

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



December 12, 2023

AMENDED (ADDED ITEM 2I) Executive Session at 5:00 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 EXECUTIVE SESSION**
- 2. EXECUTIVE SESSION**
 - 2A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding proposed Rock Crushing Plant in Bastrop County.
 - 2B. 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 and discuss the potential acquisition of real estate relating to the Vista Puente Drive right-of-way project.

- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding petitions to release areas from the extraterritorial jurisdiction and Senate Bill 2038.
- 2D. 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 and discuss professional engineering contract and matters related to the Wastewater Treatment Plant No. 3 Project.
- 2E. 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 proposal of a Public Improvement District in connection with the Bastrop Gateway development.
- 2F. 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 the Lost Pines Arts Center, 1204 Chestnut, Bastrop, Texas.
- 2G. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding a potential amendment to the Colorado Bend Development Agreement and Public Improvement Plan.
- 2H. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding a potential agreement with Corix and SpaceX, related to real property.
- 2I. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding a development agreement for the project known as the Hill located at Hwy 95 and Arena Drive.

3. TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION

4. CALL TO ORDER REGULAR MEETING

5. PLEDGE OF ALLEGIANCE - Avery Fobert and Shianne Redfearn, Bastrop Middle School

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

6. INVOCATION - Grady Chandler, Police Chaplain

7. PRESENTATIONS

7A. Mayor's Report

7B. Council Members' Report

7C. A proclamation of the City Council of the City of Bastrop, Texas congratulating the Bastrop Chamber of Commerce for achieving accreditation with Four Star Distinction.

Ann Franklin, City Secretary

8. WORK SESSIONS/BRIEFINGS

8A. Presentation on Zero Waste.

8B. City Manager's Monthly Report.

9. STAFF AND BOARD REPORTS -NONE

10. 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.

11. 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.

11A. Consider action to approve City Council minutes from the November 14, 2023, Development Code Rodeo and November 18, 2023, Special Called meeting.

Submitted by: Ann Franklin, City Secretary

11B. Consider action to approve Resolution No. R-2023-177 of the City Council of the City of Bastrop, Texas, approving an Ad Valorem Tax Assessment & Collection Contract between Bastrop County and the City of Bastrop, attached as Exhibit A, authorizing the City Manager to execute all necessary documents.

Submitted by: Laura Allen, Assistant Finance Director

11C. Consider action to approve Resolution No. R-2023-181 of the City Council of the City of Bastrop, Texas, approving an Ad Valorem Tax Assessment & Collection Contract between Bastrop County and the City of Bastrop for the Hunter's Crossing Public Improvement District, attached as Exhibit A, authorizing the City Manager to execution all necessary documents.

Submitted by: Laura Allen, Assistant Finance Director

- 11D. Consider action to approve the second reading of Ordinance No. 2023-41 of the City Council of the City of Bastrop, Texas, authorizing and allowing for (1) an increase in the employee contribution rate to Texas Municipal Retirement System (TMRS); and (2) adopting: (i) annually accruing updated service credits and transfer updated service credits; and (ii) annually accruing annuity increases, also referred to as cost-of-living adjustments (COLAS) for retirees and beneficiaries of deceased retirees, as attached in Exhibit A; providing for findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice, and meeting.

Submitted by: Tanya Cantrell, Human Resource Director

- 11E. Consider action to approve Resolution No. R-2023-171 of the City Council of the City of Bastrop, Texas, approving a task order with MWM DesignGroup to provide the services of City Engineer in the amount of Sixty-Five Thousand Six Hundred and Fifty Dollars (\$65,650.00); attached in Exhibit B; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, CFM, AMP MIAM, Executive Director of Engineering and Construction Management

- 11F. Consider action to approve the second reading of Ordinance No. 2023-42 of the Bastrop City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 1 General Provisions, Article 1.10 Parks, Section 1.10.002 Park Rules; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

Submitted by: Terry Moore, Recreation Manager

12. ITEMS FOR INDIVIDUAL CONSIDERATION

- 12A. Consider action to approve Resolution No. R-2023-178 of the City Council of the City of Bastrop, Texas regarding the Bastrop Central Appraisal District (CAD) election voting for the 2024 Board of Directors; establishing a repealing clause; and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 12B. Consider action to approve Resolution No. R-2023-169 of the City Council of the City of Bastrop, Texas, approving the Bastrop Cultural Arts Commission to accept a grant in the amount of Eight Thousand and 00/100 Dollars (\$8,000) from the Texas Commission on the Arts for administrative program costs.

Submitted by: Candice Butts, Main Street Manager

- 12C. Consider action to approve Resolution No. R-2023-170 of the City Council of the City of Bastrop, Texas, approving the Bastrop Cultural Arts Commission to accept a grant in the amount of Sixteen Thousand and Two Hundred and 00/100 Dollars (\$16,200) from the Texas Commission on the Arts for a Cultural Arts District Project.

Submitted by: Candice Butts, Main Street Manager

- 12D. Consider action to approve the first reading of Ordinance No. 2023-43 of the Bastrop City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 11 Taxation, Article 11.02 Sales Tax, to amend Section 11.02.003 Economic Development Sales and Use Tax Levy and to enact Section 11.02.004 Street Maintenance and Repair Sales and Use Tax Levy; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting; and move to include on the January 9, 2024, Council agenda for second reading.

Submitted by: Laura Allen, Assistant Finance Director

- 12E. Consider action to approve Resolution No. R-2023-179 of the City Council of the City of Bastrop, Texas, consenting to the annexation of certain territory into the Centex Drainage District; providing for a repealing clause; and establishing an effective date.

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

- 12F. Hold a continuation of the public hearing and consider action to approve the second reading of Ordinance No. 2023-38, of the City Council of the City of Bastrop, Texas, establishing and adopting transportation impact fees; amending the Bastrop Code of Ordinances, Chapter 13, Article 13.12, by enacting sections 13.12.094 - 13.12.099 providing for definitions; providing for assessment of said impact fees; providing for the general administration of said impact fees; providing a severability clause; providing an effective date and an open meetings clause, providing adoption, repealer, severability, filing and enforcement; establishing an effective date

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

- 12G. Consider action to approve Resolution No. R-2023-172 of the City Council of the City of Bastrop, Texas approving the 2024 Council Meeting Schedule, attached as Exhibit A; and providing an effective date.

Submitted by: Ann Franklin, City Secretary

- 12H. Consider action to approve Resolution No. R-2023-175 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Mary Moody, to Place 5 of the Diversity, Equity, and Inclusion Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 12I. Consider action to approve Resolution No. R-2023-174 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Shawn Pletsch, to Place 8 of the Main Street Program Advisory Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 12J. Consider action to approve Resolution No. R-2023-173 of the City Council of the City of Bastrop, Texas, approving a professional engineering services contract with Kimley-Horn and Associates, Inc. to the Agnes Street Widening project to a not to exceed amount of One Hundred Forty-Four Thousand Seven Hundred Dollars (\$144,700); authorizing the City Manager to execute all necessary documents, providing for a repealing clause, and establishing an effective date.

Submitted By: Fabiola de Carvalho, CFM, AMP MIAM, Executive Director of Engineering and Construction Management

13. 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: Saturday, December 9, 2023, at 5:00 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Ann Franklin
Ann Franklin, City Secretary