

Independent Texans

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July 4, 2016

Dear Bastrop Voter:

It is befitting the occasion of July 4th to share with you that Independent Texans has tried its very best since 2010 to protect our groundwater, our most precious resource in Bastrop County and the rest of our central Texas counties.

We regret to say that although we have won some important battles, **we believe our community is in grave danger of losing our water and our rights to challenge what is happening to Bastrop**, a place we cherish.

Please take the time to review everything in this envelope. We ask you to respond by return mail no later than July 11th. Independent Texans is a grassroots political action committee. We do not take lightly what we are asking you to do about the mess in which we find the City of Bastrop.

Specifically, we are asking you to join us in a petition drive to:

- 1. Amend the Bastrop City charter to secure your fundamental rights to petition your city government, granted in the Texas constitution in 1912, and*
- 2. Secure the option to recall Bastrop Mayor Ken Kesselus.*

The City Council passed a resolution in 2015 against selling the City's water. However, we believe there is a movement afoot by the new Council majority to take the city back to the days of the "good ol' boys" -- using the city as a conduit to drain the groundwater we share with central Texas neighbors to the financial benefit of private water interests.

Consider this. The new City Council is talking about using their authority at the upcoming meeting on July 12th to put two deceptive proposals of their own on the November ballot:

- 1. A sneaky amendment to the city charter that would allow Council to sell your water if they can convince you to vote for it.*
- 2. To change our term limits law for City Council to make it possible for the Mayor to run again.*

If you think we're being alarmist, please read the back of this page for more details on what the Mayor has been doing in association with others. Please ask yourself, is his treatment of the citizens of Bastrop fair and are his actions becoming of a mayor of a Texas home rule city?

We urge you to sign the enclosed petitions (explanations are also on the back of this page) and send them to us right away. **Mail them no later than July 10th** or call us if you miss the deadline.

Or come deliver your signed petitions on July 12th, starting at 6:30 pm at the next Bastrop City Council meeting at City Hall, 1311 Chestnut Street. *(You can print out more petitions from our website.)*

We are also happy to talk by phone or to even come visit with you and pick up your petition.

Sincerely,

Linda Curtis, Director

PS Please consider enclosing a donation to help us cover the costs of this mailing, but be assured that a donation to participate is not at all required. Checks are made payable to Independent Texans.

We believe the following violations of public trust justify this petition drive to amend the City Charter and to recall Mayor Ken Kesselus: (If you agree, please sign the petitions and mail right away!)

- ▶ On February 28, 2015, the Austin American Statesman reported on then City Councilman Joe Beal's flagrant impropriety in peddling Bastrop County's water for export without any disclosure by Beal that he was then a paid consultant for End Op, L.P. and its investors. End Op continues to press for a massive water permit that poses a real threat to the aquifer and Bastrop's water future, while local landowners are in court still pushing for a seat at the table to stop them. Mayor Ken Kesselus said and did nothing about this while others on the Council strongly spoke out against Beal's conflict of interest. *In fact, the Mayor proclaimed Beal's last day on Council "Joe Beal Day" and presented him with a flag that once flew over the State Capitol.*
- ▶ Six months after Beal stepped down from the City Council (he was term limited), Mayor Kesselus appointed him to sit on the Bastrop Economic Development Board, which handles millions of tax dollars for development, including authority to finance water projects.
- ▶ Also in 2015, Kesselus brazenly attempted to appoint his own employer, Mark Rose, then General Manager of Bluebonnet Electric Coop, to the Bastrop Economic Development Board in clear violation of the City of Bastrop's Ethics Ordinance. When this attempt was stopped, Kesselus tried to appoint Rose's wife to a city commission, another violation. Kesselus insisted the Ethics Commission revisit their rulings against him a second time, and when they refused to change their stance, Kesselus fought to remove the Ethics Commission chair, a respected District Judge.
- ▶ In 2016, at numerous instances, Kesselus has engaged in behavior unbecoming an elected official by publicly berating the City Manager, the city's attorney and the City Secretary as well as Bastrop citizens who exercise their rights to free speech and free access to their elected officials during Council meetings.
- ▶ On June 20, 2016, Kesselus held an improperly called "special meeting" (behind closed doors in Executive Session) involving several violations of the Texas Open Meetings Act.

Heard enough? Sign the enclosed petitions and return them right away -- no later than July 11th.

The first petition is to change a city charter provision that has insulated the Bastrop City Council from the rights of their citizens to petition for a public vote. The right to petition for initiatives (a public vote to pass a city ordinance proposed by the people), referendum (a public vote to revoke a Council decision) and recall (a public vote to remove a city elected official) was passed by the people of Texas over 100 years ago in a constitutional amendment for home rule. However, the City of Bastrop has established petition hurdles that are far too restrictive. This petition, if passed, would simply reduce the current signature requirements of registered city voters from 20% to 5% -- in line with state law for charter amendment petitions -- and would reduce the current number of signatures required to place a recall election on the ballot from 25% to 10% -- the most common threshold used by other Texas cities. We need **213** signatures of registered voters in the city of Bastrop to allow voters in November to vote on this amendment.

The second petition is for a recall election of Mayor Ken Kesselus. If enough city voters sign this petition, the Mayor will be afforded an opportunity to make his case and face a recall election, or leave on his own. Under the current 25% rule, we will need **1062** signatures, but if our petition above passes, it's **425**.

Remember that only voters who live in the city of Bastrop can sign these petitions. Of course, anyone may circulate them.

Please take the time to read the simple instructions on the petitions and do your best to fill out all fields. If you do not sign and print your name legibly, we will not be able to verify your signature.

You can print more petitions from our website under the "Petitions" menu at IndyTexans.org. They can be printed and shared freely. Caution: *if you circulate the petition beyond your household, make sure you fill out the circulator information at the very bottom of the petition sheets.*

We hope to see you on the 12th at Bastrop City Hall or to hear from you sooner!