

**BASTROP ECONOMIC DEVELOPMENT CORPORATION (BEDC)**  
**BOARD OF DIRECTORS**  
**Minutes of Monthly Meeting, January 23, 2017**  
**Bastrop City Hall, 1311 Chestnut Street, Bastrop, Texas**

The Bastrop Economic Development Corporation (BEDC) met on Monday, January 23, 2017, at 6:00 p.m. at Bastrop City Hall, 1311 Chestnut Street, for the Regular Monthly Meeting.

Board members present were: Kristi Koch, Kevin Plunkett, Cam Chavez, Joe Beal and Drusilla Rogers. Board members Mayor Ken Kesselus and Steve Mills were absent. Staff members present: Shawn Kirkpatrick, Angela Ryan, Jean Riemenschneider and Kathy Merrifield. Dan Santee, BEDC Attorney, and Marvin Townsend, Interim City Manager, were also present.

1. **CALL TO ORDER** – Board Vice-Chair Kristi Koch called the Board Meeting to order at 6:01 p.m.
2. **PUBLIC COMMENT(S)** – There were no public comments.
3. **REGULAR BUSINESS & PRESENTATIONS**
  - 3.1. Resignation of Steve Mills, Chair of the Bastrop Economic Development Corporation Board of Directors. Mr. Mills was not present at the meeting. Mr. Kirkpatrick read Mr. Mills' resignation letter and stated that presentation of his service award would take place at a future meeting. Ms. Koch noted Mr. Mills served on the EDC Board for 17 years.
  - 3.2. Consideration, discussion and possible action on election of a new Board Chair, and possible election of a new Board Vice-Chair and/or Secretary/Treasurer, if necessary. Mr. Beal suggested postponing action until the next meeting because Mayor Kesselus was absent. Mr. Chavez suggested taking a look at the scope of the EDC and the demands of the Board Chair and other officers to ensure the right person is selected. This item was tabled until the next meeting.
  - 3.3. Approval of meeting minutes of the Regular Board Meeting of November 21, 2016. Mr. Plunkett made the motion to approve the minutes as submitted, Mr. Chavez seconded and the motion passed.
  - 3.4. Acceptance of the Bastrop EDC's financial summary reports for periods ending November 30, 2016, and December 31, 2016. Mr. Kirkpatrick briefly reviewed each set of financials. He informed the Board that the audit report would be presented at the March or April meeting by the Finance Department. Ms. Rogers made the motion to accept both sets of financials as submitted, Mr. Plunkett seconded and the motion passed.
  - 3.5. Consideration, discussion and possible action on approving a Bastrop Economic Development Corporation Business Incentive Grant Program Standard Agreement for the building located at 913 Main Street, owned by Deborah and Chris Cecil. The Board approved the BIG guidelines at the November 2016 meeting, which provides 50% matching funds up to \$10,000. Mr. Kirkpatrick explained the clawback clause and that the funds would have to be reimbursed to the EDC if there is no tenant in place within 180 days of execution of the agreement. He said currently the building does not have a tenant. Sarah O'Brien, Director of the Main Street Program, explained this is the first application under the new guidelines, and there are currently six other applications moving through the process. Mr. Beal made the motion to approve a Bastrop Economic Development Corporation Business Incentive Grant Agreement (BIG #2017-001) for the building located at 913 Main Street, owned by Deborah and Chris Cecil, for FY2017, and to authorize the Executive Director to execute the agreement on behalf of the EDC. Ms. Rogers seconded and the motion passed.

- 3.6. Consideration, discussion and possible action on approving the Ninth Amended Bylaws of the Bastrop Economic Development Corporation for submission to the Bastrop City Council for approval. Mr. Kirkpatrick reviewed the redlined version of the bylaws and explained the next steps in the approval process. He said the section about term limits had been removed because legal counsel had advised that the EDC's bylaws are not the appropriate place for them. Because neither Texas State Law nor the EDC's Articles of Incorporation reference term limits, including them in the bylaws would not be binding. In addition, Mr. Kirkpatrick highlighted the following changes: reference to officers of the city was removed, language regarding the requirement for a Board member to resign when running for public office was clarified, the location of regular meetings will be City Hall, or a suitable location if City Hall is not available, and reference to ex-officio members was deleted. A BEDC resolution will be drafted if City Council approves the bylaws. Mr. Beal made the motion to approve the submission of the Ninth Amended Bylaws of the Bastrop Economic Development Corporation to the Bastrop City Council for approval. Mr. Chavez seconded and the motion passed.
- 3.7. Consideration and discussion regarding draft Policies and Procedures for the Bastrop EDC. Mr. Beal said having a workshop session to develop a written set of goals for the EDC Board and staff would be beneficial, especially with so many new Board members. However, he did not think it was necessary to delay approval of the policies and procedures.
- 3.8. Possible action on resolutions approving Policies and Procedures for the Bastrop EDC: (1) Resolution 2017-0001, Board Meeting Policies and Procedures, (2) Resolution 2017-0002, Governance Policies and Procedures, (3) Resolution 2017-0003, Financial Policies and Procedures, and (4) Resolution 2017-0004, Travel Policies and Procedures. Mr. Chavez made a single motion to approve Resolutions 2017-0001 through 2017-0004, Mr. Plunkett seconded and the motion passed.
- 3.9. Consideration, discussion and possible action on a request from the City of Bastrop Interim City Manager for the Bastrop EDC to fund a drainage study for Pine Forest Unit 6. Mr. Townsend made a brief presentation about the importance of performing a drainage study in Unit 6. He said he has the support of the school board and WCID#2. Wesley Brandon, Director of the Planning Department, explained the study would be conducted in three phases: 1) determine what is there and the effect current drainage conditions have on the property, 2) determine the mitigation necessary to meet state runoff rules, and 3) take those impacts and establish a conceptual layout. Mr. Kirkpatrick went over the process and the timeframe of releasing the funds needed for such a study should the Board decide to move forward. **\*\*Public Comment\*\*** Richard Smarzik stated he feels the EDC has no business funding the drainage study, and that the school district and the county need to pay their portions. He said he is concerned about the EDC paying for a study on property that could be undevelopable, and that it should be a green space. Mr. Beal commented that nothing can be done with these lots without this kind of study being done. Mr. Kirkpatrick explained an affirmative vote by the Board would allow him to have legal counsel determine if the EDC can legally fund the project. Mr. Beal made the motion to authorize the Executive Director to proceed with developing the documents and taking the actions needed to allow the EDC to fund the drainage study. He further moved that by approving the motion, the EDC is telling the City Manager we are committed to funding the study, if legally able to do so. Mr. Chavez seconded and the motion passed.
- 3.10. Report on Bastrop EDC: (1) 921 Main Street, (2) Loop 150 Trail Expansion, (3) Bastrop Business and Industrial Park planning, engineering, and site improvements, (4) Main Street Improvement Project, (5) Alley D Parking Lot, and (6) Executive Director annual review. Mr. Kirkpatrick gave a brief update on items 1 through 5 – no further action was taken. The process of how the Board would perform Mr. Kirkpatrick's annual review was discussed.

Legal counsel has advised the Board to determine how they wish to handle the review without legal input in order to reduce legal fees. Ms. Koch indicated she would send something out to the other Board members via email to start the process.

- 3.11. Requests from Board of Directors for future agenda items. Mr. Plunkett wanted to schedule a workshop session. Mr. Kirkpatrick said he would like to hire a facilitator for the session and he would work with Ms. Koch to schedule a date. There were no other requests.

#### **4. EXECUTIVE SESSION**

- 4.1. At 7:20 p.m., Ms. Koch convened the Bastrop EDC Board of Directors into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:
  - (1) **Section 551.072** – Deliberation about the purchase, exchange, lease, or value of real property: Projects ‘Subway Tile’, ‘Main Stay’, and/or ‘Sinkhole’.
  - (2) **Section 551.087** – Deliberation regarding economic development negotiations: Projects ‘Apothecary II’, ‘Quick Sale’, ‘Midnight Rider’, ‘Big Ben’, ‘Subway Tile’, ‘Water Lily’, ‘Goat Farm’, ‘Hot Market’, ‘Main Stay’, ‘Sinkhole’, and/or ‘Curious George’.
- 4.2. At 7:46 p.m., the Bastrop EDC Board of Directors reconvened into open session to discuss, consider and/or take any action necessary related to the executive sessions noted herein. There was no action taken.

5. **ADJOURNMENT** – Cam Chavez made the motion to adjourn and Joe Beal seconded. The BEDC Board of Directors adjourned at 7:48 p.m.