

MAY 28, 2024

The Bastrop City Council met in a regular meeting on Tuesday, May 28, 2024, at 6:30 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, Fossler, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

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

Max Lassen and Edwin Dimas-Cortez, Colorado River Collegiate Academy led the pledges.

INVOCATION

Dale Burke, Police Chaplain, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing June 2024, as Pride Month.

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

Proclamation was read into record by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS

6A. Receive presentation on the unaudited Monthly Financial Report for the period ending March 31, 2024.

Submitted by: Edi McIlwain, Chief Financial Officer

Presentation was made by Edi McIlwain, Chief Financial Officer.

6B. Receive presentation on the unaudited Monthly Financial Report for the period ending April 30, 2024.

Submitted by: Edi McIlwain, Chief Financial Officer

Presentation was made by Edi McIlwain, Chief Financial Officer.

CITIZEN COMMENTS

SPEAKERS

Janette Watson
343 Leisure

Cedar Creek, TX 78612

Mark Whiting
614 Cottletown Rd.
Unit B
Smithville, TX 78957
512-809-2869

Georgeann Shockley
630 E Riverside Dr.
Bastrop, TX 78602
512-789-1119

Carol Spencer
126 Brazos Drive
Cedar Creek, TX

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 8A, 8B, 8C, and 8D as listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Plunkett , motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the May 14, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve the second reading of Ordinance No. 2024-15 of the City Council of the City of Bastrop, Texas, amending the 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 an effective date.
Submitted by: Edi McIlwain, Chief Financial Officer

- 8C. Consider action to approve the second reading of Ordinance No. 2024-12 of the City Council of the City of Bastrop, Texas, disannexing from the City limits, for full purposes, land being approximately 312.61 acres, known as Bastrop Colorado Bend, Phase 1, out of the Stephen F. Austin Survey, Abstract No. 2, in Bastrop County, Texas, located west of Lovers Lane and southeast of the Colorado River.
Submitted by: Andres Rosales, Assistant City Manager

- 8D. Consider action to approve the second 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.
Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Hold 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 June 11, 2024, consent agenda.
Submitted by: Kennedy Higgins, Senior Planner, Development Services
Presentation was made by Kennedy Higgins, Senior Planner, Development Services.

Public hearing opened.

SPEAKERS

**Brynda Fowler
525 Tahitian Dr.
Bastrop, TX 78602
512-567-9256**

**Chris Kirby
33 Lost Pines Avenue
Bastrop, TX
512-589-1777**

**Ian Wats
13 Lost Pines
Bastrop, TX
512-750-7522**

**Joe Grady Tuck
1503 Wilson
Bastrop, TX
512-925-2702**

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

**Pablo Serna
1104 Hill Street
Bastrop, TX
512-963-0919**

**Judah Ross
213 Nichole Way
Bastrop, TX**

**Cecilia Serna
1104 Hill Street
Bastrop, TX
512-596-9984**

**John Ebert
20 Lost Pine
Bastrop, TX 78602**

**Glen Senate
240 Reids Bend Rd
Bastrop, TX 78602
512-329-9255**

**Stewart Bridges
12 Lost Pines
Bastrop, TX**

**Debbie Moore
1306 Church Street
Bastrop, TX**

Public hearing closed.

A petition of protest was received from three property owners equaling 5.14 acres, the total area within the 200 acres rule is 43.13 acres equaling 11.9%. The petition did not meet the 20% super majority.

A motion was made by Council Member Meyer to deny the rezoning, seconded by Council Member Lee, motion was approved on a 4-1 vote. Council Member Plunkett voted nay.

Mayor Nelson recessed the Council Meeting at 9:21 p.m.

Mayor Nelson called the Council Meeting back to order at 9:30 p.m.

- 9B. 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

Presentation was made by Elizabeth Wick, Project Manager.

A motion was made by Mayor Pro Tem Kirkland to approve the first reading of Ordinance No. 2024-14 with additional language from legal that says the four-year lookback period will only include the time the current owner owns the house, and to include on the June 11, 2024, consent agenda for second reading, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2024-59 of the City Council of the City of Bastrop, Texas, to ratify the emergency procurement from Weisinger Incorporated, in the amount of Sixty-Eight Thousand Eight Hundred and Ninety-Seven Dollars and 00/100 (\$68,897.00) for materials and labor to repair Well H; providing for severability; providing for repeal; and providing an effective date.

Submitted by: Curtis Hancock, Director of Water & Wastewater

Presentation was made by Curtis Hancock, Director of Water & Wastewater.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-59, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9D. Consider Action to approve the first reading of Ordinance No. 2024-17 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.009 titled "SH 304 speed limits." Zoning for traffic and rate of speed therein, on SH 304 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A, and move to include on the June 11, 2024 Consent Agenda for the second reading.

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 Plunkett to approve the first reading of Ordinance No. 2024-17, and to include on the June 11, 2024, consent agenda for second reading, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2024-60 of the City Council of the City of Bastrop, Texas, approving and authorizing a proposal from Aqua-Metric Sales Company, for Sixty-Seven Thousand Five Hundred Thirty-Five Dollars and 99/100 (\$67,535.99) as a sole source provider for Sensus products and services; providing for execution of all necessary documents; providing for repealer; providing for severability; and providing an effective date.

Submitted by: Curtis Hancock, Director of Water & Wastewater

Presentation was made by Curtis Hancock, Director of Water & Wastewater.

A motion was made by Council Member Lee to approve Resolution No. R-2024-60, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2024-61 regarding a petition filed by Christopher Humphreys to remove approximately 5.100 acres of land, as described in the petition, from the City of Bastrop's extraterritorial jurisdiction pursuant to Local Government Code Chapter 42.

Submitted by: Sylvia Carrillo-Trevino, City Manager

Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM.

A motion was made by Council Member Lee to approve Resolution No. R-2024-61, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. 2024-64 to create a Charter Review Committee, with 2 appointments by each council member, to bring back recommendations to the City Council for a Charter Election to be held in May 2025. Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM.

A motion was made by Council Member Plunkett to approve Resolution No. 2024-64 to appoint the following 9 members to the Charter Review Committee with an amendment to Section 3 to replace twelve members with 9, seconded by Council Member Lee, motion failed on a 2-3 vote. Those voting aye were: Council Members Lee and Fossler. Those voting nay were: Mayor Pro Tem Kirkland and Council Members Meyer and Plunkett.

APPOINTEES

David Bragg
Jimmy Crouch
Alex Hensley
Bernie Jackson
Dock Jackson
Ken Kesselus
Connie Schroeder
Debbie Moore
Robbin Pyson

A motion was made by Council Member Meyer to approve Resolution No. R-2024-64 with a commission of twelve nominees which 9 names were listed in the packet and David Bragg and Bernie Jackson submitted by the Mayor. The motion died for lack of a second.

A motion was made by Council Member Fossler to approve Resolution No. R-2024-64 with a number of twelve members without specified names, seconded by Council Member Lee, motion failed on a vote of 2-3. Those voting aye were: Council Members Lee and Fossler. Those voting nay were: Mayor Pro Tem Kirkland and Council Members Meyer and Plunkett.

A motion was made by Council Member Meyer to table this item, seconded by Mayor Pro Tem Kirkland, motion was approved on a 4-1 vote. Those voting aye were: Mayor Pro Tem Kirkland and Council Members Lee, Meyer, and Plunkett. Council Member Fossler voted nay.

- 9H. Consider action to approve Resolution No. R-2024-54 expressing official intent to reimburse certain expenditures of the City of Bastrop, Texas to pay costs related to (1) constructing, improving, extending, and equipping the City's water and wastewater system, and (2) paying professional services in connection therewith including legal, fiscal, consulting, engineering fees and other related costs
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-54 amending section 1 to change \$14,000,000 to \$36,845,000, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9I. Consider action to approve Resolution No. R-2024-63 of the City Council of the City of Bastrop, Texas, authorizing the closure of the submission period for the Request for Qualifications for Indefinite Delivery Indefinite Quantity for Engineering Services; authorizing the City Manager to proceed with the evaluation of the submittals and negotiations with the qualified respondents; providing for a repealing clause; and establishing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-63, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 10:51 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and .087 to seek the advice of legal counsel regarding the contribution of Hotel Occupancy Tax Funds to fund renovations and updates to the Bastrop County Museum & Visitor Center.
- 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 a potential request for a petition to create Bastrop County Emergency Services District No. 3.
- 10C. 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.

Mayor Nelson recessed the Executive Session at 11:26 p.m.

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

No action taken.

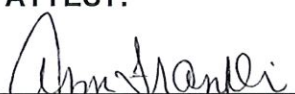
Adjourned at 11:26 p.m. without objection.

APPROVED:



Mayor Lyle Nelson

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on June 11, 2024, by Council Member Lee's motion, Council Member Fossler's second. The motion was approved on a 5-0 vote.