

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



March 28, 2023

2ND AMENDMENT 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** - Sarah Dominguez and Sienna Guterrez, 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** - Pastor Bernie Jackson, Trinity Zion Ministries

4. PRESENTATIONS

- 4A. Mayor's Report

- 4B. Council Members' Report

4C. City Manager's Report

- Iredell District Update
- DEI/Park Board Mural Update
- Vibe Tribe Sign

4D. A proclamation of the City Council of the City of Bastrop, Texas, welcoming Best Warrior Competition to the City of Bastrop.

Submitted by: Ann Franklin, City Secretary

4E. A proclamation of the City Council of the City of Bastrop, Texas, recognizing April as National Sexual Assault Awareness Month.

Submitted by: Ann Franklin, City Secretary

4F. A proclamation of the City Council of the City of Bastrop, Texas, recognizing April as Child Abuse Prevention Month.

Submitted by: Ann Franklin

5. WORK SESSIONS/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

6A. Receive presentation on the unaudited Monthly Financial Report for the period ending February 28, 2023.

Submitted by: Tracy Waldron, Chief Financial Officer

6B. Receive presentation and update from the Bastrop Economic Development Corporation from the March 27, 2023, meeting.

Submitted by: Sylvia Carrillo, City Manager

6C. Receive presentation and update of the Development Process from George Arimes, Intelligent Consulting.

Submitted by: Sylvia Carrillo, City Manager

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 February 28, 2023, Regular meeting and March 7, 2023, Special Called meeting.

Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve Resolution No. R-2023-49 of the City Council of the City of Bastrop, Texas, approving a Memorandum of Agreement with Bastrop County to use grant funds (if awarded) for the Riverwood Water Line Project; as attached in Exhibit A; providing for a repealing clause, and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 8C. Consider action to approve Resolution No. R-2023-51 of the City Council of the City of Bastrop, Texas, approving an additional professional services contract with Carollo Engineers, Inc. to continue to provide the services of project management, construction management and inspection for capital and non-capital improvement projects in the amount of four hundred thousand seven hundred fifty dollars (\$400,750) for approximately 12 months; 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, AMP MIAM, Director of Engineering and Capital Project Management.

- 8D. Consider action to approve the second reading of Ordinance No. 2023-04 of the City Council of the City of Bastrop, Texas, amending the Bastrop Building Block (B³) Code, Chapter 6, Section 6.5.003 and amending Bastrop Code of Ordinances Section 3.01.001 International Code Council (ICC); International Code Family; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

Submitted by: Keehren Baah, Assistant Planning Director

- 8E. Consider action to approve Resolution No. R-2023-52 by the City Council of the City of Bastrop, Texas responding to the application of CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division (CenterPoint), to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the city's participation in a coalition of cities known as the "Alliance Of CenterPoint Municipalities (ACM); requiring the reimbursement of costs; determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.

Submitted by: Ann Franklin, City Secretary

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve a workplan for the Diversity, Equity, and Inclusion Board.

Submitted by: Sylvia Carrillo, City Manager

- 9B. Consider action to approve Resolution No. R-2023-48 of the City Council of the City of Bastrop, Texas, approving a construction contract with Archer Western Construction, LLC to provide Construction Manager at Risk services for a not to exceed amount of Twenty-Four Million, Forty-Nine Thousand, Nine Hundred Thirty-Five Dollars (\$24,049,935); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

- 9C. Consider action to approve Resolution No. R-2023-47 of the City Council of the City of Bastrop, Texas, approving a professional engineering services contract with Freese and Nichols, Inc. (FNI) for the Wastewater Master Plan (WWMP) for a not to exceed amount of One Hundred Sixty-Five Thousand Dollars (\$165,000.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

- 9D. Consider action to approve Resolution No. R-2023-45 of the City Council of the City of Bastrop, Texas, approving a construction contract with Texas Materials Group Inc., dba Gulf Coast a CRH Company (Gulf Coast) for the Old Austin Highway Pavement Rehabilitation to a not-to-exceed amount of One Million Four Hundred Ninety Thousand One Hundred and Seven Dollars (\$1,490,107.00);authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

- 9E. Consider action to approve the first reading of Ordinance No. 2023-05 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; establishing an effective date, and move to include on the April 11, 2023, City Council agenda for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

- 9F. Consider action to approve Resolution No. R-2023-50 of the City Council of the City of Bastrop, Texas, approving the Financial Procedures Manual, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 9G. Consider action to approve Resolution No. R-2023-53 by the City Council of the City of Bastrop, Texas, to select the proxy to represent the City of Bastrop Texas at the Bluebonnet Electric Cooperative Annual meeting and instruct the proxy to vote for candidate(s) selected by Council.

Submitted by: Ann Franklin, City Secretary

- 9H. Consider action to approve the first reading of Ordinance No. 2023-08, the City Council of the City of Bastrop, Texas, amending Ordinance No. 2022-22 Fee Schedule of the City of Bastrop to amend Appendix A-Fee Schedule, A14.01.001, of the Code of Ordinances, to amend the cost of variance for Subdivision Variance Review, Zoning Review, and Zoning Board of Adjustment review fee from \$3,681 to \$500, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, and severability; and establishing an effective date; and include in the April 11, 2023, consent agenda for the second reading.

Submitted by: Sylvia Carrillo, City Manager

- 9I. Consider action to approve the first reading of Ordinance No. 2023-07 of the City Council of the City of Bastrop Texas, amending the Bastrop Building Block (B3) Code Chapter 6, Section 6.3.009 private frontage, Subsections (d) and (f); and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting; and include on the April 11, 2023, consent agenda for second reading.

Submitted by: Sylvia Carrillo, City Manager

- 9J. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2023-06 of the City Council of the City of Bastrop Texas, approving the zoning change for 1.998 acres out of the Nancy Blakey Survey, abstract 98, Bastrop County, Texas from P2 Rural to PS Core; 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 include on the April 11, 2023, consent agenda for second reading.

Submitted by: Keerhen Baah, Assistant Director of Planning & Development

10. EXECUTIVE SESSION

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel and discuss potential acquisition of real estate relating to the Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities 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 consideration of action to approve amendments to the Development Agreement between the City of Bastrop and Colorado Bend, LLC.**

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, March 24, 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