

CITY OF BASTROP
REGULAR CITY COUNCIL MEETING MINUTES
SEPTEMBER 10, 2024

The Bastrop City Council met in a Regular Meeting on Tuesday, September 10, 2024, at 6:30 p.m. at the Bastrop City Hall Council Chambers, 1311 Chestnut Street, Bastrop, Texas, with the following action taken to wit:

Council Members Present

Mayor Lyle Nelson
Mayor Pro-Tempore Kirkland
Council Member Meyer
Council Member Lee
Council Member Fossler
Council Member Plunkett

Staff Present

City Manager Sylvia Carrillo-Trevino
City Attorney Alan Bojorquez
Interim City Secretary Irma G. Parker
Assistant City Secretary Victoria Psencik

1. CALL TO ORDER

Mayor Nelson called the Regular City Council meeting to order at 6:30 p.m. with a quorum present.

2. PLEDGE OF ALLEGIANCE

Juan Ramirez and Arwyn Ayala from Bastrop High School BearTecs Robotics led the Pledge of Allegiance to both the U.S. flag and the Texas flag.

3. INVOCATION

Dale Burke, Bastrop Police Chaplain, gave this evening's Invocation.

4. PRESENTATIONS

4A. **Mayor's Report**

4B. **Council Members' Report**

4C. **A proclamation of the City Council of the City of Bastrop, Texas recognizing the month of September 2024 as National Preparedness Month.**

Submitted by: Victoria Psencik, Assistant City Secretary

The proclamation was read by Assistant City Secretary Psencik and signed by City Manager Carrillo-Trevino.

No action was taken on Item 4C.

4D. **Receive the Annual Comprehensive Financial Report for the period ending September 30, 2023, which includes the independent auditor's report presented by the independent audit firm of Belt Harris Pechacek, LLP.**

Submitted by: Edi McIlwain, Chief Financial Officer

Presented by: Daniel Hebert, Crowe LLP

No action was taken on Item 4D.

5. WORK SESSIONS/BRIEFINGS

5A. Petition Update for Recall of Mayor Lyle Nelson.

Submitted/Presented by: Irma Parker, City Secretary, TRMC, CMC

No action was taken on Item 5A.

6. STAFF AND BOARD REPORTS

6A. City Manager's Report

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

No action was taken on Item 6A.

7. CITIZEN COMMENT(S)

No general comments were submitted.

8. CONSENT AGENDA

8A. Consider and act to approve the following Bastrop City Council meeting minutes:

1. Tuesday, August 27, 2024 Regular Meeting; and

2. Wednesday, September 4, 2024 Special Budget Workshop.

Submitted by: Victoria Psencik, Assistant City Secretary

8C. Consider and act on the second reading of Ordinance No. 2024-27, Approving the Official Municipal Boundary and Extraterritorial Jurisdiction Map of the City; Directing this Ordinance and Map be Filed, Recorded, and Made Available as Provided by Law; Providing for Severability, Repeal, and Effective Date.

Submitted by: Robert Barron, GIS Manager

Mayor Nelson called for requests to remove any item from the Consent Agenda for separate discussion.

Council Member Fossler requested Item 8B be pulled from the Consent Agenda for separate discussion.

MOTION: Council Member Lee moved to approve the Consent Agenda after it was read into the record by Victoria Psencik, Assistant City Secretary with the exclusion of Item 8B. Council Member Plunkett seconded the motion. Motion carried unanimously.

CONSENT AGENDA ITEM 8B DISCUSSION

- 8B. Consider and act on the second reading of Ordinance No. 2024-24, Abandoning and vacating a certain section of the Madison Street right-of-way and the Houston Street right-of-way to the north of State Highway 71 and south of Government Street; and authorizing the City Manager to execute any necessary documents to convey the City's remaining real property interests, if any, in said right-of-way to adjacent owners.

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

MOTION: Council Member Fossler moved to approve the second reading of Ordinance No. 2024-24 to abandon and vacate a certain section of the Madison Street right-of-way and the Houston Street right-of-way to the north of State Highway 71 and south of Government Street. Mayor Pro-Tem Kirkland seconded the motion. Motion carried unanimously.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9B. Conduct a public hearing for the Fiscal Year 2024-2025 Budget and consider and act on the first reading of Ordinance No. 2024-29, Adopting a budget for the Fiscal Year 2024-2025 (October 1, 2024 through September 30, 2025) attached as Exhibit A; making certain appropriations; and providing that expenditures for said Fiscal Year be made in accordance with said budget; updating the Master Fee Schedule; providing a distribution; severability; repealer; an effective date; proper notice and meeting; and move to include on the September 17, 2024 agenda for a second reading

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

Mayor Nelson opened the Public Hearing at 7:26 pm for the Fiscal Year 2024-2025 Budget.

No comments were submitted.

Mayor Nelson closed the Public Hearing at 7:26 pm for the Fiscal Year 2024-2025 Budget.

MOTION: Council Member Meyer moved to approve the first reading of Ordinance No. 2024-29 to adopt the budget for Fiscal Year 2024-2025 and to include on the September 17, 2024 agenda for the second reading. Council Member Fossler seconded the motion. Motion carried unanimously.

- 9A. Conduct a public hearing and consider and act on the first reading of Ordinance No. 2024-30, Adopting the tax roll, adopting the tax rate, and levying ad valorem taxes for the Fiscal Year 2024-2025 to provide revenue for the payment of budgeted municipal expenditures; and providing for tax assessment; records; severability; an effective date; and proper notice and meeting; and move to include on the September 17, 2024, agenda for a second reading.

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

Mayor Nelson opened the Public Hearing at 7:31 pm for the adoption of the Tax Roll, the Tax Rate, and levying ad valorem taxes for Fiscal Year 2024-2025.

No comments were submitted.

Mayor Nelson closed the Public Hearing at 7:31 pm for the adoption of the Tax Roll, the Tax Rate, and levying ad valorem taxes for Fiscal Year 2024-2025.

MOTION: Council Member Meyer moved that the property tax rate be increased by the adoption of a tax rate of \$0.4994 per \$100 valuation, which is effectively a 1.6 percent increase in the tax rate and to include on the September 17, 2024 agenda for the second reading. Council Member Fossler seconded the motion. Motion carried unanimously.

- 9C. **Consider and act on the first reading of Ordinance No. 2024-28, Amending the Bastrop Code of Ordinances, Appendix A, Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges", Sections A13.02.002 Wastewater Service Charge, and A13.02.004 Water Service Charge, as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice and meeting, and move to include on the September 17, 2024 agenda for a second reading.**

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

MOTION: Council Member Lee moved to approve the first reading of Ordinance No. 2024-28 to amend the Bastrop Code of Ordinances, Appendix A, Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges", Sections A13.02.002 Wastewater Service Charge, and A13.02.004 Water Service Charge and to include on the September 17, 2024 agenda for the second reading. Council Member Fossler seconded the motion. Motion carried unanimously.

- 9D. **Consider and act on the first reading of Ordinance No. 2024-31, Authorizing the Issuance of the City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023; Levying an Ad Valorem Tax and Pledging Certain Surplus Revenues in Support of the Certificates; Approving an Official Statement, a Paying Agent/Registrar Agreement and Other Agreements Relating to the Sale and Issuance of the Certificates; and Ordaining Other Matters Relating to the Issuance of the Certificates; repealing all ordinances and actions in conflict herewith; and providing for an effective date.**

Submitted/Presented by: Edi McIlwain, Chief Financial Officer
Presented by: Dan Wegmiller, Specialized Public Finance Inc.

MOTION: Council Member Plunkett moved to approve the first reading of Ordinance No. 2024-31 to authorize the Issuance of the City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2023 and to include on the September 17, 2024

agenda for the second reading. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9E. **Consider and act on Resolution No. R-2024-118, Approving an agreement between the Bastrop Economic Development Corporation (BEDC) and Hunden Partners in an amount not to exceed \$60,000 for a feasibility study for a sports complex in the Bastrop Business and Industrial Park.**

Submitted/Presented by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, BEDC Interim Executive Director and City Manager

MOTION: Council Member Plunkett moved to approve the first reading of Resolution No. R-2024-118 to approve an Agreement with BEDC and Hunden Partners for a feasibility study for a sports complex in the Bastrop Business and Industrial Park and to include on the September 17, 2024 Consent Agenda for the second reading. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9F. **TABLED 8/27/2024: Consider and act on first reading of Ordinance No. 2024-23, Approving the updated service plan, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving the fiscal year 2024 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunters Crossing Local Government Corporation; and providing for an effective date.**

Submitted/Presented by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presented by: Jon Snyder, P3 Works

MOTION TO UN-TABLE: Council Member Plunkett moved to un-table Item 9F, the Fiscal Year 2025 Annual Service Plan Update for the Hunters Crossing Public Improvement District, to discuss and take possible action. Mayor Pro-Tem Kirkland seconded the motion. Motion carried unanimously.

MOTION: Council Member Lee moved to approve the first reading of Ordinance No. 2024-23 the Fiscal Year 2025 Annual Service Plan Update for the Hunters Crossing Public Improvement District and to include on the September 17, 2024 agenda for the second reading. Mayor Pro-Tem Kirkland seconded the motion. Motion carried unanimously.

- 9G. **Consider and act on Resolution No. R-2024-109, Emergency procurement from Forsythe Brothers Infrastructure, in the amount not to exceed Two Hundred Thirty-Five Thousand, Nine Hundred and Seventy-Three and 00/100 (\$235,973.00) for materials and labor to repair damaged storm drain facilities and appurtenances at Church Street and Button Wood, storm drain outfall erosion at Pecan Park, and the repair of 60 120 feet of damaged storm drain pipe on Sterling Drive, as shown in Exhibit A-2 to Attachment A; authorizing the execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.**

Submitted/Presented by: Andres Rosales, Assistant City Manager
Presented by: Bill Forsythe, Forsythe Brothers Infrastructure LLC

MOTION: Council Member Meyer moved to approve Resolution No. R-2024-109 for emergency procurement from Forsythe Brothers Infrastructure for materials and labor to repair damaged storm facilities and erosion. Council Member Lee seconded the motion. Motion carried unanimously.

- 9H. **Consider and act on Resolution No. R-2024-120, Approving an Interlocal Agreement for Joint and Cooperative Purchasing by and between the City of Bastrop and the City of Round Rock attached as Exhibit A; authorizing the City Manager to execute all necessary documents; upon request and providing for findings a repealing clause; and establishing an effective date.**

Submitted/Presented by: Doug Haggerty, Fleet and Facilities Manager

MOTION: Council Member Plunkett moved to approve Resolution No. R-2024-120 for an Interlocal Agreement for joint and cooperative purchasing with the City of Round Rock. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9I. **Consider and act on the first reading of Ordinance No. 2024-32, Granting an extension of the master plan expiration for the Reed Ranch Planned Development District, being 24.04 acres out of the Nancy Blakey Survey, as shown on Attachment 2, located at 615 W Highway 71, within the city limits of Bastrop, Texas, 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.**

Submitted/Presented by: Kennedy Higgins, Development Services Senior Planner

MOTION: Council Member Plunkett moved to approve the first reading of Ordinance No. 2024-32 to grant an extension of the master plan expiration for Reed Ranch Planned Development District and to include on the September 17, 2024 Consent Agenda for the second reading. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9J. **Consider and act to approve Resolution No. R-2024-117, Granting Historic Landmark status for 0.564 acres out of Farm lot 3 East of Main Street within the City Limits of the City of Bastrop, Texas, commonly known as the J.T. Crysap House, as attached in Exhibit A; providing for findings of fact; providing for a repealing clause; and establishing an effective date.**

Submitted/Presented by: Kennedy Higgins, Development Services Senior Planner

MOTION: Council Member Fossler moved to approve Resolution No. R-2024-117 to grant Historic Landmark status for 0.564 acres out of Farm Lot 3 East of Main Street known as the J.T. Crysap House. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9K. **Consider and act on Resolution No. R-2024-122, Appointing five (5) members to the Bastrop Central Appraisal District (BCAD) for a term of one (1) year beginning January 1, 2025; Providing for the Execution of Official Ballot; And Providing an Effective Date.**

Submitted/Presented By: Irma Parker, City Secretary

MOTION: Council Member Meyer moved to approve Resolution No. R-2024-122 to nominate the five (5) members that have expressed interest: David Redd, David Glass, William (Bill) Archer, Jeannie Ralph, and Justin Bezner; to the Bastrop Central Appraisal District by execution of an official ballot. Mayor Pro-Tem Kirkland seconded the motion. Motion carried unanimously.

- 9L. **Consider and act on Resolution No. R-2024-123, Casting an official ballot to elect a Region 10 Director on the Texas Municipal League Board of Directors for a two (2) year term ending in 2026.**

Submitted/Presented by: Irma Parker, City Secretary

MOTION: Council Member Lee moved to approve Resolution No. R-2024-123 to cast an official ballot for Na’Cole Thompson, Mayor Pro-Tem of Leander, for the Region 10 Director on the Texas Municipal League Board of Directors. Council Member Fossler seconded the motion. Motion failed 2 to 3 with Council Member Meyer, Council Member Plunkett, and Mayor Pro-Tem Kirkland voted against.

MOTION: Council Member Meyer moved to approve Resolution No. R-2024-123 to cast an official ballot for Jimmy Jenkins, Councilmember of Smithville, for the Region 10 Director on the Texas Municipal League Board of Directors. Council Member Fossler seconded the motion. Motion carried unanimously.

- 9M. **TABLED 8/27/2024: Consider and act on Resolution No. R-2024-114, Denying the disannexation of land from the city's 1-mile extraterritorial jurisdiction, for 2.00 acres of property known as Nancy Blakey Abstract No. A98, located at 1285 West State Highway 71, Unit A, Bastrop, Texas in Bastrop County, Texas; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.**

Submitted/Presented by: Viviana Nicole Andres, Assistant to the City Manager

MOTION TO UN-TABLE: Council Member Fossler moved to un-table Item 9M, the disannexation of land from the city’s 1-mile extraterritorial jurisdiction located at 1285 West State Highway 71 Unit A, to discuss and take possible action. Council Member Meyer seconded the motion. Motion carried unanimously.

MOTION TO POSTPONE: Council Member Plunkett moved to postpone Resolution No. R-2024-114, the disannexation of land from the city’s 1-mile extraterritorial jurisdiction located at 1285 West State Highway 71 Unit A, until the next available City Council Meeting date which will occur after the request for a sign variance is heard at the Zoning Board of Adjustment Meeting. Council Member Meyer seconded the motion.

Motion carried unanimously.

10. EXECUTIVE SESSION

The City Council met at 8:48 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. The City Council shall convene in to Closed Executive Session under Texas Government Code Section 551.071 (Consultations with the Attorney) and Section 551.074 (Personnel Matters) to seek the advice of legal counsel and evaluate duties regarding the handling of certain pending open records requests.

Mayor Nelson recessed the Executive Session and reconvened the Open Session at 9:46 p.m.

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

- 10A. The City Council shall convene in to Closed Executive Session under Texas Government Code Section 551.071 (Consultations with the Attorney) and Section 551.074 (Personnel Matters) to seek the advice of legal counsel and evaluate duties regarding the handling of certain pending open records requests.

No action was taken on Item 10A.

12. ADJOURNMENT

Upon receiving a motion and a second to adjourn, the September 10th Regular Meeting was adjourned at 9:46 p.m. without objection.

CITY OF BASTROP, TEXAS



Lyle Nelson, Mayor

ATTEST:



Victoria Psencik, Assistant City Secretary