

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



May 14, 2024

Canvass and Oath of Office at 5:30 PM

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 CANVASS AND OATH OF OFFICE**
- 2. CANVASS OF ELECTION**
- 2A. Consider action to approve Resolution No. R-2024-57 of the City Council of the City of Bastrop, Texas to canvass the May 4, 2024, Election for Place 2 and Place 4 of the Bastrop City Council; and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

3. RECOGNITION

3A. Recognition of outgoing Council Member Jimmy Crouch.

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

4. OATH OF OFFICE

4A. Incumbent Council Member Cynthia Sanders Meyer Place 2

Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423

Signature of official documents, Ann Franklin, City Secretary

Welcome by Council

Comments by Council Member Meyer

4B. Incoming Council Member Kerry Fossler Place 4

Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423

Signature of official documents, Ann Franklin, City Secretary

Welcome by Council

Comments by Council Member Fossler

5. ELECTION OF MAYOR PRO TEM

5A. Consider action to elect Mayor Pro Tem.

Submitted by: Ann Franklin, City Secretary

6. RECEPTION

6A. Reception to thank outgoing Council Member Crouch.

6B. Reception for Council Member Meyer and Council Member Elect Fossler.

7. CALL TO ORDER REGULAR MEETING AT 6:30 P.M.

8. PLEDGE OF ALLEGIANCE - Evelyn Trejo and Jasmine Jimenez-Cedillo, Camino Real Elementary Girls Who Code Club

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

9. INVOCATION - Phil Woods, Police Chaplain

10. PRESENTATIONS

- 10A. Mayor's Report
- 10B. Council Members' Report
- 10C. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 19-25, 2024, as Public Works Week.

Submitted by: Ann Franklin, City Secretary

11. WORK SESSIONS/BRIEFINGS

- 11A. Discussion and direction to staff regarding proposed City of Bastrop Charter Amendments for the November 2024 election.

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

12. STAFF AND BOARD REPORTS

- 12A. City Manager's Report

13. CITIZEN COMMENTS

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

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

14. APPROVAL OF MINUTES

- 14A. Consider action to approve City Council minutes from the April 23, 2024, Regular meeting and April 29, 2024, Special meeting.

Submitted by: Ann Franklin, City Secretary

15. ITEMS FOR INDIVIDUAL CONSIDERATION

- 15A. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-11 of the City Council of the City of Bastrop, Texas, approving the zoning change for 31.4559 +/- acres out of the A11 Bastrop Town Tract, Bastrop County, Texas, more commonly known as Bastrop Gateway from P2 rural and P5 core to planned development district with P5 core base zoning, as shown in Attachment 2; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date; and move to include on the May 28, 2024, Consent Agenda for second reading.

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

- 15B. Consider action to approve Resolution No. R-2024-58 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to accept a donation on behalf of the City of Bastrop Police Department in the amount of Two Thousand Five hundred and Sixty Four dollars (\$2,564.00) from Project Beloved.org for utilization by the City of Bastrop Police Department's Victims Services division allowing for the aesthetic remodel of the victim interview room, enhancing the space to be more conducive for interviewing victims and family members; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Vicky Steffanic, Chief of Police

- 15C. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-13 of the City Council of the City of Bastrop, Texas, approving the zoning change for 6.218 +/- acres out of the Nancy Blakey Survey, Abstract Number 98, located west of FM 969 within the City of Bastrop, Texas, P3 Residential to P5 Core, as shown in Attachment 2; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date; and move to include on the May 28, 2024, Consent Agenda for second reading.

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

- 15D. Consider Action to approve the first reading of Ordinance No. 2024-14 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 3 Building Regulations, Article 3.17 Flood Damage Prevention as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting and move to include on the June 11, 2024, Consent Agenda for the second reading.

Submitted by: Elizabeth Wick, Project Manager

- 15E. Consider action to approve Resolution No. R-2024-06 of the City Council of the City of Bastrop, Texas authorizing a license to encroach agreement with Zavodny Food Court to encroach into the Public Utility Easement to place mobile food trailers closer to Cedar Street, as attached in Exhibit B of the License Agreement; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.

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

- 15F. Consider action to approve Resolution No. 2024-54 of the City Council of the City of Bastrop, Texas expressing official intent to reimburse certain expenditures attached as Exhibit A; providing a severability clause; and providing for an effective date.

Submitted by Edi McIlwain, Chief Financial Officer

- 15G. Consider action to approve the first reading of Ordinance No. 2024-15 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2024 in accordance with existing statutory requirements; appropriating the various amounts herein, as attached in Exhibit A; repealing all prior ordinances an actions in conflict herewith; and establishing for an effective date; and move to include on the May 28, 2024, on the Consent agenda for second reading.

Submitted by: Edi McIlwain, Chief Financial Officer

- 15H. Consider action to approve Resolution No. R-2024-55 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Joshua Bingaman to Place 7, of the Planning and Zoning Commission as required in Section 3.08 of the City's Charter; and establishing an effective date.

Submitted by: Lyle Nelson, Mayor

- 15I. Consider action to approve Resolution No. R-2024-53 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Keith Ahlborn to Place 3, of the Planning and Zoning Commission as required in Section 3.08 of the City's Charter; and establishing an effective date.

Submitted by: Lyle Nelson, Mayor

- 15J. Consider action to approve Resolution No. R-2024-52 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Nathanael Gold to Place 7, of the Parks Board as required in Section 3.08 of the City's Charter; and establishing an effective date.

Submitted by: Lyle Nelson, Mayor

- 15K. Consider action to approve Resolution No. R-2024-51 of the City Council of the City of Bastrop, Texas, accepting a donation from the Lost Pines Art League in the amount of Fifty Thousand and 00/100 Dollars (\$50,000) for the creation of a sculpture within the boundaries of the Cultural Arts Commission District Project approved area; authorizing the City Manager to Execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Kathy Danielson, Community Engagement Director

- 15L. Consider action to approve Resolution No. R-2024-56, approving expenditure of City funds for Mayor Lyle Nelson to attend an event, function, and/or convention; providing for execution of all necessary documents; providing for repealer; providing for severability; and providing an effective date.

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

16. EXECUTIVE SESSION

- 16A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071, 551.072, and 551.087 to seek the advice of legal counsel regarding the potential development of a Sports Complex.
- 16B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding the Master Agreement for the Transfer of Retail Water Certificate of Convenience and Necessity Service Area from Aqua Water Supply Corporation to the City of Bastrop and consideration of compensation for certain service areas.
- 16C. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.072 to seek the advice of legal counsel regarding acquisitions of real estate related to the Wastewater Treatment Plant No. 3 Project and pending litigation in the following eminent domain proceedings pending in the Bastrop County Court at Law: Case No. 20-20294, City of Bastrop v. William A. & Sally Griesenbeck; Case No. 20-20295, City of Bastrop v. William J. & Tanya Griesenbeck; Case No. 20-20282, City of Bastrop v. Melissa Lee Griesenbeck Schuelke; and Case No. 20-20283, City of Bastrop v. JoAnn Griesenbeck Cantrell & William Cantrell.

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

18. ADJOURNMENT

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

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

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Thursday, May 9, 2024 at 9:00 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Ann Franklin
Ann Franklin, City Secretary