

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



August 22, 2023

Amendment -new item qL Regular 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** - Archie Anderson and Harmony Carroway, Bastrop Opera House Youth Academy

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

- 3. INVOCATION** - Robert Wellington, Police Chaplain

4. PRESENTATIONS

- 4A. Mayor's Report
4B. Council Members' Report

- 4C. City Manager's Report
- 4D. Tracy Waldron, Chief Financial Officer's goodbye.
- 4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing September 2023, as National Preparedness month.

Ann Franklin, City Secretary

5. WORK SESSIONS/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited Monthly Financial Report for the period ending July 31, 2023.

Submitted by: Tracy Waldron, 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 action to approve City Council minutes from the August 8, 2023, Regular meeting; August 10, 2023, Special Called meeting; August 15, 2023, Budget Workshop; and August 16, 2023, Budget Workshop.

Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve Resolution No. R-2023-109 of the City Council of the City of Bastrop, Texas, approving an additional 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 amount of two hundred thousand dollars (\$200,000); 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, Director of Engineering and Capital Project Management

- 8C. Consider action to approve Resolution No. R-2023-123 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 8D. Consider action to approve the second reading of Ordinance No. 2023-25 of the City Council of the City of Bastrop, Texas, annexing a tract of land described as 25.00 acres of land out of the Stephen F. Austin survey, Abstract No. 2, located west of Lovers Lane and south of Pecan Park subdivision, and east of the Colorado River Bend, as shown in Exhibit "A"; providing for findings of fact, adoption, repealer, severability, filing and enforcement; establishing an effective date; and providing for proper notice and meeting.

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

- 8E. Consider action to approve the second reading of Ordinance No. 2023-26 of the City Council of the City of Bastrop, Texas, annexing a tract of land described as 169.773 acres of land out of the Nancy Blakey survey, Abstract No. A98, located south of state highway 71 and east of Farm-to-Market Road 20, as shown in Exhibit "A"; providing for findings of fact, adoption, repealer, severability, filing and enforcement; establishing an effective date; and providing for proper notice and meeting.

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

- 8F. Consider action to approve Resolution No. R-2023-124 of the City Council of the City of Bastrop, Texas approving and adopting the Investment Policy and Investment Strategies attached as Exhibit A; approving the list of Qualified Brokers attached as Exhibit B; making various provisions related to the subject; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 8G. Consider action to approve Resolution No. R-2023-125, of the City Council of the City of Bastrop, Texas, approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2023-119 of the City Council of the City of Bastrop, Texas, awarding a contract, attached as Exhibit A, for the installation of holiday lighting to Décor IQ in the amount of One Hundred Seventy-Six Thousand One Hundred Seventy-Five and 00/100 Dollars (\$176,175.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Curtis Hancock, Director of Public Works

- 9B. Consider action to approve Resolution No. R-2023-122 of the City Council of the City of Bastrop, Texas, awarding a contract, attached as Exhibit A, for the installation of Shade Structures at Ferry Park and Hunter's Crossing Park to T.F. Harper in the amount of Sixty-Four Thousand Nine Hundred Twenty-Nine and 74/100 Dollars (\$64,929.74); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Curtis Hancock, Director of Public Works

- 9C. Consider action to approve Resolution No. R-2023-113 of the City Council of the City of Bastrop, Texas to award a Grant Administrative Service contract to Public Management, Inc. for the preparation of the City's Community Development Block Grant – Mitigation (CDBG-MIT) Regional Method of Distribution (MOD) programs through the Texas General Land Office (GLO) application and subsequent administrative services, if funded, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 9D. Consider action to approve the first reading of Ordinance No. 2023-23 of the City Council, of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, adding Article 1.21 "Payment by Credit Card or Other Electronic Means"; and adding Appendix A, Fee Schedule, Section A1.21 "Payment by Credit Card or Other Electronic Means; providing for a processing fee for credit card payment of fees, fines, court costs, and other charges; providing for a service charge if payment of credit card is not honored; providing for findings of fact, enactment, repealer, severability, effective date, codification, proper notice of meeting, and move to include on the September 12, 2023 consent agenda for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

- 9E. Consider action to approve Resolution No. R-2023-132 of the City Council, of the City of Bastrop, Texas, calling for review of Chapter 3 of the Bastrop Code of Ordinances and the Standard and International Building And Construction Codes, and requesting the City Manager identify potential modifications to the Codes, and the City Attorney to prepare potential code amendments for Council consideration and action.

Submitted by: Councilmembers Crouch and Plunkett

- 9F. Consider action to approve the first reading of Ordinance No. 2023-28 of the City Council, of the City of Bastrop, Texas, amending the Visit Bastrop Corporation budget, and creating a 4th amendment to the Visit Bastrop agreement; and move to include on the September 12, 2023, Council agenda for second reading.

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

- 9G. Consider action to approve the first reading of Ordinance 2023-30 of the City Council, of the City of Bastrop, Texas, reallocating \$167,000 of the Hotel Occupancy Tax fund previously allocated to the 4th quarter of Visit Bastrop “midyear adjustment” to fund repairs to the rodeo arena; and move to include on the September 12, 2023, Council agenda for second reading.

Submitted by: Mayor Lyle Nelson

- 9H. Consider action to approve the first reading of Ordinance No. 2023-29 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2023 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 establishing an effective date, and move to include on the September 12, 2023, City Council consent agenda for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

- 9I. Consider action to approve Resolution No. R-2023-133 of the City Council, of the City of Bastrop, Texas, approving the expansion of Fairview Cemetery and requesting the City Manager and City Attorney to make preparations for the demolition, sale and repurposing of certain municipal surplus real property adjacent to the cemetery.

Submitted by: Councilmembers Crouch and Plunkett

- 9J. Consider action to approve the first reading of Ordinance No. 2023-31, of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 14, the Bastrop Building Block (B3) Technical Manual, Article 4.1 Plat Submission; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting; and move to include on the September 12, 2023, agenda for second reading.

Sylvia Carrillo, ICMA-CM, CPM, City Manager

- 9K. Consider action to approve Resolution No. R-2023-135 of the City Council of the City of Bastrop, Texas approving Agreements for Tree Mitigation for Pearl River projects, including Blakey Owner Apartments II, LLC for Multi-Family Phase II, and PRC 01 Bastrop, LLC for the Commercial phase, including related bonds, and authorizing the City Manager to execute all necessary documents.

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

- 9L. Discussion and consider action on the proposed tax rate for Fiscal Year 2023-2024 and determine the appropriate tax rate to apply for the Budget for Fiscal Year 2023-2024.

Submitted by: Mayor Pro Tem Kirkland and Council Member Crouch

10. EXECUTIVE SESSION

- 10A. 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 related real estate acquisitions, including by use of eminent domain if necessary, of real property interests located northwest of the intersection of SH 71 and FM 969 for the Vista Puente Drive Right of Way Project.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding possible agreement with Aqua Water Supply Corporation regarding treated effluent and the certificated area under the City's Certificate of Convenience and Necessity.
- 10C. 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, SpaceX, and Gapped Bass LLC related to real property.
- 10D. 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 real estate matters, including a potential lease of the Rodeo Arena at Mayfest Park, and matters related to Fisherman's Park.

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

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, August 18, 2023, at 6:00 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Ann Franklin
Ann Franklin, City Secretary