

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



June 11, 2024

AMENDED AGENDA and PACKET -- Regular City Council Meeting at 6:30 PM

All amendments/additions are in BOLD and in ITALIC

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 - Kaison Ancrum and Aria Perkins

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

3. INVOCATION - Arthur Banks, Police Chaplain

4. PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing the legacy of Harriet Tubman.

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

- 4E. ***A proclamation of the City Council of the City of Bastrop, Texas recognizing June 19, 2024, as Juneteenth Day.***

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

5. WORK SESSIONS/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS - NONE

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 action to approve City Council minutes from the May 28, 2024, Regular meeting.

Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve the second reading of Ordinance No. 2024-17 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," adding Section 12.05.009 titled "SH 304 speed limits." Zoning for traffic and rate of speed therein, on SH 304 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.

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

- 8C. Consider action to approve the second 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.

Submitted by: Elizabeth Wick, Project Manager

- 8D. Consider action to approve Resolution No. R-2024-65 of the City Council of the City of Bastrop, Texas, approving amendments to the real estate purchase contract and performance agreement between the Bastrop Economic Development Corporation and Acutronic Real Estate, Inc; authorizing all necessary actions, including execution of necessary documentation; repealing all resolutions in conflict; and providing an effective date.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, Interim Director of the BEDC and City Manager

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2024-69 of the City Council of the City of Bastrop, Texas amending a contract for the update to the 2016 Comprehensive Plan to Halff Associates, Inc to increase the contract price by an amount not to exceed Forty Thousand, Two Hundred Eighty Dollars (\$40,280.00) hereby attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

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

- 9B. Consider action to approve the first reading of Ordinance No. 2024-18 approving the creation of a Charter Review Commission; appointing initial commissioners; providing for severability; providing for repeal; and providing an effective date; and move to include on the June 25, 2024, consent agenda for second reading.

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

- 9C. Consider action to approve Resolution No. R-2024-66 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Krissie Fountain to Place 7, of the Bastrop Parks and Recreation Board as required in Section 3.08 of the City's Charter; and establishing an effective date.

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

- 9D. Consider action to approve Resolution No. R-2024-67 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Council Member Lee as Parks and Recreation Board Liaison and Council Member Fossler as DEI Board Liaison as required in Section 3.08 and Section 1.04.002(6) of the City's Charter; and establishing an effective date.

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

- 9E. Consider action to confirm appointment by the Mayor of Council Member Kerry Fossler to the ad hoc executive committee to address considerations related to a regional sports facility located in the Bastrop Economic Development Corporation Industrial Park, replacing former Council Member Jimmy Crouch.

Submitted by: Mayor Lyle Nelson and Council Member Cynthia Meyer

- 9F. Consider action to approve Resolution No. R-2024-68 of the City Council, of the City of Bastrop, Texas, approving the acquisition of certain real property, known as 610 **Martin Luther King Jr.** Drive, being 2.195 acres of land out of Building Block 56, East of Main Street, in the City of Bastrop; authorizing the City Manager to execute a purchase & sale agreement and all other necessary documents for the acquisition of said property for the amount of \$147,000.00; providing for severability; providing for repeal; and providing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

- 9G. Consider action to approve Resolution No. R-2024-70 of the City Council of the City of Bastrop, Texas, authorizing proceeding with issuance of certificates of obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligations.**

Submitted by: Edi McIlwain, Chief Financial Officer

10. EXECUTIVE SESSION

- 10A. 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 potential acquisitions of real estate related to the Westside Collection System wastewater improvements project and the following cases pending in Bastrop County Court at Law No. 1: Case No. 20-20462, City of Bastrop, Texas v. Baham Interests Limited Partnership; and Case No. 20-20464, City of Bastrop, Texas v. Palms Properties, LLC.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 to seek the advice of legal counsel and possible action regarding a potential request for a petition to create Bastrop County Emergency Services District No. 3.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel and possible action regarding a 380 Agreement economic development incentives for the Sendero - Pearl River (PRC 01 Bastrop, LLC) development.
- 10D. 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 real estate and economic development aspects of a potential development of a Qualified Hotel Project.

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

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).

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, June 7, 2024 at 3:00 p.m.** and remained posted for at least two hours after said meeting was convened.

/s/Victoria Psencik
Victoria Psencik, Assistant City Secretary