter, as outlined in Exhibit A; and establishing an effective date.

Submitted by: Michael Muscarello, TRMC, CMC, CPM, City Secretary

8J. Consider and act to approve the Bastrop City Council minutes from the January 27, 2026, Regular Meeting.

Submitted by: Victoria Psencik, Assistant City Secretary, TRMC

Mayor Pro-Tem Kirkland called for requests to remove any item from the Consent Agenda for separate discussion. Mayor Pro-Tem Kirkland requested Item 8F be removed. Council Member Fossler requested Items 8C and 8D be removed.

MOTION: Council Member Plunkett moved to approve the remaining Consent Agenda as presented. Council Member Meyer seconded the motion. Motion carried unanimously.

* * * * *

8C. Consider and act on Resolution No. 2026-24 of the City Council of the City of Bastrop, Texas, approving a Funding Agreement between the Bastrop Economic Development Corporation and the City of Bastrop for purchase of 804 Water Street; authorizing the City Manager to execute all necessary documents; repealing all resolutions in conflict; and establishing an effective date.

Submitted by: Angela Ryan, BEDC Operations Manager, CEcD
Presented by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

MOTION: Council Member Fossler moved to approve Resolution No. R-2026-24 as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

* * * * *

8D. Consider and act on the first reading of Resolution No. 2026-23 of the City Council of the City of Bastrop, Texas, approving an expenditure by the Bastrop Economic Development Corporation of Five Hundred Twenty-Five Thousand Dollars (\$525,000.00) for the purchase of real property; authorizing

the City Manager to execute all necessary documents; repealing all resolutions in conflict; establishing an effective date; and move to include on February 24, 2026 City Council Consent Agenda for second reading.

Submitted by: Angela Ryan, BEDC Operations Manager, CEcD
Presented by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

MOTION: Council Member Fossler moved to approve Resolution No. R-2026-23 as presented. Council Member Lowe seconded the motion. Motion carried unanimously.

* * * * *

8F. **Consider action to approve Resolution No. R-2026-26 of the City Council of the City of Bastrop, Texas, that approves the City of Bastrop Police Department to apply for a grant from the Department of Justice (JAG) for twenty thousand dollars (\$20,000) and zero cents for a Mental Health and Wellness continuous training program that includes workshops, quarterly training and retirement readiness with no matching funds from the City of Bastrop; authorizing the Chief of Police as the grantee's authorized official.**

Submitted and Presented by: Vicky Steffanic, Chief of Police

Scouts of America Scout Master Kevin Gaines from Troop 1423 and Scout Master Andy Poloski from Troop 98 were in attendance with Scouts participating in the City Council meeting. The Scouts of the Troops were working towards earning their Citizenship in Community and the Communications badge. The Scouts preceded to make citizen comments to Chief Steffanic regarding Item 8F.

Scouts of America Comments – Henry Reynolds, Nate Poloski, Emma Smith, and Abby.

MOTION: Council Member Plunkett moved to approve Resolution No. R-2026-26 as presented. Council Member Fossler seconded the motion. Motion carried unanimously.

* * * * *

9. ITEMS FOR INDIVIDUAL CONSIDERATION

9A. **A. Consider and act on the second reading of Ordinance No. 2026-03, authorizing the appointment of Carly Power as Associate Municipal Judge of the City of Bastrop Municipal Court for a 2-year term effective February 10, 2026.**

Submitted and Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Plunkett moved to approve the second reading of Ordinance No. 2026-03 as presented. Council Member Meyer seconded the motion. Motion carried unanimously.

B. Swearing Oath of Office of Incoming Associate Judge Carly Power by The Honorable Chris Duggan, State District Judge, District 423.

The Honorable Chris Duggan performed the Oath of Office and Statement of Appointed Officer for Incoming Associate Judge Carly Power.

10. ADJOURNMENT

Upon receiving a motion duly made and a second to adjourn, Mayor Pro-Tem Kirkland adjourned the February 10th Regular Meeting at 7:33 p.m.

CITY OF BASTROP, TEXAS

Ishmael Harris, Mayor

ATTEST:

Victoria Psencik, TRMC, Assistant City Secretary

DRAFT



STAFF REPORT

MEETING DATE: February 24, 2026

TITLE:

Consider action to approve the first reading of Ordinance No. 2026-04 of the City Council of the City of Bastrop, Texas, amending the operating and capital budget for the Fiscal Year 2026 in accordance with existing statutory requirements; appropriating the various amounts herein attached as Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the March 10, 2026 City Council agenda for a second reading.

AGENDA ITEM SUBMITTED BY:

Laura Allen, Assistant Finance Director

BACKGROUND/HISTORY:

The City Council adopted the FY2026 budget on September 30, 2025. Exhibit A to Ordinance No. 2025-85 outlines each proposed budget amendment for FY2026 in detail.

According to the Financial Management Policy, budgetary control is maintained at the department level for all Funds exceeding \$25,000. Any interdepartmental transfer over \$25,000 requires City Council approval.

The City Charter also stipulates that all budget amendments must be enacted by Ordinance.

FISCAL IMPACT:

Various – See Ordinance Exhibit A

RECOMMENDATION:

Laura Allen, Assistant Finance Director recommends approval of the first reading of Ordinance No. 2026-04 of the City Council of the City of Bastrop, Texas, amending the operating and capital budget for the Fiscal Year 2026 in accordance with existing statutory requirements; appropriating the various amounts herein attached as Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the March 10, 2026 City Council agenda for a second reading.

ATTACHMENTS:

1. Ordinance No. 2026-04
2. Exhibit A – Fiscal Year 2026 Budget Amendments

ORDINANCE NO. 2026-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BUDGET FOR THE FISCAL YEAR 2026 IN ACCORDANCE WITH EXISTING STATUTORY REQUIREMENTS; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; REPEALING ALL PRIOR ORDINANCES AND ACTIONS IN CONFLICT HEREWITH; AND ESTABLISHING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Bastrop, Texas has submitted to the Mayor and City Council proposed amendment(s) to the budget of the revenues and/or expenditures/expenses of conducting the affairs of said city and providing a complete financial plan for Fiscal Year 2026; and

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

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

Section 1: That the proposed budget amendment(s) for the Fiscal Year 2026, as submitted to the City Council by the City Manager and which budget amendment(s) are attached hereto as Exhibit A, are hereby adopted and approved as the amended budget of said City for Fiscal Year 2026.

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

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

READ and APPROVED on First Reading on the 24th day of February 2026.

READ and ADOPTED on Second Reading on the 10th day of March 2026.

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.





City of Bastrop
FY2026 Operating and Capital
Budget Amendments
Ordinance No. 2026-04

| Description/ General Ledger Account | Original Budget | Increase (Decrease) | Amended Budget |
|--|--------------------|------------------------|-------------------|
|--|--------------------|------------------------|-------------------|

Amendment #1 – In FY2024 Council allocated \$100K for repairs to the Visitor Center of which approximately \$40K has been utilized. This amendment would allocate \$60K from HOT Fund Balance.

| | | | |
|--|-------------|-------------|-------------|
| Unassigned Fund Balance (501-3000) *unaudited | \$2,711,058 | \$(100,000) | \$2,611,058 |
| Transfer Out – Capital Fund (501-80-00-8140) | \$0 | \$100,000 | \$100,000 |
| Transfer In – HOT Fund (995-00-00-4740) | \$0 | \$100,000 | \$100,000 |
| Stairs – Visitor Center (995-80-00-6069) Project Code 124 | \$0 | \$100,000 | \$100,000 |

Amendment #2 – Is proposing to reallocate a total of \$49,500 from the General Fund Fleet & Facilities existing budget to the appropriate Capital Projects Fund. These funds would be utilized on a 50x50 roof add-on covering, for \$20K, providing an additional 2,500 sq/ft of covered workspace. As well as \$29,500 for a 15,00-pound 4 post automotive lift.

| | | | |
|---|-----------|------------|-----------|
| Maintenance of Vehicles (101-22-00-5340) | \$173,477 | \$(29,500) | \$143,977 |
| Maintenance of Buildings (101-22-00-5345) | \$361,101 | \$(20,000) | \$341,101 |
| Transfer Out – Capital Fund (101-22-00-8140) | \$0 | \$49,500 | \$49,500 |
| Transfer In – General Fund (995-00-00-4701) | \$0 | \$49,500 | \$49,500 |
| Capital Outlay (995-22-00-6000) Project Code 125 | \$0 | \$49,500 | \$49,500 |

Amendment #3 – Is requesting to utilize \$14,750 from Street Maintenance Fund Unassigned Fund Balance for the purchase of Miller Curb Machine, Series MC 650.

| | | | |
|---|-------------|------------|-------------|
| Unassigned Fund Balance (110-3000) *unaudited | \$3,688,984 | \$(14,750) | \$3,674,234 |
| Equipment – Capital Outlay (110-18-00-6010) | \$0 | \$14,750 | \$14,750 |

| Description/ General Ledger Account | Original Budget | Increase (Decrease) | Amended Budget |
|--|--------------------|------------------------|-------------------|
|--|--------------------|------------------------|-------------------|

Amendment #4 – Relates to a Special Revenue Funds for our Municipal Court Technologies fees and expense. FY2025 began the implementation of Tyler Software as their operating system. Most of the implementation fees occurred in FY2026. This amendment would allocate available Fund Balance, assigned for this specific purpose, to cover the contractual services.

| | | | |
|---|----------|--------------------|----------|
| Technology Expense (102-00-00-5668) | \$17,000 | \$18,283 | \$35,283 |
| Assigned Technology Fund Balance (102-3121) | \$10,923 | \$(-10,923) | \$0 |
| Assigned Bldg./Tech Combo FB (102-3129) | \$9,189 | \$(7,360) | \$1,829 |
| *Unaudited | | | |

Amendment #5 – The Water/Wastewater Capital Projects Fund currently has two active projects. The Wastewater Treatment Plant #1 and #2 Rehab and SH71 Pipe Bursting projects. This amendment would reallocate the funding sources of each project.

- Wastewater Treatment Plant #1 and #2 Rehab** – The City received a total of \$2,292,300.66 in ARPA grant funds during COVID. Any projects overage will be funded using accrued interest on said funds.

| | |
|----------------------|--------------------|
| Grant Administration | \$78,139 |
| Engineering | \$17,500 |
| Project Management | \$5,000 |
| Construction | <u>\$2,405,079</u> |
| Total Cost | \$2,505,718 |

| | | | |
|--|-----|-------------|-------------|
| Transfer Out – Capital Fund (730-35-00-8140) | \$0 | \$2,505,718 | \$2,505,718 |
| Transfer In – ARPA Fund (999-00-00-4742) | \$0 | \$2,505,718 | \$2,505,718 |

- SH71 Pipe Bursting** – The City had secured prior partial funding with the Series 2024 debt obligation with Water/Wastewater Impact Fees servings as the other funding source.

| | |
|---------------------------------------|------------------|
| W/WW CO Series 2024 (Fund 265) | |
| Engineering | \$26,300 |
| Construction | <u>\$708,050</u> |
| Total Cost | \$734,350 |

| | |
|------------------------------------|------------------|
| W/WW Impact Fees (Fund 306) | |
| Engineering | \$17,150 |
| Construction | \$241,167 |
| Inspections | \$31,500 |
| Materials Testing | \$37,000 |
| Project Management | <u>\$9,200</u> |
| Total Cost | \$336,017 |

| | | | |
|--|-----|-----------|-----------|
| Transfer Out – Capital Fund (265-35-00-8140) | \$0 | \$734,350 | \$734,350 |
| Transfer Out – Capital Fund (306-51-51-8140) | \$0 | \$336,017 | \$336,017 |
| Transfer In – Impact Fee Fund (999-00-00-4732) | \$0 | \$336,017 | \$336,017 |
| Transfer In – Bond Funds (999-00-00-4737) | \$0 | \$734,350 | \$734,350 |



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on Resolution No. R-2026-32 expressing support for a Bastrop County-funded Strategic Plan to guide the formation of a Regional Economic Development Corporation.

AGENDA ITEM SUBMITTED BY: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

BACKGROUND/HISTORY:

Bastrop County is 896 square miles, Approximately 97% of the County remains unincorporated. The vast majority of the growth being experienced is occurring in the unincorporated areas of the County. However, the County lacks a clear vision of economic development, in part, due to the lack of a strategic plan that addresses the needs of the three major cities in the County: Bastrop, Elgin, and Smithville. One that also addresses the strengths of each city and also areas such as Paige, Webberville, and Rosanky.

On February 12, 2026, the Bastrop Economic Development Corporation Board attended a meeting sponsored by Commissioner Glass to discuss a broader Bastrop County Economic Development Partnership. Also in attendance were the cities of Elgin, Smithville, and Bastrop County officials.

Commissioner Glass submitted a proposed resolution and draft bylaws. (Attachment A & B). The legal team for the City of Bastrop EDC raised several concerns related to the document, specifically, the co-mingling of public and private funds, as well as no clear performance measure or deliverable outlined in the document.

At the meeting, all of the cities raised additional concern; as written, raise concerns in the following areas:

- 1) Transparency and Public Funds
 - a. The cost of participation - \$50,000 per seat, max 3 seats per City without a clear budget outlining the tasks to be accomplished.
 - b. The lack of transparency. As written, the organization would not be subject to the Open Meetings Act or fiscal transparency.
 - c. The ability for a “Pay to Play” from non-governmental organizations to “buy” a seat on the board.
- 2) Focus, Marketing, and Deliverables
 - a. The lack of clear deliverables from the organization to the city and other participants.

- b. Recruitment without a clear plan. A focus on marketing is more appealing by the cities, as opposed to recruitment as each city has different needs.
- c. Competition by cities and the fear of “crumbs” by the smaller cities or areas such as Paige or Rosanky.

For brevity of the document, only a high-level list was listed above

To combat some of the concerns, the City of Bastrop, Elgin, and Smithville requested a strategic plan which would identify strengths, opportunities, identify gaps in workforce or education, the roles of each of the entities, among other items which will ultimately inform the budgetary need for the newly created entity. The fact that an amount was identified, without a plan, gave great concern to all of the cities.

FISCAL IMPACT:

None

RECOMMENDATION:

Approve the resolution to support a County led strategic plan to inform the need for an overall Bastrop County Economic Development Corporation, a public entity led by the County with participation by the City of Bastrop, Elgin, and Smithville. The plan would also inform the cost of participation by each city, and ultimate goals, and performance measures as required by law.

ATTACHMENTS:

1. Resolution
2. Meeting Summary
3. Attachment A - Draft Bylaws (2/2026) – County submitted
4. Attachment B - Draft County Resolution (2/2026) – County submitted



Regional Economic Development Private Corporation AI Generated Executive Summary

Date 2026-02-12

Overview A meeting was held to discuss creating a regional economic development partnership for Bastrop County, where representatives from Bastrop, Elgin, and Smithville agreed to first develop a county-wide strategic plan before forming any entity, with requirements that any future organization be subject to open meetings laws and have Bastrop County as the parent governing body.

I. Opening and Introductions

The meeting was called to order by **Commissioner David Glass**, Bastrop County Commissioner, who welcomed attendees and noted that the larger space was chosen to allow room for deeper conversations.

Commissioner Glass invited all participants to introduce themselves around the room. The following individuals were present and identified:

- **Jim Jenkins** – Council Member, City of Smithville
- **Mitchell Jamison** – Council Member, City of Smithville
- **Sharon Forster** – Mayor, City of Smithville
- **Bob Farley** – Opportunity Austin
- **Kaylee Frye** – Elgin EDC
- **Terrence McSand** – Mayor, City of Elgin
- **Amberley Palmer** – Bastrop County Economic Development
- **John Kirkland** – Mayor Pro Tem, City of Bastrop
- **Lisa Holcomb** – EDC of Bastrop
- **Carrie Blake** – BEDC Chair
- **Sylvia Carrillo** – City Manager of Bastrop and Interim EDC Director
- **Cynthia Sanders-Meyer** – City Council, Bastrop
- **Angela Ryan** – Bastrop EDC, Operations Manager



- **Dory Kelly** – Bastrop County Commission
- **Adena Lewis** – Director of Tourism and Economic Development, Bastrop County
- **David Glass** – Bastrop County Commissioner (Chair of the meeting)
- **Mayor Harris** – BEDC Board Member (participating by phone)
- **Jeremy Frazier** – City Manager, City of Smithville (newly appointed)
- **Robert Andrade**– New Economic Development Director, City of Smithville
- **Teresa McShan** – Mayor of Elgin
- **Commission Meuth** – Bastrop County

Commissioner Glass stated his intention to keep the meeting to approximately one hour and to be respectful of everyone's time.

II. Background and Purpose of the Regional Economic Development Partnership

Commissioner **David Glass** provided the background and rationale for the meeting. He explained that over the past two years, he and **Adeena Lewis** (referred to as "Adina" / "Edina" in the transcript) had been very active with economic development at the county level, describing the volume of activity as coming "like a fire hose." He noted that Bastrop County is one of the fastest-growing counties in the country.

Commissioner Glass stated that he had been developing the idea of a **regional-type EDC** (Economic Development Corporation) for approximately two years — a collaborative platform through which all entities in the county could work together. He acknowledged that some collaboration had been occurring independently but emphasized the need for a formal structure.

He referenced successful models in other regions, specifically citing **Williamson County (Wilco)** and the **Hayes-Caldwell County Partnership** involving San Marcos, as examples that informed his thinking.

Commissioner Glass articulated the core philosophy: "**It's better to be proactive than reactive.**" He emphasized the need to foster the correct kind of growth, particularly noting the county's need for **high-employment industry and jobs**. He stated that the county had been working on attracting such opportunities on behalf of the entire county and all cities.

He noted that **Mr. Bob Farley** of Opportunity Austin had been gracious in assisting on a specific project and was invited to provide an overview of market conditions, success stories, and potential pitfalls.

Adena Lewis added that this initiative was an extension of efforts begun years ago under previous County administrations, who had previously tried to bring the entities together as a team.



Commissioner Glass further noted that the **City of Bastrop** was at the forefront of much of the growth, and that **Elgin**, under Kaylee Frye and her team, had done an outstanding job bringing activity to their city. He reiterated his belief that collaborative effort would produce a win for all parties.

He stressed that the discussion was **open dialogue with nothing set in stone**, and that the meetings were intended to begin shaping what the entity would eventually become.

III. Presentation by Bob Farley – Opportunity Austin Overview

Bob Farley of Opportunity Austin provided a brief overview of his organization's role and its relationship to local partners.

Key points from Mr. Farley's remarks:

- Opportunity Austin has been in existence for over 20 years, serving as the **regional marketing arm for the greater Austin area** since 2004. He noted that the geographic scope has expanded significantly as growth has moved outward, driven by land availability, utilities, and other factors.
- He emphasized that Opportunity Austin works with local partners because **"you guys are the ultimate stop"** — companies do not locate in a region abstractly; they locate in specific cities like Bastrop or Smithville.
- Opportunity Austin receives approximately **280 projects per year**, which are distributed across the region. He stated it was in everyone's best interest for local partners to see as many relevant projects as possible.
- OA's role is to **distribute leads, answer technical questions of a regional nature, and support local partners** in responding to projects that make sense and fit their communities.
- Mr. Farley shared that he learned the economic development business working for **Ross Perot**, whose son was tasked with developing a large land holding in Fort Worth that stretched over six or seven communities and two or three counties. This experience involved both site selection/real estate and **building capacity with local partners**.
- He described OA's role as a **"silent partner"** — providing intelligence on what communities need to be competitive and helping where possible. He noted that intelligence depends on what clients share, so the level of information varies. He committed to transparency: **"If I know something and I think they're looking in your area, I'm gonna tell you what you need to know."**
- He stated OA would work with whatever structure the group decided upon and pledged full support.

Adena Lewis noted that all organizations present were already members of Opportunity Austin, so the collaborative concept was not new to anyone.



IV. Discussion on Funding Structure and Contribution Levels

Sylvia Carrillo, City Manager of Bastrop, raised the first substantive concern regarding funding. She noted that the City of Bastrop's current contribution to Opportunity Austin is **\$5,000**, and that seeing a proposed contribution of **\$50,000** for the new entity — when receiving similar services — was "a little bit shocking." She requested discussion on this point.

Commissioner Glass clarified the evolution of the funding proposal:

- The original conception was modeled after similar entities in Williamson County and elsewhere.
- The initial ask had been **\$150,000 per entity** (which would have generated approximately \$600,000 total), intended to fund staffing, marketing, and collaborative activities.
- Based on feedback, the amount had been **reduced to \$50,000 per entity** (not per seat — \$50,000 covers all three board seats for each city).
- Furthermore, Commissioner Glass disclosed that the group had decided that **cities would not need to contribute any funds until October 1st**, allowing time to evaluate the initiative and align with budget cycles.

Mitchell Jamison (Smithville Council) asked whether any consideration had been given to **contribution size based on capacity** rather than a flat fee, noting that a flat fee structure is difficult to sell to constituents, particularly given Smithville's **\$16 million total budget**. He emphasized that elected officials must justify expenditures to taxpayers, especially while fighting property tax increases and making internal cuts.

Jim Jenkins (Smithville Council) echoed these concerns, stating that **\$50,000 per seat was initially discussed** and that Smithville simply cannot afford that level of contribution given their tight budget.

Commissioner Glass explained the overall funding target:

- Three cities at \$50,000 each = \$150,000
- The county contributing \$75,000 to \$100,000 (to be taken before Commissioner's Court)
- Total target: approximately **\$250,000** to start



- He acknowledged this was still evolving and that expenses would need to match available funds.

Cynthia Sanders-Meyer (Bastrop City Council) pressed for clarity on how the funds would be allocated, asking what percentage would go to staff versus marketing, and what the **return on investment (ROI)** would be.

Commissioner Glass responded that once the entity was stood up with board members, budget allocation would be the board's responsibility, similar to how city councils oversee city budgets and Commissioner's Court oversees the county budget.

V. Concerns Regarding Transparency, Open Meetings, and Open Records

This topic generated the most extensive and forceful discussion of the meeting.

Sylvia Carrillo raised the first concern, noting that the draft bylaws proposed the corporation would **not be subject to Open Records requests and not be subject to the Open Meetings Act**. She stated this was deeply problematic given the use of public funds and drew a direct parallel to the **Visit Bastrop litigation**, which involved allegations of misuse of public funds by a similarly structured entity. She described the city as having **"PTSD"** from that experience, noting the litigation had only recently concluded after two years.

Cynthia Sanders-Meyer (Bastrop City Council, also on the Bastrop EDC Board) spoke strongly on this point, stating she had been involved in the **investigation of Visit Bastrop for misuse of public funds**. She specifically cited **Article 6, Section 6.9** of the draft document, which stated the corporation would not be subject to the Open Meetings Act. She called this **"totally contradictory to any kind of transparency"** and described it as **"a big thorn in my side."**

John Kirkland, Mayor Pro Tem of Bastrop, spoke most forcefully on this issue, stating:

- He was **"very interested in the idea"** but if the current draft were the final proposal, he **would vote against it** and believed there would be a **unanimous vote against it from the City of Bastrop**.
- He identified the following areas as **"fatally flawed"**:
 - **Giving public money to a non-profit organization without adequate oversight** — He stated this required a "parent" entity with the authority to "yank the chain and sack the board" and even eliminate the body entirely if it misbehaved.



- **Allowing private industry to "buy their way onto the board"** through sponsorship levels — He described this as feeling **"very, very slimy"** and called for its elimination.
- **Self-dealing** — He called for strict penalties in the bylaws for any form of self-dealing among board members serving organizations to which they belong.
- He proposed the entity be formed as a **Local Government Corporation underneath Bastrop County**, which would make it fully subject to Open Records and Open Meetings requirements. He noted that executive sessions are already provided for under existing law and would not prevent confidential project discussions.
- He painted a cautionary scenario: **"You get seven years down the road, you get a new director and all the other directors have turned over and no one in this meeting is on that board and a million dollars is missing."**

Kaylee Frye (Elgin EDC) added that the **Greater Houston Partnership had been sued over this exact issue**, and that it is **illegal** to exempt an entity receiving even \$1 of public funds from open meetings and open records requirements.

Sylvia Carrillo confirmed this was why this was problematic from a legal perspective.

Amberley Palmer acknowledged that the open meetings provision could be removed, stating: **"That can go away. If that's a point that's really important."**

Commissioner Glass explained that the draft bylaws were modeled after other entities around the region that operate this way, but acknowledged the feedback and stated he was **"not opposed to it at all"** and that the bylaws were **"just a draft."**

Sylvia Carrillo further shared that when she joined the BEDC board, a chief complaint was lack of transparency — board members did not know what staff was doing on projects with code names. She recounted having to obtain an attorney opinion to force staff to place project information in a repository accessible to the board during executive sessions.

Emerging consensus: All participants appeared to agree that the entity must be subject to Open Meetings and Open Records requirements. Commissioner Glass acknowledged this as a clear outcome of the meeting.

VI. Governance Structure – County as Parent Entity and Board Composition

John Kirkland proposed that the entity be structured as a **Local Government Corporation under Bastrop County**, giving the county authority as the parent body with the power to oversee and, if necessary, dissolve the board — similar to how a city council can remove an



entire EDC board. He emphasized he was not seeking city control but wanted a governmental body to have ultimate authority.

Sylvia Carrillo expressed agreement, stating: "**That was my hope, that it did**" — referring to the county leading the initiative. She further asked why the county was not simply standing up the entity itself, investing in marketing and additional staff, given the growth and revenue increases the county was experiencing.

Commissioner Glass responded that the county's budget was stretched and that economic development competes with other priorities such as the sheriff's department and other departmental needs. **Adena Lewis** elaborated that the county's total economic development budget — including all salaries, fringe benefits, and operations — was only **\$130,000**, with a marketing budget of just **\$5,000 per year**. She illustrated the budget constraints with an anecdote about having to justify a \$250 increase in her office supply budget (from \$500 to \$750) before Commissioner's Court. This however, is separate and apart from the Film and Tourism component of the budget.

Sylvia Carrillo argued that the county must take a stronger role in economic development and asking for contribution is a double dip to the taxpayers, but specifically to each city.

Regarding **board composition**, **Kaylee Frye** offered a different perspective from the elected officials, arguing that such partnerships tend to be **more successful when business-leader-led**, with cities and EDCs holding ex-officio or advisory board seats. She cited the Greater San Marcos Partnership model, where the mayor sits on the board but elected officials are not allowed on the executive committee. She noted that **Texas State University** and businesses lead that organization.

John Kirkland responded that business-leader appointments and limiting elected officials were **fully compatible** with his proposal for a Local Government Corporation, suggesting a limit of one elected official per municipality. He also raised **quorum concerns** if too many elected officials from the same body served on the board.

Commissioner Glass noted that the original concept allowed each entity to appoint whoever they wished to serve, and that the group could collectively decide on composition rules.

VII. Discussion on Scope, Sales Tax, and Jurisdictional Concerns

Sylvia Carrillo raised concerns about the city of Bastrop's position within a county-wide entity, noting that **97% of the county is rural/unincorporated**. She questioned how the city fits into a structure where projects might be served by non-city utilities (e.g., **Corix utilities, Aqua Water**) rather than Bastrop's own water, wastewater, and electric systems, which are contributors to the city's general fund. She stated: "**I've got to be a fiduciary to the City of Bastrop.**"



She also raised **potential conflicts of interest**, noting that Commissioner Glass sits on the boards of *both Aqua Water and Frontier Bank*, creating a perception issue if projects in the county were served by those entities, given that the new organization already has office space in Frontier Bank.

Adena Lewis countered by emphasizing the importance of **sales tax revenue**, noting that:

- All EDCs except the county are dependent on sales tax.
- Sales tax is generated by 100% of the county, with **75% of the population living outside incorporated areas**.
- County residents create sales tax that supports all cities.
- The goal is to keep residents spending money in Bastrop County rather than Travis County, supporting local businesses and city revenues.
- She used the metaphor of a wave: **"Sometimes you want your feet to get wet, and sometimes you don't."**

Sylvia Carrillo acknowledged sales tax importance but noted it was **"one piece"** of the operating budget picture.

Kaylee Frye raised the competitive dynamic between cities, noting that if Elgin gets a project, Bastrop elected officials must answer to their community about why Elgin received it and not Bastrop. She expressed concern about elected officials from one city serving on a regional board that might direct projects to competing jurisdictions.

Mitchell Jamison (Smithville) expressed concern about Smithville being the smallest entity at the table, asking: **"How do we prevent ourselves from just getting the promise?"** — referencing the risk of being overlooked in favor of larger cities.

VIII. Discussion on Marketing vs. Recruitment Focus

Adena Lewis provided historical context on collaborative marketing in Bastrop County, noting that approximately **14 years ago**, the three chambers began joint marketing because none had individual funding. She managed the **Hotel Occupancy Tax (Hot Tax) Program** for Bastrop County with assistance from Amberlee and Fran. She stated that joint marketing had proven successful, evolving from having to explain who Bastrop County was and that it survived the 2011 fire, to now receiving unsolicited interest.

Sylvia Carrillo countered this is mostly due to the City of Bastrop's extensive investment into marketing and attraction, but also recognized the City of Bastrop has an EDC tax where others do not.

Adena Lewis emphasized the importance of **branding discipline**, noting the need to distinguish between "City of Bastrop" and "Bastrop County" — stating: **"Bastrop has a last**



name; it is county." She acknowledged that negative actions at one level can affect the other's reputation.

Lewis framed the initiative primarily as a **marketing effort** rather than traditional economic development, stating: **"I don't think of it in terms of economic development so much as I think of marketing ourselves to the people that we want to have come."** She noted that while Opportunity Austin brings leads from the state office, she was currently working on something larger than anything OA had ever brought — generated purely because people had heard about Bastrop County and wanted to talk.

Robert Andrade (Smithville's new Economic Development Director) strongly advocated for a **marketing-only focus**, at least initially. He shared that a site selector he met with the previous day said: **"We don't know you guys exist."** The site selector knew only that Bastrop County was next to Austin and that Elon Musk was in the area.

Robert proposed that if the entity focused exclusively on marketing — not recruitment — it would be easier for all parties to agree. He stated: **"If we stick to that, it seems like it'd be something we could all agree to."** He cautioned that recruitment activities create complications, particularly when businesses seek to influence recruitment for their own benefit.

Sylvia Carrillo drew a distinction between marketing and recruitment, stating: **"In this proposal, marketing is confused with recruitment. I don't need you to go to Korea to go recruit. Do I need you to place strategic ads? Absolutely, but Bastrop is already doing that."** She shared her experience questioning Opportunity Austin about their overseas visits, asking whether the strategic plan aligned with the industries being targeted and whether the cities could know what was being attracted.

Bob Farley (Opportunity Austin) added that a regional approach elevates the profile of all communities, noting that international clients know the Austin airport and hotels but **"don't know anything about Wilco, Hayes-Caldwell, Bastrop."** He stated that a clearer regional identity helps attract the right clients rather than a scattershot approach.

This solidified the groups concerns about the investment from Wilco, and Hayes-Caldwell, and still the international community does not know they exist.

IX. Practical Tools and Shared Resources

Kaylee Frye identified specific practical benefits she would value from a regional partnership, including:

- A **county-wide regional utility map** showing all electricity providers, capacity, load availability, water, and wastewater across the county.



- She described the current process as ad hoc: **"We're not meeting up here on a Saturday trying to map out... I think we've got one over here. Let me call Mark."**
- Having all utility and infrastructure information in one place to respond efficiently to inquiries.

Sylvia Carrillo responded that the City of Bastrop's EDC could build such a map using their **GIS capabilities**.

Commissioner Glass noted that the entity could hold **shared memberships** in various organizations, which individual cities currently pay for separately. He stated that the dollar amount of potential savings was "quite substantial." [— referenced at end of meeting summary]

X. EdgeConnect Data Center – Case Study in County-Level Economic Development

Commissioner Glass cited the **EdgeConnect data center project** as a success story of county-level economic development. Key details shared:

- EdgeConnect is described as a **massive data center** project — a **multi-billion dollar investment**.
- The company is spending **half a million dollars** to fund a full curriculum for **all four school districts** in Bastrop County for four years.
- Commissioner Glass recounted that when EdgeConnect asked about partnering with BISD, he suggested they include all county school districts. The company agreed **"without hesitation"** and asked him to put all four superintendents in a room.

Adena Lewis noted a significant challenge: **the county is not allowed to sign NDAs (Non-Disclosure Agreements)**, which is unusual in economic development. She stated that much of the EdgeConnect relationship was **based on trust** rather than formal confidentiality agreements.

Sylvia Carrillo confirmed that the City of Bastrop also cannot sign NDAs.

Sylvia Carrillo also offered a cautionary counterexample from her experience at the **Port of Corpus Christi**: the **Tianjin Pipe Company**, which was the largest Chinese investment in the United States at the time — a billion-dollar project. She noted that the facility's shell **"stands empty today"** despite millions of dollars committed to attraction efforts over several years. She stated: **"Sometimes these things don't come to fruition. And that's okay. That's how it's built."**



XI. Proposal to Begin with a Strategic Plan Before Forming an Entity

A significant shift in the discussion occurred when **Sylvia Carrillo** proposed that the group develop a **strategic plan before creating a formal organization**.

She stated: "**Can I ask that we work toward a strategic plan first before we get to formulation and agree what are we going to be as a county?**" She suggested this might include working with Opportunity Austin or their consultant to determine the county's collective vision, which would then inform how all entities participate.

She further stated: "**It feels like there's a rush to get to a resolution to create it. Can we work on a strategic plan?**"

Mitchell Jamison strongly supported this approach, stating: "**Strategic planning, strategic initiatives, and planning is fundamental. We've got to know what we want to be... before we figure out what it takes to support that.**"

Robert Andrade proposed a timeline: work on a strategic plan through **October 2027**, with an interim simple marketing plan to elevate the county's profile. He suggested a one-year review: "**2027, I will come back and say, okay, let's year in review. How did we do? Did this work? And if it didn't, it's done.**"

Kaylee Frye (Elgin EDC) confirmed this aligned with feedback from her board: "**They said, well, fund a strategic plan... before we want to put a hundred [thousand]... we'd rather fund a strategic plan for the county so we know what we're all getting behind.**" She emphasized that the initiative only works if all entities participate: "**If only Bastrop's in and Elgin's out, it doesn't work. If you don't have us in there, it doesn't work.**"

Commissioner Glass agreed with this approach and stated emphatically: "**If it's not the three on anything, it should be nothing... Step together or we don't step at all.**"

XII. Commitments and Action Items

The following commitments and action items emerged from the discussion:

- **Sylvia Carrillo** committed to drafting a **staff report** in support of a resolution to be presented at Bastrop County Commissioner's Court. The staff report would state support for the county creating an **economic development strategic plan that serves the entire county and benefits both incorporated and unincorporated areas equally**. She committed to placing this as an **individual consideration item** (not buried in the city manager's report) at the next Bastrop City Council meeting. She committed to distributing the draft document to all parties **by the weekend**.
- **Smithville representatives** (Jim Jenkins, Mitchell Jamison, Sharon Forster, Jeremy Frazier) indicated willingness to provide similar support. Jim Jenkins noted their next



council meeting was **March 9th**. Mitchell Jamison noted he was in a re-election campaign, adding a political dimension to the timing.

- **Commissioner Glass** committed to placing the item on the **Commissioner's Court agenda**. His initial target was **February 23rd**, but given that Smithville would not have a council meeting before that date, the group discussed targeting **March 9th** for Commissioner's Court to align with Smithville's council meeting.
- **Sylvia Carrillo** offered to share the City of Bastrop's **Prophecy software platform** for document collaboration and distribution.
- **Commissioner Glass** stated he would have conversations with **Commissioner Martin** about potentially pushing the court date to allow more preparation time.

Key decisions reached by consensus (not formal votes):

- The entity **must be subject to Open Meetings and Open Records requirements**.
- The entity should be structured with **Bastrop County as the parent/governing body**, potentially as a Local Government Corporation.
- A **strategic plan should be developed first**, before any formal entity is created.
- **No financial commitment from cities until October 1st** at the earliest, and more specifically after the strategic plan is created and adopted.
- **All three cities must participate**, or the initiative should not proceed — "**Step together or we don't step at all.**"

XIII. Scheduling and Next Steps

The group discussed scheduling for the next steps:

- **Commissioner Glass's** initial target for Commissioner's Court was **February 23rd**.
- **Sylvia Carrillo** noted she would be on medical leave on February 20th but stated her team was capable of representing without her.
- **Smithville** confirmed their next council meeting was **March 9th**, making February 23rd impractical for a coordinated approach.
- Commissioner Glass's next court date after February 23rd was also **March 9th**.
- The group tentatively agreed to target **March 9th** for both the Smithville council action and the Commissioner's Court item, with the possibility of the Commissioner's Court item falling on the **second meeting in March** (approximately two weeks after March 9th).
- **Sylvia Carrillo** committed to having the draft document distributed **by the weekend**.
- Commissioner Glass stated he would place the item on the agenda for February 23rd as a placeholder, with the ability to postpone if the cities were not yet prepared.
- Future meetings could be conducted via **Google Meet, Teams, or Zoom**, and the county boardroom was offered as an in-person meeting location.



XIV. Closing

Commissioner Glass summarized the key outcomes of the meeting:

- Per **John Kirkland's** recommendation, the entity should be a county initiative with the county serving as the parent body.
- Open meetings compliance would be mandatory.
- Shared memberships through the entity could benefit all cities while reducing individual costs.
- A business sponsorship component could help raise capital for marketing without granting board seats.
- A strategic plan would be developed before formal entity creation.

The meeting concluded with participants expressing appreciation for the dialogue and committing to the agreed-upon next steps. Commissioner Glass thanked all attendees for their time and participation.

BYLAWS

OF

BASTROP COUNTY ECONOMIC DEVELOPMENT PARTNERS

A Texas Non-Profit Corporation

ARTICLE I - Name

The name of the organization shall be the Bastrop County Economic Development Partners ("BCEDP" or the "Corporation").

ARTICLE II - MISSION, PURPOSE AND LIMITATION ON POWERS

Section 2.1 Mission. The mission of the Corporation is to promote the economic vitality of, to encourage and support job creation and preservation in, to attract and recruit new companies and industries to, and to encourage the retention of and support the expansion of companies and industries in Bastrop County, Texas.

Section 2.2 Purposes. In furtherance of its Mission above, within and for the benefit of Bastrop County, Texas, the purposes of the Corporation are: (a) to facilitate education and workforce development providing quality employment opportunities for all residents; (b) to conduct a business league for the purpose of encouraging, stimulating and promoting economic development, expansion and diversification; (c) to lessen the burden of government by creating a larger tax base for the benefit of all residents; (d) to develop a complete range of employment opportunities to maximize workforce potential and reduce unemployment; and (e) such other purposes as may be permitted under Section 501(c)(6) of the Internal Revenue Code (the "Code") and the Texas Business Organizations Code, as amended from time to time or their successor provisions.

Section 2.3 501(c)(6) Tax-Exempt Organization. The Corporation is a Section 501(c)(6) organization under the Code. The Corporation is not authorized to take any action not allowed by the Code for such an organization. The Corporation is not organized for profit, and no part of the net earnings of the Corporation shall benefit a private individual.

ARTICLE III - OFFICES

Section 3.1 Principal Office. The principal office of the Corporation in the State of Texas shall be located in Bastrop County, Texas. The Corporation may have other offices, either within or without the State of Texas, as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

Section 3.2 Registered Office and Agent. The Corporation shall have and continuously maintain in the State of Texas a registered office and a registered agent whose office is identical with such registered office as required by the Texas Business Organizations Code. The registered office of the Corporation may be, but need not be, identical with the principal office of the Corporation in the State of Texas. The Board of Directors may change its registered agent and the address of the registered office from time to time.

ARTICLE IV - MEMBERSHIP

Section 4.1 Institutional Members. The following entities are Members of the Corporation (each of the following being “Institutional Members”): Bastrop County, Texas; City of Bastrop, Texas; City of Elgin, Texas; and City of Smithville, Texas. Institutional Members shall each pay an annual fee, with an initial 3-year commitment, or provide an equivalent in-kind contribution in such form or manner acceptable to and as determined by the officers of the Corporation, as follows:

- Bastrop County, Texas: 3 Seats @ \$50,000 per seat
- City of Bastrop, Texas; City of Elgin, Texas; City of Smithville, Texas: up to 3 seats with a minimum of 1 seat @ \$50,000 per seat

Section 4.2 Non-Funding Institutional Members. No cash contribution required; in-kind and voluntary participation encouraged.

- Bastrop Independent School District
- Elgin Independent School District
- Smithville Independent School District
- McDade Independent School District
- Bastrop Chamber of Commerce
- Elgin Chamber of Commerce
- Smithville Chamber of Commerce

Section 4.3 Non-Institutional Members. In addition to the Institutional Members, and Non-Funding Institutional Members, private entities may raise funds separately to support the goals of BCEDP. Funds will be raised privately, will not rely on taxpayer dollars, and will help support the following initiatives:

- Help underwrite the cost of prospecting trips to domestic and international companies with the express intent on attracting these companies to Bastrop County
- Help underwrite special economic development projects that further the goals of the BCEDP
- Provide BCEDP with strong private support for public economic development initiatives

Section 4.4 Other Classes of Members. The Board of Directors may, as it deems appropriate, establish other classes or sub-classes of Members and any other benefits and privileges for each class or subclass.

Section 4.5 Membership Meetings. The Board of Directors shall call and organize one or more meetings of the Members of the Corporation each year at a location within Bastrop County. The meetings of the Members may be held in conjunction with any meetings of the Board of Directors.

Section 4.6 Voting Rights of Members. Except as to the manner in which Institutional Members appoint their respective representatives to serve on the Board of Directors as provided in Section 5.5, the Members of the Corporation shall have no voting rights or privileges with regard to the management and affairs of the Corporation.

Section 4.7 Removal of Members. The Board of Directors may remove any Member of any class or sub-class of Members by a two-thirds vote of the Directors for failure of any Member to meet the requirements set forth in this Article or such other requirements as established by the Board of Directors.

Section 4.8 Member Responsibilities and Obligations. It is expected that both Non-Institutional Members and Institutional Members holding seats on the Board ("Board Members") shall at all times, be Members in good standing, which includes, but is not limited to, their attendance, financial contribution, and general engagement in the work of the Corporation. Board Members also agree to abide by any and all contractual responsibilities held by the Corporation.

ARTICLE V - BOARD OF DIRECTORS

Section 5.1 Powers. The affairs and activities of the Corporation shall be managed by its Board of Directors, which may exercise all powers of the Corporation and do all such lawful acts and other matters that are not prohibited by the Code, statute or by the Certificate of Formation or these Bylaws.

Section 5.2 Number. The number of Directors on the Corporation Board of Directors, aside from the initial Board, shall be no less than the number of funded Institutional Member seats and no more than 18. The Board of Directors may, by a two-thirds vote of the Directors, increase or decrease the number of representatives representing any member on the Board of Directors.

Section 5.3 Qualifications. In addition to any other requirements of this Article, all Directors must reside or work in Bastrop County, Texas.

Section 5.4 Ex-Officio Directors. The Board of Directors may appoint one or more ex-officio persons to the Board of Directors as it deems appropriate from time to time. Ex-officio Directors shall be non-voting.

Section 5.5 Composition of Directors. Subject to the authority of the Board of Directors to add, remove or establish new classes of members and to increase or decrease the number of

representatives representing such members, the Board of Directors of the Corporation shall accept nominations from Bastrop County, City of Bastrop, City of Elgin, and City of Smithville for each funded seat. The number of Directors will initially not exceed 12 in total for the initial Board being one for each funded seat from each of the Institutional Members to serve until the first Annual Meeting. Typically, Directors will be elected officials from the Institutional Members, but may also include an EDC Director, a Non-Funding Institutional Member, a Non-Institutional Member or other qualified individual.

The initial Board of Directors will select a Nominating Committee pursuant to Section 8.1 below and said Nominating Committee may in good faith, select one or more names for nomination to serve as a Director other than an Institutional Member from those set forth in the paragraph above.

A slate of names for nomination to the Board of Directors shall be prepared by the Nominating Committee for election by the Board of Directors at each Annual Meeting pursuant to Section 5.6 below. Institutional Directors, as submitted by Institutional Members, shall be included in the slate. All other nominations for open or vacant seats shall be selected by the Nominating Committee and included in the slate.

Section 5.6 Confirmation and Election of Nominees. No later than 30 days prior to the Annual Meeting of the Board of Directors, the Nominating Committee shall present to the Board of Directors the slate of nominated Directors for the next ensuing Fiscal Year. Should the Nominating Committee deem necessary, it shall be permitted to modify the slate of nominated Directors prior to the Annual Meeting. A final slate of nominated directors shall be submitted to the Board of Directors for consideration and election at the Annual Meeting. Upon the presentation of a final slate, any sitting Director may move to amend the slate of nominated Non-Funding Institutional Members, Non-Institutional Members or others who are not Institutional Members on the floor at such Annual Meeting. The final approved slate for Institutional Directors shall be confirmed by the sitting Directors, and the final approved slate for Non-Funding Institutional Directors or Non-Institutional Directors or others shall be elected by a vote of not less than two-thirds of the sitting Directors. The newly elected Directors shall take office immediately following the close of the meeting at which they are elected.

Section 5.7 Terms of Office. Each Non-Funding Institutional Director or Non-Institutional Director or other shall serve for staggered terms of 3 years or until his or her death, resignation, retirement, disqualification, or removal from office. There shall be no limitation on the number of consecutive or subsequent 1- or 3-year terms to which a Non-Institutional Director may be appointed; however, any sitting Non-Institutional Director must be re-nominated and approved for an additional term or terms as provided in these Bylaws at the expiration of each three-year term. Each Institutional Director shall serve until the name of a replacement director is submitted to the Nominating Committee by the applicable Institutional Member, whereupon a replacement director shall be nominated by the Nominating Committee and submitted to the Board of Directors for election pursuant to Sections 5.5 and 5.6 hereof.

Section 5.8 Vacancies. In the event of a vacancy on the Board of Directors, a replacement director shall be nominated by the Nominating Committee in accordance with the selection

process described in Sections 5.5 and 5.6 hereof. Such nominees shall be submitted to the Board of Directors at least 15 days prior to the regularly scheduled meeting of the Board of Directors at which such nominee shall be presented for election by the Board of Directors.

Section 5.9 Automatic Disqualification. Any Director shall be automatically disqualified from service on the Board when the employment or other relationship with the nominating Member is terminated or the person no longer holds the position or title qualifying the person to serve as a Director. A replacement director shall be nominated by the Nominating Committee and submitted to the Board of Directors for election pursuant to Sections 5.5 and 5.6 hereof.

Section 5.10 Disputes Regarding Eligibility to Serve. In the event of a dispute between any Member and any one or more of its respective Director, the opinion of the Member shall control over the opinion of the representative with whom there is a dispute.

Section 5.11 Duties. The duties of the Board of Directors are: (a) to develop and establish the policies and goals of the Corporation; (b) to manage the financial and operational affairs of the Corporation including the approval of the annual budget and other related matters; (c) to authorize necessary expenditures not otherwise included in the approved budget; (d) to create committees, task forces, and other organizational units, however denominated, of the Corporation as are not herein provided for and prescribe the duties for the same; (e) to elect the officers and Directors of the Corporation; (f) to delegate any lawful authority to the Chair or other officers; and (g) to raise money to support the programs and goals of the Corporation.

Section 5.12 Compensation. The Board of Directors for the Corporation shall not receive any compensation or salaries for their services as a member of the Board, but by resolution of the Board may be paid or reimbursed reasonable expenses for activities performed in furtherance of their duties on behalf of the Corporation.

ARTICLE VI - ACTION BY THE BOARD OF DIRECTORS

Section 6.1 Regular Meetings. The Board of Directors shall meet at least four times each year, one of which shall be the Annual Meeting. All meetings of the Board of Directors may be at a place and time designated by the Chair. The Board of Directors may provide by resolution the time and place of additional regular meetings of the Board.

Section 6.2 Annual Meetings. The Board of Directors shall hold an annual meeting within 30 days of the commencement of each Fiscal Year (an "Annual Meeting"), at which the election of the incoming Board of Directors and Officers shall be conducted pursuant to Section 5.6 and Section 7.2 respectively.

Section 6.3 Special Meetings. Special meetings of the Board of Directors may be called by or at the request of the Chair or by the Secretary if the Secretary receives a written request signed by at least one-half of the members of the Board of Directors. The persons authorized to call special meetings may choose any place within the State of Texas, as the place for holding any special meetings of the Board.

Section 6.4 Electronic, Telephonic Voting. The Board of Directors may, at the discretion of the Chair and to the extent permitted under the Texas Business Organizations Code, vote by e-mail, conference call or in person. Any action taken by email pursuant to this Section shall be included in the minutes of the Board Meeting immediately following same.

Section 6.5 Action by Written Consent. Any action required or permitted to be taken at any meeting of the Board of Directors, or of any committee thereof may be taken without a meeting, if prior to such action a written consent, including consent by reply e-mail, thereto is signed or transmitted by the number of Directors or members of such committee necessary to conduct such action or actions, as the case may be, and such written consent shall be included in the minutes of proceedings of the Board of Directors or committee.

Section 6.6 Quorum. A majority of the Directors shall constitute a quorum. Except as otherwise specifically provided in these Bylaws, the action of a majority of the Directors present at the meeting at which a quorum is in attendance or participating under Section 6.3 shall constitute action by the Board of Directors.

Section 6.7 Absence. Absence from 3 consecutive Board meetings without an excuse deemed valid and so recorded, shall be construed as and deemed to be such Director's resignation from the Board. The Chair, in his or her sole discretion, may excuse any absence.

Section 6.8 Removal. The Board of Directors may remove any officer elected or appointed by the Board of Directors by the affirmative vote of at least two-thirds of the whole Board of Directors whenever in its judgment the best interests of the Corporation would be served.

Section 6.9 Open Meetings. Meetings of the Board of Directors shall be held at the call of the Chair. Notice of meetings shall be given to Directors in any manner reasonably calculated to provide actual notice. The Corporation is a private nonprofit entity and is not subject to the Texas Open Meetings Act.

ARTICLE VII - OFFICERS

Section 7.1 Stated Offices. The officers of the Corporation shall include: Chair, Chair-Elect, Past Chair, President, Secretary, and Treasurer. New offices may be created and filled at any meeting of the Board of Directors.

Section 7.2 Election of Officers. The Board of Directors shall elect the Chair, Chair-Elect, Secretary, and Treasurer of the Corporation at the initial meeting of the Board of Directors and each Annual Meeting thereafter. Each officer shall remain in office until a successor is duly elected. Except in extenuating circumstances, the positions of Chair and Chair-Elect shall be limited to a term of no more than one year. Under no circumstances, however, shall any Chair or Chair-Elect serve for a term of more than two years.

No later than 30 days prior to each Annual Meeting of the Board of Directors, the Nominating Committee shall present to the Board of Directors the slate of nominated officers for the next

ensuing Fiscal Year. Should the Nominating Committee deem necessary, it shall be permitted to modify the slate of nominated officers prior to the Annual Meeting. A final slate of nominated officers shall be submitted to the Board of Directors for election at the Annual Meeting. Upon the presentation of a final slate, any sitting Director may move to amend the slate of nominated officers on the floor at such Annual Meeting. The final approved slate for officers shall be elected by a vote of not less than two-thirds of the sitting Directors. The newly elected officers shall take office immediately following the close of the meeting at which they are elected.

Section 7.3 Honorary Chair or Co-Chairs. In special recognition of their role and contribution, the Board of Directors, annually and by a vote of at least two-thirds, may designate the Bastrop County Judge or Mayors of Bastrop, Elgin, or Smithville to serve as Honorary Chair or Co-Chairs.

Section 7.4 Duties of the Chair. The Chair shall preside at all meetings of the Board of Directors. The Chair will assign persons to committees and shall be an ex-officio member of all standing committees. The Chair will assist in the formulation and promotion of the programs and activities of the Corporation and its committees. The Chair may sign any deeds, mortgages, bonds contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these Bylaws or by statute to some other officer or agent of the Corporation; and in general, shall perform all duties incident to the office of the Chair and such other duties as may be prescribed by the Board from time to time.

Section 7.5 Duties of the Past Chair. The Past Chair shall provide support and guidance to the ongoing success of the Corporation. The Past Chair, should their term expire, shall remain a Director for the year during which they serve as Past Chair.

Section 7.6 Duties of the Chair-Elect. The Chair-Elect will act in the absence of the Chair or in the event of his inability or refusal to act. The Incoming Chair shall perform such other duties as from time to time may be assigned to him or her by the Chair.

Section 7.7 Duties of the Secretary. The Secretary shall cause to be entered in the minute books the minutes of all meetings of the Board of Directors and, when requested, any committees. The Secretary shall maintain all books and papers for the Corporation and shall be responsible for the giving of all notices as required by these Bylaws. The Secretary shall attest such instruments as required by law, resolution or as may customarily be required. The Secretary shall carry out such other reasonable and customary duties incident to the office or as directed by law and the Board of Directors. The Board may designate the President as the Secretary.

Section 7.8 Duties of the Treasurer. The Treasurer shall in cooperation with the President, oversee the receipt and disbursement of all funds deposited in the name of the Corporation. The Treasurer shall present reports of receipts and disbursements to the Board of Directors on a regular basis as determined by the Chair. Checks are to be signed by the Treasurer and the President, or in the absence of either or both, by any two (2) authorized officers. However, the President shall have authority to sign checks for items not exceeding a fixed dollar amount as specified in writing by the Board of Directors from time to time except those made payable to the

President. The Treasurer shall cause a monthly financial report to be made to the Board. A petty cash fund not to exceed \$100 may be maintained and disbursed for authorized expenses. A written record of expenses shall be maintained.

Section 7.9 Duties of the President. The Board of Directors may employ an Executive Director who shall be the President and Chief Executive Officer of the Corporation. The President shall have general executive charge, management and control of properties, business and operations of the Corporation with all such powers as may be reasonably incident to such responsibilities, and shall have such other powers as may be assigned to such officer from time to time by the Board of Directors, including, but not limited to:

- (a) attending all meetings of the Board of Directors;
- (b) ensuring that the members of the Board of Directors and other committees are notified of their respective meetings and that accurate minutes are kept of all meetings of the Corporation;
- (c) Keeping an itemized record of all receipts, disbursements and financial transactions of the Corporation in accordance with generally accepted accounting principles or other accounting method approved by the Board of Directors;
- (d) endorsing or cause to be endorsed, in the name and on behalf of the Corporation, all checks, notes and other obligations and shall deposit the same, with monies received by the Corporation, to the credit of the Corporation in such bank or banks or depositories as designated by the Board of Directors;
- (e) serving as the Secretary of the Corporation, if requested by the Board of Directors, and performing all duties incidental to the office of Secretary; and
- (f) serving as an ex-officio member of all committees.

The President shall be employed as an “at-will” employee and shall serve at the pleasure of the Board of Directors. The Board of Directors shall establish the compensation and any benefits of the President. Any contract of employment between the Corporation and any person to employ such person as President shall be subject to this Section.

ARTICLE VIII - COMMITTEES

Section 8.1 Nominating Committee. The Nominating Committee consists of not less than seven members, which shall include (i) the Chair, (ii) the Chair-Elect, (iii) the Past Chair, (iv) one Director, (v) one Institutional Member, who is not also a Director, and (vi) one Non-Institutional Member representative, who is not also a Director, and such other members as the Board of Directors shall appoint. No member of the Nominating Committee shall serve for more than three consecutive years.

The new Nominating Committee will be appointed each year at the Annual Meeting by the Board of Directors. The Nominating Committee shall meet no later than 60 days following the Annual Meeting, and not less than three times in each Fiscal Year. The Nominating Committee shall be responsible for recommending both a slate of Directors and a slate of Officers to the Board for each Fiscal year in accordance with these Bylaws. The Nominating Committee shall present its recommendations at the Annual Meeting. Prior to the presentation of its recommendations and nomination report, the Nominating Committee shall contact each of its nominees and shall determine each nominee's willingness to serve if elected for the position for which he or she is to be nominated.

Section 8.2 Standing and Special Committees. The Chair may designate one or more standing or special committees, each to have the name, membership, duties and responsibilities designated by the Chair.

Section 8.3 Committee Limitations. No committee shall have the authority of the Board of Directors in reference to amending, altering or repealing the Bylaws; electing, appointing or removing any member of any committee or any Director or officer of the Corporation; amending the Certificate of Formation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking proceedings therefor; adopting a plan for the distribution of the assets of the Corporation; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered or repealed by such committee. The designation and appointment of any committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed on it or him by law.

Section 8.4 Rules. Each committee may adopt rules for its own government, not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

ARTICLE IX - ETHICS / CONFLICT OF INTEREST

Section 9.1. The Board of Directors of the Corporation are committed to the highest ethical standards in all affairs of the organization.

Section 9.2. No Director shall use their position or information gained and not available to the general public for private advancement or gain or to secure special privileges or exemptions.

Section 9.3. Directors are required to disclose any actual or potential conflict of interest, including the existence and nature of and financial and non-financial interest to the President and shall remove himself from the discussion immediately upon discovering such conflict.

Section 9.4. Any Director found by a two-thirds vote of the other Directors to knowingly engaging in activities that are in violation of Sections 9.2 and 9.3 shall be removed from the Board.

ARTICLE X - FISCAL AND LIABILITY PROVISIONS

Section 10.1. The Board of Directors shall have annually prepared a full and clear financial statement of the Corporation.

Section 10.2. All checks or demands for money of the Corporation shall be signed by the President or such other persons as may be designated from time to time by resolution of the Board.

Section 10.3. The annual budget of the Corporation shall be adopted by the Board of Directors of the Corporation.

Section 10.4. The fiscal year of the Corporation shall end on September 30 of each year.

Section 10.5. The Corporation's seal shall be circular and shall have inscribed in the outer circle the name of the Corporation. Said seal may be used by causing it or a facsimile thereof to be impressed, affixed, reproduced or otherwise placed on instruments of the Corporation.

Section 10.6. The Directors, Members and Officers of the Corporation shall never be personally liable for the debts, liabilities or obligations of the Corporation.

Section 10.7. The Corporation shall indemnify and save harmless each present and former Officer, Director, and Member against all claims, liabilities, losses and expenses in connection with any cause of action or claim asserted against him or her arising from or connected in any way with his or her service to the Corporation to the fullest extent authorized by the laws of the State of Texas with regard to non-profit corporations. No further action or authorization of the Board of Directors or the membership of the Corporation shall be necessary to effect such indemnification.

ARTICLE XI - AMENDMENTS

Section 11.1. These Bylaws and the articles of incorporation of the Corporation may be altered, changed, or amended by a majority vote of the whole Board of Directors of the Corporation. Notice of any such proposed alteration, change or amendment shall be set forth in the notice of meeting to the Board of Directors for the meeting at which such proposal is to be considered.

RESOLUTION NO. R-2026-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, SUPPORTING THE DEVELOPMENT OF A STRATEGIC PLAN, FUNDED BY BASTROP COUNTY, TO EVALUATE THE FEASIBILITY, STRUCTURE, AND POTENTIAL DUTIES OF A REGIONAL ECONOMIC DEVELOPMENT CORPORATION IN PARTNERSHIP WITH THE CITY OF ELGIN AND THE CITY OF SMITHVILLE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Bastrop is committed to the development and stimulation of business as part of an overall effort to increase job availability and improve the quality of life for residents; and

WHEREAS, the City is committed to promoting economic vitality, encouraging job creation and preservation, attracting and recruiting new companies and industries, and supporting the retention and expansion of existing businesses; and

WHEREAS, pursuant to Article III, Section 52(a) of the Texas Constitution, the development and diversification of the economy, elimination of unemployment or underemployment, and the development or expansion of business and commerce constitute recognized public purposes; and

WHEREAS, regional collaboration among local governments and stakeholders is essential to effectively evaluate economic development opportunities and coordinate strategies that benefit residents and businesses across Bastrop County; and

WHEREAS, Bastrop County has proposed funding the preparation of a comprehensive strategic plan to analyze the feasibility, governance structure, funding mechanisms, scope of services, and potential responsibilities of a regional economic development corporation serving Bastrop County and participating municipalities; and

WHEREAS, the City Council finds that participation in the strategic planning process will allow the City to contribute input, assess potential benefits and impacts, and make informed future decisions regarding regional economic development initiatives;

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

Section 1. The City Council hereby expresses its support for the development of a county-funded strategic plan to evaluate the feasibility, structure, and duties of a regional economic development corporation serving Bastrop County and participating municipalities.

Section 2. The City authorizes the City Manager, Mayor, or their designee to participate in meetings, discussions, and planning activities related to the preparation of the strategic

plan and to collaborate with Bastrop County and partner cities during the evaluation process.

Section 3. The City Council’s support of the strategic planning effort does not obligate the City to participate in or fund any future regional organization. Any such participation would require separate City Council consideration and approval.

Section 4. This Resolution shall take effect immediately upon adoption.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this the 24th day of February 2026

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, TRMC, CMC, CPM
City Secretary

APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.





STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on Resolution No. 2026-38 pertaining to a warrant request to allow 20% of the required parking to be 9 feet x 20 feet for the 14.107 +/- acres out of Building Block 40F,41F,42,95F,96F,144FR,177F East of Water Street located south of State Highway 71 and east of Lovers Lane within the City of Bastrop, Texas.

AGENDA ITEM SUBMITTED BY:

James E Cowey, Director of Development Services

BACKGROUND/HISTORY:

On January 28, 2025, the City adopted Ordinance No. 2024-47, which established a uniform parking space dimension of 10 ft x 20 ft. This was intended to improve circulation efficiency, reduce congestion, and account for larger vehicle sizes within Bastrop.

The applicant for Pine Creek has submitted a Warrant request to instead allow 9 ft x 20 ft parking spaces for 20 % of their required parking spaces. Staff has reviewed the request in context of the proposed site design and finds the request reasonable for a development of this scale. The narrower dimensions will still accommodate the intended residential use while reducing impervious cover, aligning with community-wide goals for flood mitigation and sustainability within Gills Branch.

FOCUS AREAS:

This item supports the City of Bastrop's Focus Areas, including:

Managing Growth: Encourages efficient land use and site design by allowing flexibility in parking standards where appropriate.

Uniquely Bastrop: Recognizes that not all developments benefit from the same design standards and that smaller parking spaces can be consistent with the scale and character of this infill project.

JUSTIFICATION & ALIGNMENT WITH B3 CODE INTENT:

The B3 Code's Warrant process provides a mechanism for adjustments where strict adherence to the Code does not serve the project context or broader community intent.

1. Fiscal Sustainability

Allowing 9 ft x 20 ft spaces reduces the amount of paved surface, lowering construction costs while also reducing the City's long-term burden associated with stormwater runoff and drainage infrastructure.

2. *Geographically Sensitive Development*

Smaller parking spaces reduce impervious cover, directly supporting Bastrop's flood mitigation and water management goals. This outcome is consistent with the intent of the 2025 ordinance changes, while offering a site-specific balance between functionality and environmental sensitivity by preserving existing trees and natural landscape.

3. *Perpetuation of Authentic Bastrop*

The request for reduced parking dimensions is consistent with the B3 Code's intent to allow context-sensitive flexibility. Smaller parking spaces are appropriate within this area and support the Code's broader goals for infill development, walkability, and sustainable development patterns.

NOTICES:

Notices were mailed to property owners within 500 feet of the boundary on February 13, 2025.

At the time of this report, there were **no** property owners that submitted letters in opposition of the request.

PLANNING AND ZONING RECOMMENDATION:

The Planning and Zoning Commission held a meeting on February 26, 2026 and recommended approval to City Council to approve the Warrant request to allow 9 feet x 20 feet parking spaces on 20% of the required parking spaces for the 14.107 acres out of the Building Blocks 40F, 41F, 42, 95F, 96F, 144FR, 177F East of Water Street located south of State Highway 71 and east of Lovers Lane within the City of Bastrop, Texas.

STAFF RECOMMENDATION:

Consider and act to approval a Warrant request to allow 9 feet x 20 feet parking spaces on 20% of the required parking spaces for the 14.107 acres out of the Building Blocks 40F, 41F, 42, 95F, 96F, 144FR, 177F East of Water Street located south of State Highway 71 and east of Lovers Lane within the City of Bastrop, Texas based on the request's alignment with the Intents of the B3 Code and its support for fiscally sustainable, geographically sensitive development.

ATTACHMENTS:

- Attachment 1 - Resolution No. 2026-38
- Attachment 2 - Pine Creek Location Map
- Attachment 3 - Site Development Plan

RESOLUTION NO. R-2026-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING A WARRANT TO ALLOW 20% OF THE REQUIRED PARKING TO BE 9 FEET X 20 FEET IN THE PINE CREEK DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Bastrop Building Block (B³) Code allows the City Council to grant Warrants to authorize deviations from certain development standards where the Council finds that such deviations further the intent of the Code and are consistent with the public interest; and

WHEREAS, the applicant for the Pine Creek development has requested a Warrant to allow 20% of the required parking to be 9 feet x 20 feet, and encompassing 14.107 acres; and

WHEREAS, the Planning and Zoning Commission recommended approval of the warrant request on February 26, 2026, based on the history of prior projects and drainage infrastructure approvals; and

WHEREAS, the City Council finds that approval of the request is consistent with the B³ Code Intents and promotes orderly development within the City;

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

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Execution: The City Council approves and authorizes the execution of the Warrant for increased lot coverage (attached and incorporated herein as Exhibit A).

Section 3. The City Council grants the Warrant to allow 20% of the required parking to be 9 feet x 20 feet within the Pine Creek Development.

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

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, TX, on this, the 10th day of March, 2026.

[Signature Page Follows]

THE CITY OF BASTROP, TEXAS:

Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, City Secretary

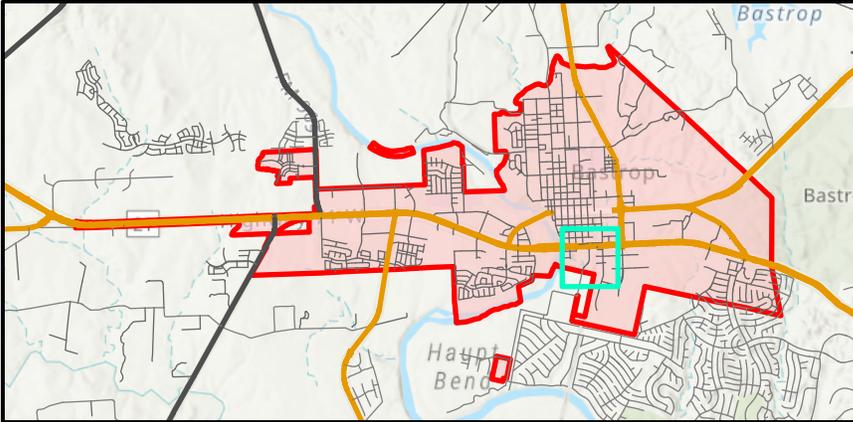
APPROVED AS TO FORM:

City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

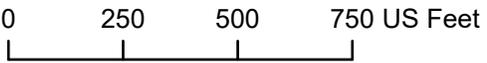




Attachment 2 Location Map Pine Creek Preliminary Plat



7/28/2025



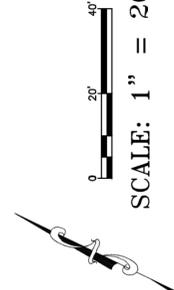
Scale: 1:5,000

The City of Bastrop, Texas makes no warranties regarding the accuracy or completeness of the information used to compose this map or the data from which it was produced. The map does not purport to depict boundaries between private and public property. This map is general in nature and is not for navigational purposes.



LEGEND

| | |
|--|---|
| | PROPERTY BOUNDARY |
| | LOT LINE |
| | FIRE LANE |
| | ACCESSIBLE ROUTE |
| | EXISTING RAILROAD |
| | ZONE AE FLOODPLAIN |
| | PROPOSED 24" CURB & GUTTER |
| | CONCRETE SIDEWALK |
| | LIGHT DUTY ASPHALT PAVEMENT SEE DETAIL SHEET 81 |
| | EXISTING WATER LINE |
| | PROPOSED STORM SEWER |
| | PROPOSED WASTEWATER (GRAVITY) |
| | PROPOSED WASTEWATER (FORCEMAIN) |
| | PROPOSED WATERLINE |
| | TEMPORARY BARRICADE |
| | PROPOSED WHITE STOPBAR |
| | PROPOSED SIGN |
| | PROPOSED SITE LIGHTING |
| | EXISTING BARBED WIRE FENCE |
| | 739 LF EXISTING BARBED WIRE FENCE TO REMOVE & DISPOSE |



WARNING!!! SEQUENCE OF CONSTRUCTION ON THE GENERAL NOTES SHEET PRIOR TO BEGINNING CONSTRUCTION.

!!! WARNING !!! UNDERGROUND UTILITIES SHOWN ON THESE PLANS ARE A BEST ESTIMATE BASED ON RECORDS THAT COULD BE OBTAINED AND PHYSICAL FEATURES VISIBLE AT THE GROUND LEVEL. THE ENGINEER MAKES NO ASSERTIONS BEYOND THAT THEY ARE A BEST ESTIMATE AND AN ATTEMPT TO HELP IDENTIFY POSSIBLE UTILITIES IN THE VICINITY OF THE PROJECT. ONE SHALL ACCORDANCE WITH THE NOTES TO BETTER LOCATE ANY UNDERGROUND UTILITIES.

SITE DATA

USE: RESIDENTIAL APARTMENTS
 EXISTING ZONING: P-EC
 PROPOSED BUILDING TYPES: RESIDENTIAL APARTMENTS

| | | | |
|-------------------------------|------------|----|---------|
| Total Site Area: | 212,480 sf | or | 4.88 AC |
| Proposed (60) Proposed (82) | 48,900 | | |
| Site Area | 48,900 | | |
| Impervious Cover | 56,581 | | |
| Impervious Cover (%) | 28.0% | | |
| Building Foundation Area (60) | 18,554 | | 0.43 |
| Building Coverage (%) | 8.7% | | |
| Total Lot Coverage (60) | 59,561 | | 1.37 |
| Open Space | 152,919 | | 3.51 |
| Open Space (%) | 72.0% | | |
| Number of units | 52 | | |

Impervious Cover Summary

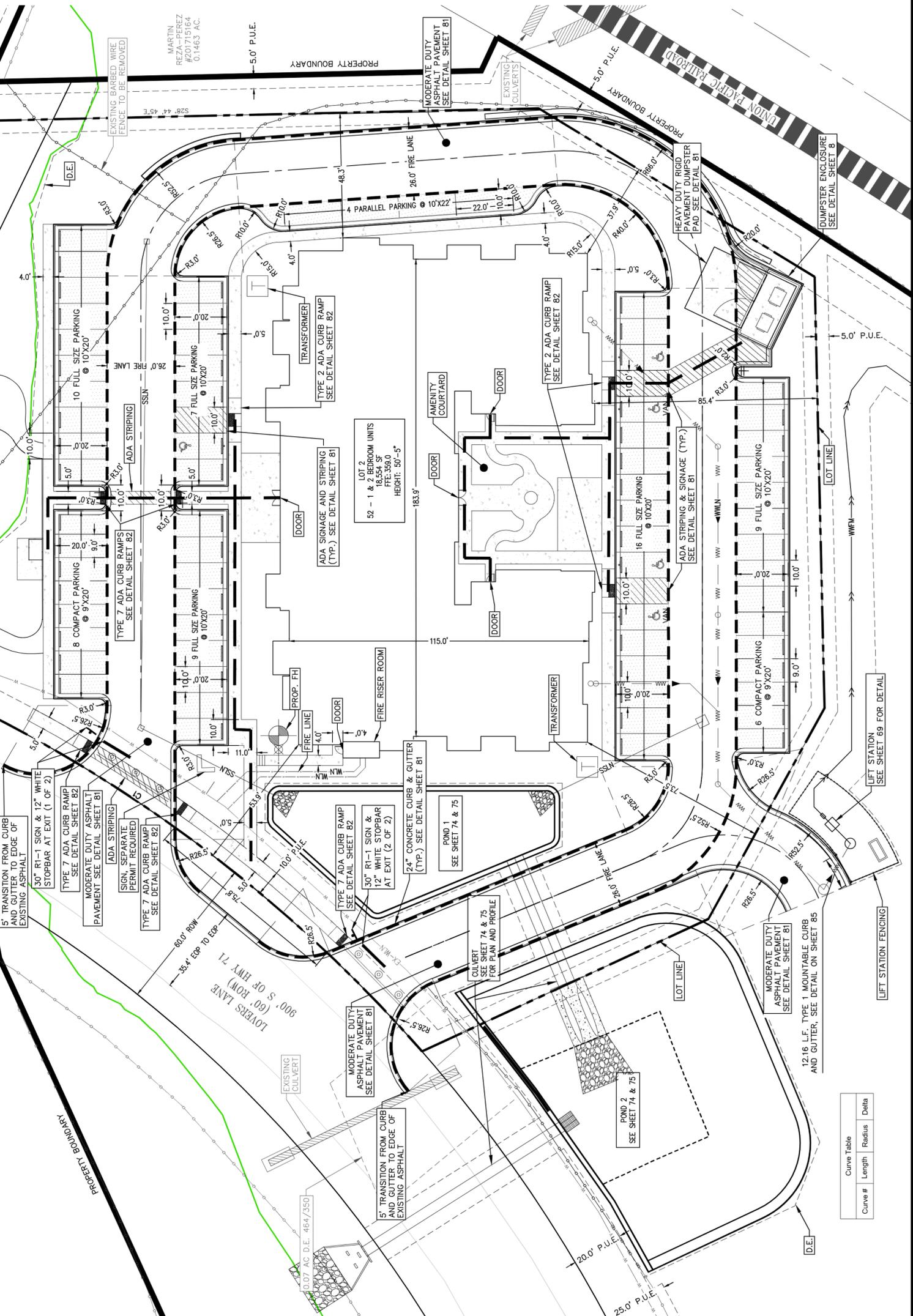
| | | | |
|------------------------|--------|----------------------|---|
| Buildings | 18,554 | Bldg. Ht. (Story/ft) | 3 |
| Sidewalks | 16,944 | 3 Story Building | |
| Paving | 36,443 | Bldg. height 50'-5" | |
| Total Impervious cover | 59,741 | | |

Parking Summary

| | | |
|------------------|-----------|-------------------|
| Required Parking | 68 | 1 per BR x 68 BRs |
| Total | 3 | TAS |
| Van Accessible | 1 | TAS |
| Proposed Parking | 46 | |
| Standard | 14 | |
| Compact | 3 | |
| Van Accessible | 2 | |
| TOTAL | 69 | |

GENERAL NOTES:

- 1.) DIMENSIONS ARE TO FACE OF CURB. ALL DIMENSIONS & RADII ARE TO FACE OF CURB IF ONE EXISTS. ALL RADII ARE 3' UNLESS OTHERWISE NOTED.
- 2.) SEE GENERAL NOTES SHEET.
- 3.) WHERE SHOWN, PAINT CURB, OR PAVEMENT WHERE NO CURB EXISTS, 6" WIDE RED PAINT WITH "NO PARKING FIRE LANE" IN 4" TALL WHITE LETTERS. WORDING MAY NOT BE SPACED GREATER THAN 30" APART. STRIPING TO BE PAINTED ON THE FACE OF CURB WHEN PRESENT AND PAINTED FLAT ON THE PARKING SURFACE WHEN IT IS NOT.
- 4.) THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, VEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE THIS WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
- 5.) THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRICAL SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF BASTROP RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT.
- 6.) ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE A SITE PLAN AMENDMENT AND APPROVAL FROM THE PLANNING DEPARTMENT.
- 7.) APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING CODE APPROVAL; FIRE CODE APPROVAL; OR BUILDING, DEMOLITION, OR RELOCATION PERMITS APPROVAL.
- 8.) SIGNS REQUIRE SEPARATE PERMITS - APPROVAL OF THE SITE DEVELOPMENT PLAN DOES NOT CONSTITUTE APPROVAL OF ANY INCLUDED SIGN PLANS OR ELEMENTS.
- 9.) REFER TO BUILDING PLANS FOR EXACT BUILDING DIMENSIONS, LOCATIONS OF DOORS, STOPS, AND OTHER BUILDING APPURTENANCES. BUILDING SHOWN ON THESE PLANS IS FOR GRAPHICAL REPRESENTATION ONLY, AND SHOULD NOT BE ASSUMED TO BE ACCURATE OR EXACT.
- 10.) LEGAL ADDRESS AND BUILDING NUMBERS SHALL BE INSTALLED AT THE CORNER OF THE STREET/FIRE LANE. THE ADDRESS NUMBERS MUST BE OF A COLOR THAT CONTRASTS WITH THE SURFACE OF THE SIGN. THE SIGN SHALL BE INSTALLED FROM THE STREET/FIRE LANE. THE ADDRESS NUMBERS MUST BE OF A COLOR THAT CONTRASTS WITH THE SURFACE OF THE SIGN.
- 11.) AS STATED IN THE CITY OF BASTROP CHAPTER 14, SECTION 38.3K DEVELOPMENT CODE FROM 2017, "AN ESCAPE LANE OF AT LEAST EIGHT (8') FEET IN WIDTH AND WITH NEGOTIABLE GEOMETRIC DESIGN, MUST BE PROVIDED TO ALLOW VEHICLES TO GET OUT OF STACKING LANE IN THE EVENT OF A STALLED VEHICLE EMERGENCY, ACCIDENTAL ENTRY, ETC."
- 12.) AS STATED IN THE CITY OF BASTROP CONSTRUCTION STANDARDS, CHAPTER FIVE (5), ALL PAVED PARKING SURFACES AND ALL DRIVEWAYS AND APPROACHES TO REQUIRED PARKING SPACES WILL BE ASPHALT (H.M.A.C., TYPE D).
- 13.) REFER TO SHEET 60 FOR TREE INFORMATION.



Curve Table

| Curve # | Length | Radius | Delta |
|---------|--------|--------|-------|
| | | | |



STAFF REPORT

MEETING DATE: March 10, 2026

TITLE:

Consider and act on resolution 2026-41 for the purchase and installation of bleachers for Mayfest Park, Rusty Reynolds Fields, and Fireman's Park to North Carolina Welding, in an amount not to exceed \$126,600.

AGENDA ITEM SUBMITTED BY:

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

BACKGROUND/HISTORY:

In 2025, City Council approved Bond 2025 for repair of the Colorado River Bridge, as well as quality of life improvements in the parks across the City.

Several of the parks to be improved require bleacher replacement. North Carlina Welding, dba as Bleacher Builders, submitted the lowest bid of \$85,000 for Mayfest Park.

Other bids included Anthem Sports in the amount of \$173,312.58, and The Park in the amount of \$201,198.88

Due to the price and delivery schedule, and to be more efficient, staff added the following:

- LCRA/Rusty Reynolds Fields – 6 each of 5 row x 15ft length bleachers - \$4,750 each
- Fireman's Park – 2 each of 5 row by 15ft length bleachers. \$4,750 each

The bleachers are Mayfest are a sore need as during homecoming and other events, there are many visitors left standing; while the bleachers at Rusty Reynolds and Fireman's will replace worn or unsafe bleachers.

FISCAL IMPACT:

\$126,600 from Bond 2025

RECOMMENDATION:

Approve the purchase with North Carolina Welding

ATTACHMENTS:

1. Resolution
2. Bids

RESOLUTION NO. R-2026-41

A RESOLUTION OF THE CITY COUNCIL OF THE BASTROP, TEXAS, APPROVING THE PURCHASE AND INSTALLATION OF BLEACHERS FOR MAYFEST PARK, RUSTY REYNOLDS FIELDS, AND FIREMAN'S PARK IN AN AMOUNT NOT TO EXCEED \$126,600; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop owns and maintains various public parks and recreational facilities for the benefit and enjoyment of residents and visitors; and

WHEREAS, Mayfest Park, Rusty Reynolds Fields, and Fireman's Park host youth and adult sporting events, tournaments, and community activities throughout the year; and

WHEREAS, the City Council finds that the purchase and installation of new bleachers at these facilities will enhance spectator safety, improve accessibility, and support the continued growth of recreational programming within the City; and

WHEREAS, funding for the purchase and installation of said bleachers is available within the approved budget; and

WHEREAS, the total cost for the purchase and installation of bleachers for Mayfest Park, Rusty Reynolds Fields, and Fireman's Park shall not exceed \$126,600.

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

SECTION 1. The City Council hereby approves the purchase and installation of bleachers for Mayfest Park, Rusty Reynolds Fields, and Fireman's Park in an amount not to exceed One Hundred Twenty-Six Thousand Six Hundred Dollars (\$126,600).

SECTION 2. The City Manager is hereby authorized to execute any and all documents necessary to effectuate the purchase and installation consistent with this Resolution and in accordance with applicable procurement laws and City policies.

SECTION 3. This Resolution shall take effect immediately upon its passage.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas, on this, the 10th day of March 2026.

APPROVED:

by: _____
Ishmael Harris, Mayor

ATTEST:

Michael Muscarello, TRMC, CMC, CPM
City Secretary

APPROVED AS TO FORM:



City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

North Carolina Welding LLC

Item 9D.

Estimate

540 Autry Highway
Roseboro, NC 28382

| Date | Estimate # |
|-----------|------------|
| 2/19/2026 | 5536 |

| Name / Address |
|---|
| City of Bastrop 1311 Chestnut Bastrop, Texas 78602 Attention: Sylvia |

| Project |
|--------------|
| 3 Row/ 5 Row |

| Description | Qty | Rate | Total |
|--|-----|-----------|-----------|
| 10 Row x 100ft long, Elevated to match existing- Stairs, Aisles, Code Compliant- Painted Steel understructure, 10" Aluminum Seat Planks, Double Aluminum For Planks,Riser,Stairs,Handicap Seating- includes: 2 men to consult on installation-Engineering | 1 | 85,000.00 | 85,000.00 |
| 5 Row x 15 feet long- Steel understructure, Single Aluminum Seat Planks, Double Aluminum Floor Planks- Fence with hardware Row 3 up and around to Row 3 | 8 | 4,750.00 | 38,000.00 |
| Freight- approx. \$3,600.00 | 1 | 3,600.00 | 3,600.00 |
| EXCLUDES: GC/PERMITS/GROUND WORK- Full installation-will assist customer provided labors TERMS: \$60,000.00 DUE DOWN - FREIGHT DUE UPON DELIVERY \$3,600.00- \$38,000.00 Due Upon Delivery of 5 Row stands - Balance Due upon Completion of 10 Row. | | | |

| | | |
|--------------------------------|--------------|--------------|
| Thank you for this opportunity | Total | \$126,600.00 |
|--------------------------------|--------------|--------------|



North Carolina Welding
 540 Autry Highway
 Roseboro, NC 28382
 Andrea (386) 451-8456

BUSINESS REFERENCES

The Country Church
 1005 W FM 78
 Marion, Texas 78124 Phil Jewett Philajewett@gmail.com 210- 269 -6416

City of Alpine
 20 N. Main Street
 Alpine, Utah 84004 Cody.smithco@gmail.com 801-735-8461

DoTec Engineering
 424 Jefferson Street
 Saint Charles, MO 63301 Al Gonzalez Alg@dotcengineering.com 636-724-9872

Attica Raceway
 100 Fairgrounds Road
 Attica, OH 44807 John Bores jbores@uui.net 419-681-5556

Plymouth Motorspeedway
 11631 12th Road
 Plymouth, IN 46563 Ed Kennedy plymouthmotorspeedway@gmail.com 972-679-8999

Nascar Enterprises
 1 Daytona Blvd
 Daytona Beach, FL 32114 Mauricio Bernal mbernal@nascar.com 386-681-4139

Concordia University Ann Arbor
 4090 Geddas Road
 Ann Arbor, Michigan 48102 Lonnie.Pries@cuaa.edu 734- 904-4685

Sandusky County Ag Society
 901 Rowson Avenue
 Freemont, Ohio 43420 mark_goebel@yahoo.com 260-467-3400

| | |
|---|--------------------------|
| Quote#126103 | |
| Sales Rep: Carrie Georgopoulos Email: Carrie@theparkcatalog.com Phone: 888-447-2401 Ext 60307 | |
| Quote Date | Quote Expiration Date |
| Feb 19, 2026 | Mar 20, 2026 (29 days) |

| | |
|---|---|
| Bill to: Sylvia Carillo City of Bastrop 1311 Chestnut St Bastrop, Texas, 78602 United States T: 512-332-8800 | Ship to: Sylvia Carillo Mayfest Park 25 American Legion Dr Bastrop, Texas, 78602 United States T: 512-332-8800 |
|---|---|

| Product Name | Item # | QTY | Price | Your Price | Unit Discount | Subtotal |
|--|--------------------|-----|--------------|--------------|---------------|--------------|
| Bleacher Product1 | 569-SPC-BLEACHER-1 | 1 | \$158,850.00 | \$158,850.00 | \$0.00 | \$158,850.00 |
| 36' elev. 10 row x 97'-6'' bleacher- Net seating capacity 537 + 7 ADA seats per unit. Aluminum angle understructure with 8'' Rise / 24'' Run 36 inch elevation, 63 inch clear front walkway 2 x 10 anodized aluminum seat plank with poly end caps Double 2 x 10 mill finish aluminum foot plank with aluminum end caps 1 x 6 riser rows 1 - 9 and (2) 1 x 6 top row risers mill finish (3) 4'-6" wide vertical aisle with mid aisle handrail 2 sets of entry stairs Chain link guardrail system (2) L-Shaped ADA accessibility ramp + 7 Wheel chair spaces Concrete wedge anchors Galvanized hardware Submittals Required | | | | | | |
| Install | 577-INSTALL | 1 | \$0.00 | \$22,000.00 | \$0.00 | \$22,000.00 |

Quote Notes:

*OVERSIZED SHIPMENT - CUSTOMER IS RESPONSIBLE FOR OFF-LOADING THE TRUCK. ALL BLEACHER PRODUCTS REQUIRE OFF-LOADING BY HAND OR FORKLIFT.
 **ECONOMICAL MILL FINISH TREAD PLANKING AND RISERS HAVE BEEN SPECIFIED ON THIS QUOTE. PLEASE UN-PACKAGE IMMEDIATELY OR STORE IN A DRY LOCATION TO AVOID POTENTIAL STAINING. THE PARK CATALOG WILL NOT BE RESPONSIBLE FOR DISCOLORATION OR STAINING RESULTING FROM UNAVOIDABLE CONDENSATION THAT OCCURS DURING PACKING, TRANSPORTING AND STORAGE, PRECEDING AND/OR DURING INSTALLATION. REMOVAL OF THESE STAINS OR REPLACEMENT OF BOARDS UPON COMPLETION OF INSTALLATION IS NOT PART OF THIS CONTRACT; STAINED MILL FINISH BOARDS MEET ALL SPECIFIED REQUIREMENTS. A CLEAR ANODIZED FINISH MAY BE QUOTED AT AN ADDITIONAL COST TO AVOID DISCOLORATION OR STAINING.

| | |
|---------------------|---------------------|
| Subtotal | \$180,850.00 |
| Shipping & Handling | \$5,015.00 |
| Tax | \$15,333.88 |
| Grand Total | \$201,198.88 |

This quote comes with our BEST PRICE GUARANTEE! If we are not your lowest delivered quote for equivalent product, we will BEAT it! (Exclusions may apply)

Any questions contact us at [888-447-2401](tel:888-447-2401) or Carrie@theparkcatalog.com

PAY NOW
WITH A CREDIT CARD

Quote Expiration Date: Mar 20, 2026

IF YOUR QUOTE HAS EXPIRED, PLEASE CONTACT YOUR SALES REP BEFORE SUBMITTING PAYMENT

TERMS & CONDITIONS**SHIPPING:**

Deliveries are made during normal business hours, 8am - 5pm Monday - Friday. Unless otherwise noted, shipping charges include standard delivery only. Standard delivery charges are for Tailgate delivery to any commercial location on a commercial truck route; the truck driver will not offload the delivery. It is Customers responsibility to provide adequate personnel and/or equipment to unload the shipment from the truck when it arrives. The truck driver is under no obligation to help you unload. If you require anything other than standard delivery, we have the following additional services available for purchase at time of order placement:

Additional Delivery Services

- **Residential Delivery:** If the ship to address is not a commercial location, on a commercial truck route or is in a residential area, you must order "Residential Delivery Service" at an additional charge.
- **Limited Access Delivery:** This is common LTL delivery for small businesses, restaurants, schools, churches, concert venues, theaters, or other locations that do not have a loading dock.
- **Liftgate Service:** This service includes the driver utilizing a lift gate on the rear of the truck. The driver is responsible for lowering your shipment to the ground only. Once delivery is at ground level it is your responsibility to move the shipment from the delivery point to its destination
- **Notify Before Delivery:** Notify before delivery indicates that the receiver needs to be called before arrival. The carrier will call 24-48 hours prior to make a delivery appointment. If the receiver cannot be reached, these shipments can result in significant delays or additional redelivery fees.
- **Inside Delivery:** If this service is required, please reach out to one of our Sales Representative as we cannot be responsible for online quotes with this service. This service requires specifics that must be communicated to the carrier prior to getting a shipping quote.
- **Redelivery Fee:** This charge will occur when a delivery is unsuccessful on the first try and the carrier must try to deliver the shipment a second time. Redeliveries occur within the carrier's available timeframe.
- **Construction Site Delivery:** This charge is for any destination that is under construction and requires an LTL truck to navigate a construction site.

Shipping Service Discrepancies - If there is a discrepancy in the services requested and the minimum services required to deliver the product, the Customer agrees to pay and The Park Catalog reserves the right to charge the customer for any necessary additional services provided at the time of delivery.

Shipment Inspection Required - It is the customer's responsibility to inspect all deliveries for possible damage, correct quantities and to note any discrepancies on the freight bill PRIOR to signing the delivery receipt provided by the driver. All damage claims MUST be recorded on the delivery receipt and reported within 48 hours of delivery. The Park Catalog does NOT GUARANTEE replacements parts or products FREE of charge due to concealed or unreported damages.

Assembly May Be Required:

Most of our product's ship Knocked down and on commercial pallets to minimize freight damages and reduce freight cost.

CANCELLATIONS:

No order can be cancelled unless first authorized and confirmed in writing by The Park Catalog Team. Made-to-Order items already in production may not be cancelled. If a cancellation is authorized, charges may apply based on the stage the order is in.

RETURNS:

We will accept returns of unopened/unused products, up to 30 days from the shipping date, subject to ALL the following terms and conditions:

- **Approval:** Written approval and instructions must be issued by our Customer Service Department before any merchandise can be returned.
- **Shipping Returns:** All merchandise must be returned in its original packaging, freight Prepaid. No Collect shipments are accepted.
- **Re-Stocking & Shipping Fees:** The customer is responsible for a minimum 25% re-stocking fee and all related shipping charges on product returned for reasons other than damage or defect. Original shipping charges will not be refunded.
- **Online Orders:** For online orders, The Park Catalog is not responsible if the customer orders incorrect product or colors. All return and restock fees apply.
- **Personalized** - These items are **NOT** eligible for return unless a defect in manufacturing is presented to us with pictures prior to return.
- **Refunds:** refunds will be issued on returned merchandise **AFTER** shipment is received and inspected at our warehouse and the goods are deemed to be resaleable and free of damages.

Payment options:

Credit Card: To maintain a safe environment for credit card transactions, we utilize a credit card processing company that partners with companies who transmit or process card information in a secure environment which complies with the Payment Card Industry Data Security Standard (PCI DSS). In compliance with the payment card industry data security standards, The Park Catalog cannot accept credit card payment information via Email/Fax/US Mail/Telephone/Voice Mail. A secure payment link will be sent via email to allow your transaction to be completed.

Check: Payable to Highland Products Group or The Park Catalog, 931 Village Blvd Ste 905-354, West Palm Beach, FL 33409

ACH: You will find ACH/Wire information on the pages following your proposal

Purchase Order: We accept purchase orders from Government/Municipal entities, Public Schools, non-private Colleges, and Universities to name a few. All other customer types must speak with a sales representative for qualifications to utilize a purchase order.

Force Majeure:

No Party to this Agreement shall be responsible for any delays or failure to perform any obligation under this agreement due to acts of God, outbreaks, epidemic/pandemic or the spreading of disease or contagion strikes or other disturbances, including, without limitation, war, insurrection, embargoes, governmental restrictions, acts of governments or governmental authorities, and any other cause beyond the control of such party. During an event of force majeure, the Parties' duty to perform obligations shall be suspended.

To accept this proposal:

Sign Here: _____ Date: _____



To Whom It May Concern:

This is in response to your request for a W-9 from a single member LLC, disregarded for income tax purposes. All receipts and federal taxes for this entity are reported on a consolidated tax return under Playcore Group, Inc & Subsidiaries, federal identification number (FEIN) 82-2297804, and as such, we will not require a 1099 issued since we are a U. S. corporation.

Please find the following enclosed documents:

- A W-9 for Playcore Group, Inc & Subsidiaries with FEIN 82-2297804. Lines 5, 6, and 7 all list the business address, name, and FEIN of the disregarded LLC entity.

Aside from making a 1099 determination for federal income tax, the LLC's name and address should be used for *all other business purposes* including, but not limited to: invoicing, licensing, signing / executing contracts, creating customer / vendor accounts, etc.

Should you have any questions regarding the attached, please do not hesitate to reach out to our department at tax@playcore.com.

Sincerely,

Scott Hooker
Senior Tax Accountant
shooker@playcore.com

Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the requester. Do not send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

| | | |
|---|---|---|
| Print or type. See Specific Instructions on page 3. | 1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) PlayCore Group, Inc. | |
| | 2 Business name/disregarded entity name, if different from above. Highland Products Group LLC DBA The Park Catalog (FEIN 82-0888519) | |
| | 3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor <input checked="" type="checkbox"/> C corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____ Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) _____ | 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) <u>5</u> Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) <u>N/A</u> <i>(Applies to accounts maintained outside the United States.)</i> |
| | 3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions <input type="checkbox"/> | |
| | 5 Address (number, street, and apt. or suite no.). See instructions. 931 Village Blvd STE 905-354 | Requester's name and address (optional) |
| | 6 City, state, and ZIP code West Palm Beach, FL 33409 | |
| | 7 List account number(s) here (optional) | |

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

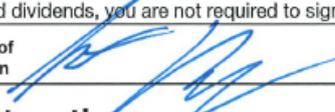
| | |
|---------------------------------------|-------------------|
| Social security number | |
| | |
| or | |
| Employer identification number | |
| 8 | 2 - 2 2 9 7 8 0 4 |

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

| | | |
|------------------|--|----------------------|
| Sign Here | Signature of U.S. person  | Date <u>2/5/2025</u> |
|------------------|--|----------------------|

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they



November 27, 2023

To Whom It May Concern:

This letter is to confirm that **Playcore Wisconsin Inc DBA Highland** maintains a Demand Deposit Account with Fifth Third Bank.

Account Name: **Highland**

Account Type: Commercial Analyzed DDA

Account Number: 7361880227

Routing Number for ACH: 064103833

Routing Number for Wire Transfers: 042000314

Swift Code for International Wires: FTBCUS3CXXX

Sincerely,

A handwritten signature in black ink that reads 'Amanda Robertson'.

Amanda Robertson

Client Advisor

Fifth Third Bank

424 Church St Suite 600

Nashville, TN 37219

615-687-3162

Classification: Restricted



Item 9D.

Quote

Anthem Sports, LLC
 2 Extrusion Drive
 Pawcatuck, CT 06379

| | |
|-----------------------|--------------|
| Phone | Fax |
| 800-688-6709 | 860-599-8448 |
| www.anthem-sports.com | |

| | |
|---------|---------|
| Date | Quote # |
| 2/16/26 | 93826 |

| |
|--|
| Quote for: |
| City of Bastrop Accounts Payable 1209 Linden St Bastrop, TX 78602 |

| |
|---|
| Ship To |
| City of Bastrop, TX Sylvia Carrillo-Trevino 1311 Chestnut Bastrop, TX 78602 US 512-322-8800 |

| | | |
|--------------------|--------|--------|
| Ref# / P.O. Number | Terms | Qt.CSR |
| Q20736 | Net 30 | BS |

| Anthem Part # | Description | Qty | u/m | Price | Total |
|---------------|--|-----|-----|------------|-------------|
| A07-500-91 | National Rec 10 Row 91'6" Elevated ADA Bleacher Net seating capacity 499 + 7 ADA seats per unit Shipping & Handling Sales Tax | 1 | ea | 149,800.00 | 149,800.00T |
| 1 | | | | 10,304.00 | 10,304.00T |
| | | | | 13,208.58 | 13,208.58 |
| | Optional Extras: Add \$58,700.00 *On site assembly of above (non-prevailing wages) (please provide schedule of prevailing wages if applicable) *ASSEMBLY DOES NOT INCLUDE GROUND WORK. ALL GROUND WORK TO BE DONE BY OTHERS. | | | | |

| | |
|--------------|---------------------|
| Total | \$173,312.58 |
|--------------|---------------------|

**Quote is valid for 30 days unless otherwise specified.
 Our manufactures are increasing prices regularly.**

**Due to supply chain delays estimated lead times
 are also subject to change.**

Return Policy: You may return any new or unused items in original packaging for a refund within 30 days.
 Email info@anthem-sports.com or visit www.anthem-sports.com/EasyReturns for details and exclusions.