

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



August 27, 2024

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 - Harper Tawater and Everly Foster, Lost Pines Elementary Girl Scouts

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

3. INVOCATION - Robert Oliver, Police Chaplain

4. PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

5. WORK SESSIONS/BRIEFINGS

- 5A. Receive an update on the Old Iron Bridge rehabilitation, Fairview Cemetery expansion, and Agnes Street extension and improvement projects.

Submitted by: Andres Rosales, Assistant City Manager

6. STAFF AND BOARD REPORTS

- 6A. City Manager's Report

1. Update on Solid Waste and Recycling services with Texas Disposal Systems.
2. Update on coming changes to Utility Billing service location and website.
3. Update on Capital Improvement Projects for the City of Bastrop.

- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending July 31, 2024.

Submitted by: Edi McIlwain, Chief Financial Officer

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 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.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Council Member or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 8A. Consider and act to approve the following Bastrop City Council meeting minutes:

1. Tuesday, August 13, 2024 Regular Meeting and Joint Meeting with Visit Bastrop Board of Directors;

2. Monday, August 19, 2024 Special Meeting; and
3. Wednesday, August 21, 2024 Budget Meeting.

Submitted by: Irma G. Parker, Interim City Secretary, and Victoria Psencik, Assistant City Secretary

- 8B. Consider and act on Resolution No. R-2024-107, Ratifying and approving an Interlocal Agreement between the City of Bastrop and Bastrop County regarding the construction of a communications tower for public safety purposes, as attached in Exhibit A; and ratifying and approving the conveyance by the City to the County of 2.205 acres of property known as Building Block 152 East of Water Street, located at 2001 South Street, to be used for the purpose set forth in such Interlocal Agreement, as attached in Exhibit B; providing for a repealing clause; and establishing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

- 8C. Consider and act on Resolution No. R-2024-112, Approve engineering professional services contract with Dial Development Services, Ltd. (DDS) to continue to provide the services of construction management and inspection to a not to exceed an amount of two hundred thousand dollars (\$200,000.00); 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.

Submitted by: Andres Rosales, Assistant City Manager

- 8D. Consider and act on Resolution No. R-2024-108, Regarding a Community Services and Offsite Improvements Agreement between the City of Bastrop and Bastrop County Emergency Food Pantry for the reimbursement of construction funds for the offsite improvements in the public right-of-way related to the construction of the new Food Pantry facility to be located at 1201 Pine Street, Bastrop, Texas in the amount of Fifty Nine Thousand Sixty and 70/100 (\$59,060.70) based on the in-kind donation cost estimate in Exhibit A; authorizing the execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

Submitted by: Andres Rosales, Assistant City Manager

- 8E. Consider and act on Resolution R-2024-106, For the creation of a Public Services Policy for the Bastrop Public Library, as attached in Exhibit A; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

Submitted by: Bonnie Pierson, Library Director

- 8F. Consider and act on Resolution No. R-2024-111, for an interlocal agreement with Bastrop Independent School District and the City of Bastrop for plan review, building inspection, and fire inspection services, upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

Submitted by: Andres Rosales, Assistant City Manager

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider and act on Resolution No. 2024-116, To confirm the Interim City Secretary and Assistant City Secretary under Home Rule Charter Article III “City Council”, Section 3.09 “City Secretary”.

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

- 9B. Receive a report from the Interim City Secretary as to the sufficiency or deficiency of a Petition submitted in July 2024 to Recall Mayor Lyle Nelson.

Submitted by: Interim City Secretary Irma Parker

- 9C. Consider and act on Ordinance No. 2024-25, Ratifying the Ordinance Calling for and Establishing the Procedures for a November 5, 2024 Special Election for the Purpose of Amending the Home-Rule Charter Approved on August 19, 2024. Providing for Severability; Providing for Proper Meeting and Notice; and Establishing an Effective Date.

Submitted by: Interim City Secretary Irma Parker

- 9D. Consider and act on Ordinance No. 2024-26, Ratifying the Ordinance Calling for and Establishing the Procedures for November 5, 2024, Special Election for the Purpose of Amending the Home-Rule Charter Regarding the Enforcement of Marijuana Laws adopted on August 19, 2024; Providing or Severability; Providing or Repealing Clause; Providing or Proper Meeting and Notice; And Establishing an Effective Date.

Submitted by: Interim City Secretary Irma Parker

- 9E. Consider and act on first reading of Ordinance No. 2024-27, Approving a map depicting the Municipal Boundary “City Limits” and the Extraterritorial Jurisdiction “ETJ” as required by State Law.

Submitted by: Robert Barron, GIS Manager

- 9F. Consider and act on the first reading of Ordinance No. 2024-23, Approving the Fiscal Year 2025 Annual Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a Fiscal Year 2025 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunters Crossing Local Government Corporation; and move to include on the September 10, 2024 City Council Agenda for a second reading.

Submitted by: Edi McIlwain, Chief Financial Officer

- 9G. Consider and act on Resolution No. R-2024-100, For the disannexation of land from the city's 1-mile extraterritorial jurisdiction, for 2.03 acres of property known as Tahitian Village Subdivision, Unit 5, Block 1, Lots 20, 21, 22, 50, 51, and 52, located in the 1-mile ETJ of Bastrop County, Texas; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

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

- 9H. Consider and act on Resolution No. R-2024-113, For the disannexation of land from the city's extraterritorial jurisdiction, for 0.99 acres of property known as Addison Acres, Abstract No. A45 Litton, located at 5599 FM 535, Cedar Creek, Texas in Bastrop County,

Texas; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

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

- 9I. Consider and act on Resolution No. R-2024-114, Denying the disannexation of land from the city's 1-mile extraterritorial jurisdiction, for 2.00 acres of property known as Nancy Blakey Abstract No. A98, located at 1285 West State Highway 71, Unit A, Bastrop, Texas in Bastrop County, Texas; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

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

10. EXECUTIVE SESSION

- 10A. The City Council shall convene in to Closed Executive Session under Government Code:

Section 551.071(1)(A) Consultations with the Attorney - on pending or contemplated litigation. Eminent domain proceedings pending in the Bastrop County Court at Law No. 1; and

Section 551.072 Deliberations about Real Property - to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third person:

Case No. 20-20464 City of Bastrop v. Palms Property, LLC;
Case No. 20-20462 City of Bastrop v. Baham Interests Limited Partnership;
Case No. 23-32837 City of Bastrop v. Erhard Legacy Partners, LTD. and
Cause No. 21-20690 City of Bastrop v. Reid Sharp and Cindy Sharp.

- 10B. The City Council shall convene in to Closed Executive Session under Government Code Section 551.071(1)(A) Consultations with Attorney - on pending or contemplated litigation regarding engineering and construction contracts related to the Wastewater Treatment Plant #3.

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

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).

12. ADJOURNMENT

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: Friday, August 23, 2024 at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Victoria Psencik
Victoria Psencik, Assistant City Secretary