

MAY 14, 2024

The Bastrop City Council met in a regular meeting on Tuesday, May 14, 2024, at 5:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Meyer, Lee, Plunkett, and Crouch. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER CANVASS AND OATH OF OFFICE

Mayor Nelson called the Canvass and Oath of Office to order at 5:30 p.m.

CANVASS OF ELECTION

- 2A. Consider action to approve Resolution No. R-2024-57 of the City Council of the City of Bastrop, Texas to canvass the May 4, 2024, Election for Place 2 and Place 4 of the Bastrop City Council; and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Lee to approve Resolution No. R-2024-57, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

RECOGNITION

- 3A. Recognition of outgoing Council Member Jimmy Crouch.

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

OATH OF OFFICE

- 4A. Incumbent Council Member Cynthia Sanders Meyer Place 2

Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423

Signature of official documents, Ann Franklin, City Secretary

Welcome by Council

Comments by Council Member Meyer

- 4B. Incoming Council Member Kerry Fossler Place 4

Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423

Signature of official documents, Ann Franklin, City Secretary

Welcome by Council

Comments by Council Member Fossler

ELECTION OF MAYOR PRO TEM

- 5A. Consider action to elect Mayor Pro Tem.
Submitted by: Ann Franklin, City Secretary
A motion was made by Council Member Plunkett to nominate John Kirkland as Mayor Pro Tem, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

Mayor Nelson recessed the Council Meeting at 5:54 p.m.

RECEPTION

- 6A. Reception to thank outgoing Council Member Crouch.
6B. Reception for Council Member Meyer and Council Member Elect Fossler.

Mayor Nelson called the Council Meeting back to order at 6:30 p.m.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Evelyn Trejo and Jasmine Jimenez-Cedillo, Camino Real Elementary Girls Who Code Club led the pledges.

INVOCATION

Mayor Pro Tem Kirkland, gave the invocation.

PRESENTATIONS

- 10A. Mayor's Report
10B. Council Members' Report
10C. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 19-25, 2024, as Public Works Week.
Submitted by: Ann Franklin, City Secretary
Proclamation was read into record by City Secretary, Ann Franklin, accepted by staff.

STAFF AND BOARD REPORTS

- 12A. City Manager's Report

WORK SESSIONS/BRIEFINGS

- 11A. Discussion and direction to staff regarding proposed City of Bastrop Charter Amendments for the November 2024 election.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

Carol Spencer
126 Brazos Drive
Cedar Creek, TX

Connie Schroeder
238 Laura
Bastrop, TX 78602

Debbie Moore
1306 Church Street
Bastrop, TX
225-802-4702

Discussion was held.

Direction was given to staff to create a charter commission created with a minimum of 2 people (city residents) presented by each council member. Council would look at the individuals presented by Council for the charter commission collaboratively before the Mayor makes his decision on who to appoint and Council would confirm the appointments. Staff is to come back on May 28, 2024, with a draft resolution spelling out election date for consideration as well as charter review committee.

CITIZEN COMMENTS

SPEAKERS

Gary Moss
1706 Wilson St.
Bastrop, TX 78602
972-523-9727

Pablo Serna
1104 Hill St.
Bastrop, TX 78602
512-963-0919

Matt Meyers
901 Cripple Creek Dr.
Austin, TX 78758
512-647-9853

Carol Spencer
126 Brazos Drive
Cedar Creek, TX

APPROVAL OF MINUTES

- 14A. Consider action to approve City Council minutes from the April 23, 2024, Regular meeting and April 29, 2024, Special meeting.
Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Meyer to approve City Council minutes from the April 23, 2024, Regular meeting and April 29, 2024, Special meeting, seconded by Council Member Lee, motion was approved on a 4-0-1 vote. Council Member Fossler recused herself.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 15A. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-11 of the City Council of the City of Bastrop, Texas, approving the zoning change for 31.4559 +/- acres out of the A11 Bastrop Town Tract, Bastrop County, Texas, more commonly known as Bastrop Gateway from P2 rural and P5 core to planned development district with P5 core base zoning, as shown in Attachment 2; 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 move to include on the May 28, 2024, Consent Agenda for second reading. Submitted by: Kennedy Higgins, Senior Planner, Development Services Department
Public hearing was opened.

SPEAKERS

Jennifer Beck
156 Nunn Ln
Cedar Creek, TX 78612
512-845-9152

Stephen Biegel
Bastrop Gateway Project
301-404-6290

Pablo Serna
1104 Hill St.
Bastrop, TX 78602
512-963-0919

Venkatt Mallya
17217 Avion Dr.
Dripping Springs
268-470-3670

Jordan Scott
110 Bowstring Bend
Bastrop, TX 78602
512-284-1856

Chris Kirby
33 Lost Pines Avenue
Bastrop, Texas 78602

Carol Spencer
126 Brazos Drive
Cedar Creek, TX

Ian Watts
13 Lost Pines Avenue
Bastrop, TX 78602
512-750-7522

Shannon Day
13 Lost Pines Avenue
Bastrop, TX 78602
817-597-0708

Stuart Bridges
12 Lost Pines Avenue
Bastrop, TX 78602

John Eberle
20 Lost Pines Avenue
Bastrop, TX 78602

Brynda Fowler
525 Tahitian
Bastrop, TX 78602

Jennifer Phelps
16 Lost Pines Avenue
Bastrop, TX 78602
512-567-0172

Public hearing was left open.

A motion was made by Council Member Meyer to table this item and bring back at the May 28, 2024, meeting, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

Mayor Nelson recessed the Council Meeting at 8:54 p.m.

Mayor Nelson called the Council Meeting back to order at 9:01 p.m.

- 15B. Consider action to approve Resolution No. R-2024-58 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to accept a donation on behalf of the City of Bastrop Police Department in the amount of Two Thousand Five hundred and Sixty Four dollars (\$2,564.00) from Project Beloved.org for utilization by the City of Bastrop Police Department's Victims Services division allowing for the aesthetic remodel of the victim interview room, enhancing the space to be more conducive for interviewing victims and family members; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Vicky Steffanic, Chief of Police

Presentation was made by Vicky Steffanic, Chief of Police.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-58, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 15C. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-13 of the City Council of the City of Bastrop, Texas, approving the zoning change for 6.218 +/- acres out of the Nancy Blakey Survey, Abstract Number 98, located west of FM 969 within the City of Bastrop, Texas, P3 Residential to P5 Core, as shown in Attachment 2; 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 move to include on the May 28, 2024, Consent Agenda for second reading.

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department
Presentation was made by Kennedy Higgins, Senior Planner, Development Services Department.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. R-2024-13, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 15D. Consider Action to approve the first reading of Ordinance No. 2024-14 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 3 Building Regulations, Article 3.17 Flood Damage Prevention as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting and move to include on the June 11, 2024, Consent Agenda for the second reading.

Submitted by: Elizabeth Wick, Project Manager
This item was pulled from the agenda.

- 15E. Consider action to approve Resolution No. R-2024-06 of the City Council of the City of Bastrop, Texas authorizing a license to encroach agreement with Zavodny Food Court to encroach into the Public Utility Easement to place mobile food trailers closer to Cedar Street, as attached in Exhibit B of the License Agreement; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department
Presentation was made by Kennedy Higgins, Senior Planner, Development Services Department.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-06, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 15F. Consider action to approve Resolution No. 2024-54 of the City Council of the City of Bastrop, Texas expressing official intent to reimburse certain expenditures attached as Exhibit A; providing a severability clause; and providing for an effective date.

Submitted by: Edi McIlwain, Chief Financial Officer
This item was pulled from the agenda.

- 15G. Consider action to approve the first reading of Ordinance No. 2024-15 of the City Council of the City of Bastrop, Texas, amending the Bastrop Economic Development Budget for the Fiscal Year 2024 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 for an effective date; and move to include on the May 28, 2024, on the Consent agenda for second reading.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.
- A motion was made by Council Member Fossler to approve the first reading of Ordinance No. R-2024-15, seconded by Council Member Lee, motion was approved on a 5-0 vote.**
- 15H. Consider action to approve Resolution No. R-2024-55 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Joshua Bingaman to Place 7, of the Planning and Zoning Commission as required in Section 3.08 of the City's Charter; and establishing an effective date.
Submitted by: Lyle Nelson, Mayor
A motion was made by Council Member Lee to approve Resolution No. R-2024-55, seconded by Council Member Fossler, motion was approved on a 5-0 vote.
- 15I. Consider action to approve Resolution No. R-2024-53 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Keith Ahlborn to Place 3, of the Planning and Zoning Commission as required in Section 3.08 of the City's Charter; and establishing an effective date.
Submitted by: Lyle Nelson, Mayor
A motion was made by Council Member Meyer to approve Resolution No. R-2024-53, seconded by Council Member Fossler, motion was approved on a 5-0 vote.
- 15J. Consider action to approve Resolution No. R-2024-52 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Nathanael Gold to Place 7, of the Parks Board as required in Section 3.08 of the City's Charter; and establishing an effective date.
Submitted by: Lyle Nelson, Mayor
A motion was made by Council Member Plunkett to approve Resolution No. R-2024-52, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.
- 15K. Consider action to approve Resolution No. R-2024-51 of the City Council of the City of Bastrop, Texas, accepting a donation from the Lost Pines Art League in the amount of Fifty Thousand and 00/100 Dollars (\$50,000) for the creation of a sculpture within the boundaries of the Cultural Arts Commission District Project approved area; authorizing the City Manager to Execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Kathy Danielson, Community Engagement Director
Presentation was made by Kathy Danielson, Community Engagement Director.
- A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-51, seconded by Council Member Meyer, motion was approved on a 5-0 vote.**
- 15L. Consider action to approve Resolution No. R-2024-56, approving expenditure of City funds for Mayor Lyle Nelson to attend an event, function, and/or convention; providing

for execution of all necessary documents; providing for repealer; providing for severability; and providing an effective date.

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

A motion was made by Council Member Lee to approve Resolution No. R-2024-56, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 9:26 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 16A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071, 551.072, and 551.087 to seek the advice of legal counsel regarding the potential development of a Sports Complex.
- 16B. 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 Master Agreement for the Transfer of Retail Water Certificate of Convenience and Necessity Service Area from Aqua Water Supply Corporation to the City of Bastrop and consideration of compensation for certain service areas.
- 16C. 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 acquisitions of real estate related to the Wastewater Treatment Plant No. 3 Project and pending litigation in the following eminent domain proceedings pending in the Bastrop County Court at Law: Case No. 20-20294, City of Bastrop v. William A. & Sally Griesenbeck; Case No. 20-20295, City of Bastrop v. William J. & Tanya Griesenbeck; Case No. 20-20282, City of Bastrop v. Melissa Lee Griesenbeck Schuelke; and Case No. 20-20283, City of Bastrop v. JoAnn Griesenbeck Cantrell & William Cantrell.


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

- 16C. 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 acquisitions of real estate related to the Wastewater Treatment Plant No. 3 Project and pending litigation in the following eminent domain proceedings pending in the Bastrop County Court at Law: Case No. 20-20294, City of Bastrop v. William A. & Sally Griesenbeck; Case No. 20-20295, City of Bastrop v. William J. & Tanya Griesenbeck; Case No. 20-20282, City of Bastrop v. Melissa Lee Griesenbeck Schuelke; and Case No. 20-20283, City of Bastrop v. JoAnn Griesenbeck Cantrell & William Cantrell.

A motion was made by Council Member Plunkett to authorize the City Manager, in consultation with the City Attorney's Office, to execute settlement agreements and all necessary documents to resolve the four cases and acquire the real property interests needed for the project for the total settlement values agreed upon in mediation, seconded by Council Member Lee, motion was approved on a 5-0 vote.

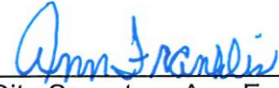
Adjourned at 10:00 p.m. without objection.

APPROVED:



Mayor Lyle Nelson

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on May 28, 2024, by Council Member Lee's motion, Council Member Plunkett's second. The motion was approved on a 5-0 vote.