

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



February 14, 2023
Regular City Council Meeting at 6:30 PM

Regular 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** - Skyla Hamilton and Laraine Curry, Cedar Creek Intermediate School

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

- 3. INVOCATION** - Dale Burke, Police Chaplain

4. PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report

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 January 23, 2023, Joint City Council and BEDC meeting and January 24, 2023, Regular meeting.

Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve Resolution No. R-2023-22 of the City Council of the City of Bastrop, Texas confirming the Mayor's appointment of David Carlson, Place 2 of the Construction Standard Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 8C. Consider action to approve Resolution No. R-2023-18 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with HSD Bastrop Pecan Park LP, for Pecan Park Commercial Lot 5, 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: Jennifer C. Bills, Director of Planning & Development

- 8D. Consider action to approve Resolution No. R-2023-17 of the City Council of the City of Bastrop, Texas authorizing a license to encroach agreement with Bastrop Grove Residential Community, Inc. to encroach into the City right-of-way to install irrigation, landscaping, signage, and mail kiosks for a residential development, as attached in Exhibit A; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Jennifer C. Bills, Director of Planning & Development

- 8E. Consider action to approve Resolution No. R-2023-19 of the City Council of the City of Bastrop, Texas, approving a construction contract with JM Pipeline, LLC. for the Riverwood Water Main (WM) Replacement – Phase I – Bastrop CDV21-0276 for a not to exceed amount of Three Hundred Fifty-Eight Thousand, Two Hundred Thirty-One Dollars (\$358,231.00); 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

- 8F. Consider action to approve Resolution No. R-2023-16 of the City Council of the City of Bastrop, Texas, supporting the application for Housing Tax Credits for the rehabilitation of the Settlement Estates, located at 149 Settlement Drive; confirming support for the application; authorizing the City Manager to grant a Two-Hundred Fifty Dollar and No Cents (\$250.00) reduction in fees for Settlement Estates to meet all program criteria; authorizing the Mayor to certify documents; and establishing an effective date.

Submitted by: Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution R-2023-15 approving the City of Bastrop, Texas Library Collection Development Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Bonnie Pierson, Library Director

- 9B. Consider action to approve Resolution No. R-2023-21 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 Treatment Plant (WWTP) # 3 – Phase II (expansion) for a not to exceed amount of Three Hundred Seventy-One Thousand, One Hundred Eighteen Dollars (\$371,118.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, Director of Engineering

- 9C. Consider action to approve Resolution No. R-2023-20 of the City Council of the City of Bastrop, Texas, approving an Amendment #5 to the Task Authorization #2, of the original Professional Services Agreement with Freese and Nichols, Inc. (FNI) to provide materials testing services for the Simsboro Water Treatment Plant, Well Field, and Transmission Facilities project for a not to exceed amount of Two Hundred Fifteen Thousand, Seven Hundred Seventy-Five Dollars (\$215,775.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, Director of Engineering

- 9D. Consider action to approve the first reading of Ordinance No. 2023-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Section 1.02.005 regarding termination of inactive campaign treasurer appointment; providing for repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the February 28, 2023, consent agenda for a second reading.

Submitted by: Ann Franklin, City Secretary

- 9E. Consider action to approve the first reading of Ordinance No. 2023-02 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual work plans for city boards, commissions, task forces, committees and advisory bodies; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting, and move to include on the February 28, 2023, agenda for a second reading.

Submitted by: Sylvia Carrillo, City Manager

- 9F. Consider action to approve the first reading of Ordinance No. 2023-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual verification of attendance and residency for members of boards, commissions, task forces, committees and advisory bodies; and providing for: findings of fact, adoption, repealer, severability, establishing an effective date, proper notice and meeting, and move to include on the February 28, 2023, agenda for a second reading.

Submitted by: Sylvia Carrillo, City Manager

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 Codes sections 551.071 and 551.072 to seek the advice of legal counsel regarding counteroffers for real estate acquisition for the West Side Wastewater Collection System and related real estate matters.

- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 (Consultation with Attorney) and 551.072 (Real Property) to discuss potential land for acquisition as identified in the recent strategic planning session.

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: Thursday, February 9, 2023, at 4:30 p.m. and remained posted for at least two hours after said meeting was convened.

/s/Ann Franklin
Ann Franklin, City Secretary