

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



January 14, 2025
Regular City Council Meeting at 5:30 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** - Claire Culpepper and Jacob Bueno, Cedar Creek Middle School Student Council (StuCo)

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

- 3. INVOCATION** - Lauren Hansell, Police Chaplain

4. EXECUTIVE SESSION

- 4A.** City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.072 to seek the advice of legal counsel regarding real estate matters for Mayfest Park and adjacent property along Loop 150 East.

- 4B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.087 to seek the advice of legal counsel regarding a 380 Agreement with Chestnut Commercial located at 1712 Chestnut Street, Bastrop, Texas.
- 4C. City Council shall convene into a closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the proposed real estate acquisition of an easement located in the future Agnes Street location.
- 4D. City Council shall convene into a closed executive session pursuant to Texas Government Code Section 551.071 to seek consultation with legal counsel regarding the City of Bastrop Charter Amendments.

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

6. PRESENTATIONS

- 6A. Mayor's Report
- 6B. Council Members' Report
- 6C. Proclamation - Recognizing January 20, 2025 as Dr. Martin Luther King, Jr. Day.
Submitted by: Victoria Psencik, Assistant City Secretary

7. WORK SESSIONS/BRIEFINGS

- 7A. Discussion regarding the process for engaging legal counsel from the Interim City Attorney, Denton Navarro Rodriguez Bernal Santee & Zech, P.C. (DNRBSZ).
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

8. STAFF AND BOARD REPORTS

- 8A. City Manager's Report
 - 1. Update on Projects
 - a. Water Wells - Date online - February
 - b. Bridge - Texas Historic Designation and Notice to Proceed
 - c. Agnes Street - Ribbon cutting dates
 - d. Council Policy on Council travel - Ongoing/Draft
 - e. Short Term Rental public input meeting - January 22, 2025
 - f. B3 updates to date - Future updates
 - g. Year in Review - January 28, 2025

h. Governor's Small Business Summit - Bastrop selected

i. Refuse and recycling collection and locations in Downtown Bastrop - Container types, education etc

2. Update on adding two additional public meetings to the contract scope of work for the Halff and Associates update to the Comprehensive Plan.

3. Update on the unveiling of the Historical Marker for Leah Moncure, P.E. - Texas's First Woman Professional Engineer.

4. Governor's Small Business Summit - BEDC Application (Dori Kelley) - Presented in collaboration with the Chamber of Commerce.

8B. Updates on the Bastrop County Master Gardener's Community Garden Memorandum of Understanding and proposed plans.

Submitted by: Terry Moore, Parks & Recreation Director

8C. Receive a presentation on the unaudited Financial Statement as of September 30, 2024.

Submitted by: Edi McIlwain, Chief Financial Officer

9. 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.

10. 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.

10A. Consider and act to approve the following Bastrop City Council meeting minutes:

1. Tuesday, December 10, 2024, Regular Meeting; and

2. Tuesday, December 17, 2024, Special Meeting.

Submitted by: Victoria Psencik, Assistant City Secretary

- 10B. Consider and act on the second reading of Ordinance No. 2024-45, Amending Chapter 13, Article 13.02, Section 13.02.012 – Providing for Line Extension Agreements for the extension of certain water and/or wastewater lines; and providing for a findings of fact, repealer; severability, codification, effective date, proper notice and meeting.

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

- 10C. Consider and act on the second reading of Ordinance No. 2024-46, of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.3 General Lot Standards, Section 6.3.005 ALLEYS & DRIVEWAY LOCATIONS (a), (b) and (c) as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner

- 10D. Consider and act on the second reading of Ordinance No. 2024-47, Amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.3 General Lot Standards, Section 6.3.006 PARKING (b)(4)(5)(7) and (9) as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner

- 10E. Consider and act on the second reading of Ordinance No. 2024-48, Amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Technical Manual, Article 2.1 General Standards And Requirements, section 2.1.006 Parking Areas (a)(1) as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner

- 10F. Consider and act on the second reading of Ordinance No. 2024-49, Amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.3 General Lot Standards, Section 6.3.003 Building Placement (a)(3)(A) as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner

- 10G. Consider and act on the second reading of Ordinance No. 2024-50, Amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.3 General Lot Standards, Section 6.3.006 PARKING (a) and (b)(1)(2) as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.

Submitted by: Kennedy Higgins, Senior Planner

- 10H. Consider and act on the second reading of Ordinance No. 2024-52, Amending the Code of Ordinances Chapter 1 “General Provisions”, Article 1.03 “Mayor & City Council”, Division 2 “Mayor”, Section. 1.03.032 – “Compensation” and Section. 1.03.033 “Expense Account”; Division 3 “City Council”, Section 1.03.061 “Composition; Meetings”, Section 1.03.062 “Compensation of Councilmembers” to Comply with the City of Bastrop Home Rule Charter; Providing for Findings of Fact, Adoption, Enforcement, Repealer, and Severability; Establishes an Effective Date; And Ensures Proper Notice and Meeting.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

- 10I. Consider and act on Resolution No. R-2025-07, Canvassing Returns and Declaring the Results of the Adoption or Rejection of Proposed Amendments to the Existing Home Rule Charter at the Special Election Held on Tuesday, November 5, 2024; Providing a Severability Clause; And Providing an Effective Date.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

- 10J. Consider and act on Resolution No. R-2025-04, regarding an Interlocal Agreement with Bastrop County for the Bastrop County Household Hazardous Waste Facility operation and maintenance obligations between the City of Bastrop and Bastrop County, 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.

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

- 10K. Consider and act on Resolution No. R-2025-01, regarding the amended and restated Tri-party Agreement for Future Connections in the Colony Project to Off-Site Roadways, 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.

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

- 10L. Consider and act on Resolution No. R-2025-03, approving a request to refund a Replat Application Fee in the amount of One Thousand, Nine Hundred Eighty-Six Dollars and Twenty-Nine Cents (\$1,986.29), and to refund the Board / Commission Appeal Application Fee in the amount of Three Thousand, Six Hundred Eighty-One and 00/100 Dollars (\$3,681.00) for the property located at 112 Post Oak Rim, Bastrop, Texas, within the city limits of Bastrop, 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.

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

- 10M. Consider and act on Resolution No. R-2025-02, approving an Interlocal Agreement for road improvements with Bastrop County Water Control and Improvement District No. 2 (BCWCID 2); as attached in Exhibit A; authorizing the execution of all necessary documents; providing for repeal; and providing for an effective date.

Submitted by: Andres Rosales, Assistant City Manager

- 10N. Consider and act on Resolution No. R-2025-09, Ordering a General Election to be Held on Saturday, May 3, 2025 for Council Member Place 1 and Place 5 according to the

Bastrop Home Rule Charter; Designating Polling Places Within the City; Establishing Other Procedures for the Conduct of the General Election and Runoff Election, If Necessary, Including Providing that the Election is to be Held as a Joint Election in Conjunction with Bastrop County; Providing a Severability Clause; And Providing an Effective Date.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

- 10O. Consider and act on Resolution No. R-2025-11, Approving the Contract with the Bastrop County Election Administrator to Participate in a Joint Election for the May General Election Called And Ordered For Saturday, May 3, 2025; Authorize the City Manager to sign said Contract Agreement; Providing For A Repealing Clause, Severability, and Effective Date.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

- 10P. Consider and act to approve Resolution No. R-2025-12, A Resolution Updating Resolution No. R-2024-180, Accepting Donations for the Texas Municipal League (TML) Region 10 Quarterly Meeting, Hosted by the City of Bastrop; Ratifying a New Grand Total in the Amount of Two Thousand Four Hundred Forty And 00/100 Dollars (\$2,440.00); Authorizing Staff To Provide All Donors With An Official Donation Receipt Acceptable to the International Revenue Service to Claim a Charitable Donation; Providing for a Repealing Clause; And Establishing an Effective Date.

Submitted by: Andres Rosales, Assistant City Manager

11. ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A. Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-04 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.5 Building Types, Section 6.5.003 BUILDING STANDARDS PER PLACE TYPE A – LOT OCCUPATION (table) and Section 6.3.008 LOT OCCUPATION (a) and (b) 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 January 28, 2025 Consent Agenda for the second reading.

Submitted by: Kennedy Higgins, Senior Planner, Development Services

- 11B. Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-03 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.3 General Lot Standards, Section 6.3.007 CROSS ACCESS CONNECTIONS (a) 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 January 28, 2025 Consent Agenda for the second reading.

Submitted by: Kennedy Higgins, Senior Planner, Development Services

- 11C. Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-02 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 6.5 Building Types, Section 6.5.003 BUILDING STANDARDS PER PLACE TYPE A. Lot Occupation 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 January 28, 2025 Consent Agenda for the second reading.

Submitted by: Kennedy Higgins, Senior Planner, Development Services

- 11D. Consider and act on Resolution No. R-2025-06, regarding a Visit Bastrop Destination Marketing Services Agreement between the City of Bastrop and Visit Bastrop, 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.

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

- 11E. Discussion and possible action on applications received for the Bastrop County Advisory Board of Health.

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

- 11F. Consider and act to approve the first reading of Ordinance No. 2025-01 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," amending section 12.05.006 titled "SH 21 Frontage Road speed limits." zoning for traffic and rate of speed therein, on SH 21 Frontage Road in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer severability, proper notice and meeting as shown in Exhibit A, and move to include on the January 28th Consent Agenda for second reading.

Submitted by: Kennedy Higgins, Senior Planner, Development Services

- 11G. **POSTPONED 12/10/2024:** Conduct a public hearing, consider and act on the first reading of Ordinance No. 2024-44, of the City of Bastrop, Texas, approving the zoning change for 10.56 +/- acres out of Nancy Blakey Survey Abstract 98, located west of FM 969, within the City of Bastrop from P2 Rural 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 January 28, 2024, Consent Agenda for second reading.

Submitted by: Kennedy Higgins, Senior Planner

- 11H. Consider and act to approve the first reading of Ordinance No. 2025-05, amending the budget for the Fiscal Year 2025 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 move to include on the consent agenda of the January 28, 2025, City Council agenda for a second reading.

Submitted by: Edi McIlwain, Chief Financial Officer

- 11I. Consider and act on the following speaking requests for Mayor Lyle Nelson:

1. January 20, 2025 - Bastrop County Martin Luther King Jr., Walk and Program

2. January 21, 2025 - Bastrop ISD School Board meeting to read a proclamation recognizing the school board members

- 11J. Consider and act on Resolution No. R-2025-08, Appointing Karen Kincaid Brady, Executive Director of the Bastrop Museum and Visitor's Center to Place 7 of the Cultural Arts Commission for a Three-Year Term beginning January 2025 and Ending in September 2028; Receiving Confirmation by the City Council of the Appointment; And Providing for an Effective Date.

Submitted by: Mayor Lyle Nelson

- 11K. Consider and act on Resolution No. R-2025-05, approving a Public Improvement Plan Agreement with PRC 01 Bastrop LLC for Sendero, 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.

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

- 11L. Consider and act on Resolution No. R-2025-10 in Support of Employee Kennedy Higgins Omitted from Resolution R-2024-179 Adopted on December 10, 2024 and Named in the Lee Dossier as Submitted by Council Member Cheryl Lee; Directing this Document with a Certified Copy is Delivered to Employee; Directing that this document be provided to the Human Resources Director for inclusion in this Employee's Personnel File; Providing for a Repealing Clause; And Establishing an Effective Date.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

- 11M. Consider and act on Resolution No. R-2025-13, Ordering a Special Election to be held on Saturday, May 3, 2025 for the Recall of Mayor Lyle Nelson according to the Bastrop Home Rule Charter; Designating Polling Places within the City; Establishing other Procedures for the Conduct of the Special Election, Including Providing that the Election is to be held as a Joint Election in Conjunction with Bastrop County; Providing a Severability Clause; and Providing an Effective Date.

Submitted by: Irma G. Parker, City Secretary, TRMC, CMC

12. 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).

******** Notice is hereby given of the possibility of a quorum of any of the City of Bastrop Boards and Commissions at this City Council Meeting.***

NO Board/Commission action will be taken; NO deliberations will be held; and NO Board/Commission business will be conducted.

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 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, January 9, 2025 at 5:30 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Victoria Psencik
Victoria Psencik, Assistant City Secretary