

JUNE 25, 2024

The Bastrop City Council met in a regular meeting on Tuesday, June 25, 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

Haylee Gallegos and Jionni Moore, Parks & Recreation Discovery Days Participant led the pledges.

INVOCATION

Lauren Hansell, 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 the month of July as National Parks and Recreation Month.
Submitted by: Terry Moore, Parks and Recreation Director
Proclamation was read into record by Ann Franklin, City Secretary and accepted by members of the Parks Department.

WORK SESSIONS/BRIEFINGS - NONE

- 5B. Presentation regarding a petition to create Bastrop County Emergency Services District No. 3.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was given by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager and Preston McGrew, Bastrop County First Responders.
- 5A. Review Rules of Procedure of the City Council of the City of Bastrop Texas, and any proposed amendments to be brought back at a future meeting.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was given by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

EXECUTIVE SESSION

The City Council met at 7:26 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 551.072 to seek the advice of legal counsel regarding a potential long-term lease to the African American Cultural Center.
Sponsored by Councilmember Myer and Mayor Pro-Tem Kirkland

Mayor Nelson recessed the Executive Session at 8:00 p.m.

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

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding a potential long-term lease to the African American Cultural Center.
Sponsored by Councilmember Myer and Mayor Pro-Tem Kirkland
A motion was made by Council Member Meyer to give direction to staff to negotiate and execute a letter of intent with the Bastrop County African American Cultural Center and Museum, seconded by Council Member Lee, motion was approved on a 5-0 vote.

STAFF AND BOARD REPORTS - NONE

CITIZEN COMMENTS

SPEAKERS

Desiree Venable
120 Meadowood Drive
Bastrop, TX 78602

Stewart Bridges
12 Lost Pines Avenue
Bastrop, TX 78602

David Harwell
113 Waialeale Ct.
Bastrop, TX 78602
202-744-0790

APPROVAL OF MINUTES

- 8A. Consider action to approve City Council minutes from the June 11, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary
A motion was made by Council Member Lee to approve City Council minutes from the June 11, 2024, regular meeting, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

DISCUSSION ITEM

- 8B. Consider action to approve the second reading of Ordinance No. 2024-18 approving the creation of a Charter Review Commission; appointing initial commissioners; providing for severability; providing for repeal; and providing an effective date.

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

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-18 with addition of a consensus voting model that represents 75% super majority for the body to recommend items to Council.

An amendment to the main motion was made by Council Member Meyer to include in the motion the Charter Review Commission will follow the Open Meetings Act, the amendment was accepted by the maker and second of the motion.

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-18 with addition of a consensus voting model that represents 75% super majority for the body to recommend items to Council and the amendment to the motion made by Council Member Meyer, seconded by Council Member Plunkett, motion was approved on a 3-2 vote. Those voting aye were: Mayor Pro Tem Kirkland and Council Members Meyer and Plunkett. Those voting nay were: Council Members Lee and Fossler.

EXECUTIVE SESSION CONTINUED

The City Council met at 8:28 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 to seek the advice of legal counsel and possible action regarding a potential request for a petition to create Bastrop County Emergency Services District No. 3.

Mayor Nelson recessed the Executive Session at 8:51 p.m.

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

- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 to seek the advice of legal counsel and possible action regarding a potential request for a petition to create Bastrop County Emergency Services District No. 3.

A motion was made by Mayor Pro Tem Kirkland directing the City Attorney to draft a resolution in support of creating ESD #3 and the City Manager to have a public hearing at the July 9, 2024, meeting, seconded by Council Member Lee, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2024-72 of the City Council of the City of Bastrop, Texas, accepting a donation from HEB in support of and as sponsorship

of the BIG BANG special event fireworks display at Fisherman's Park, in the amount of Three Thousand dollars (\$3,000.00).

Submitted by: Terry Moore, Parks and Recreation Director

Presentation was made by Terry Moore, Parks and Recreation Director.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-72, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9B. Consider Action to approve the first reading of Ordinance No. 2024-19 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," amending section 12.05.007 titled "SH 21 speed limits." zoning for traffic and rate of speed therein, on SH 21 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 July 9, 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.

A motion was made by Council Member Meyer to approve the first reading of Ordinance No. 2024-19 and move to include on the July 9, 2024, consent agenda for second reading, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2024-71 of the City Council of the City of Bastrop, Texas authorizing a license to encroach agreement with Aqua Water Supply Corp. - c/o Dacy Cameron, GM - to encroach into the Public Utility Easement to facilitate expansion of Aqua WSC facilities, 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 Mayor Pro Tem Kirkland to approve Resolution No. R-2024-71, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2024-74 regarding a petition filed by JMA Entity to remove Tract 1: 2.333-acre tract, lot and Tract 2: 5.292-acre tract or parcel 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, ICMA-CM, CPM, City Manager

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

A motion was made by Council Member Meyer to deny the resolution regarding a petition filed by JMA Entity to remove Tract 1 and Tract 2, seconded by Council Member Plunkett, motion was approved on a 3-2 vote. Those voting aye: Mayor Pro

Tem Kirkland and Council Members Meyer and Plunkett. Those voting nay: Council Members Lee and Fossler.

- 9E. Consider Action to approve the first reading of Ordinance No. 2024-20 of the City Council of the City of Bastrop, Texas adopting certain restrictions on the participation of registered sex offenders in programs or events, involving minors and certain restrictions on where registered sex offenders may go or reside, within a specified distance of premises where children commonly gather. 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 July 9, 2024, Consent Agenda for the second reading.

Submitted by: Vicky Steffanic, Chief of Police

Presentation was made by Vicky Steffanic, Chief of Police.

A motion was made by Council Member Meyer to approve the first reading of Ordinance No. 2024-20 and move to include on July 9, 2024, consent agenda for second reading, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9F. Consider action to approve the second reading of Resolution No. R-2024-69 of the City Council of the City of Bastrop, Texas amending a contract for the update to the 2016 Comprehensive Plan to Halff Associates, Inc to increase the contract price by an amount not to exceed Forty Thousand, Two Hundred Eighty Dollars (\$40,280.00) hereby attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

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

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

A motion was made by Council Member Plunkett to approve the second reading of Resolution No. R-2024-69, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2024-78 proposal from Terra Pave International, a University of Texas Technology Commercialized Company for \$59,841 as a sole source provider for a fog seal street sealant known as Terra Cool.

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

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

A motion was made by Council Member Meyer to approve Resolution No. R-2024-78, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9H. Consider action to approve Resolution R-2024-76 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to award the Request for Qualifications

(RFQ) for Indefinite Delivery Indefinite Quantity (IDIQ) for Engineering Services to 18 firms as shown in Exhibit A; authorizing the City Manager to negotiate and execute all necessary documents with selected firms; 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 Council Member Plunkett to approve Resolution No. R-2024-76, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9I. Consider action to approve Resolution No. R-2024-75 of the City of Bastrop, Texas, directing staff to prepare a service plan for providing extension of full municipal services to R30094 being 10.559 acres of land out of the Nancy Blakey Survey Abstract No.A98, located north of SH 71 W and west of FM 969, and approximately 1,893 feet of FM 969 right-of-way located north of SH 71 W and south of Capps Lane, and approximately 10,145 feet of SH 304 right-of-way located south of SH 71 W and north of Lower Red Rock Road/Trigg Road, and approximately 1,942 feet of FM 20 right-of-way located south of SH 71 W and north of Shiloh Road to be annexed, 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: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-75, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9J. Consider action to approve Resolution No. R-2024-77 of the City Council of the City of Bastrop, Texas appointing Council Member Kerry Fossler as the City's liaison to the Bastrop County Public Health Department Task Force, as authorized by Section 3.01 of the City's Charter, and establishing an effective date.

Submitted by: Mayor Lyle Nelson

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-77 appointing Council Member Kerry Fossler as a member of the Bastrop County Public Health Department Task Force, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

EXECUTIVE SESSION CONTINUED

The City Council met at 10:26 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10C. 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 Opera House.
- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.087 to seek the advice of legal counsel regarding potential economic development incentives related to the Bastrop Food Pantry.

- 10E. City Council shall convene into closed executive session pursuant to Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel regarding a proposed 380 Agreement and proposed amendments to a development agreement related to the Valverde development.

Mayor Nelson recessed the Executive Session at 11:07 p.m.

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

- 10C. 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 Opera House.

A motion was made by Council Member Plunkett to direct staff and City Attorney to negotiate an agreement to consider contribution of Hotel Occupancy Tax Funds to fund historical restoration and renovations to the Bastrop Opera House mutually agreeable to all parties, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.087 to seek the advice of legal counsel regarding potential economic development incentives related to the Bastrop Food Pantry.

A motion was made by Council Member Lee to direct staff to come back to Council with an outline of an economic development incentive for the Bastrop Food Pantry, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 10E. City Council shall convene into closed executive session pursuant to Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel regarding a proposed 380 Agreement and proposed amendments to a development agreement related to the Valverde development.

A motion was made by Council Member Fossler to approve a letter of intent with CC Carlton Construction of offsite wastewater line for the Val Verde development, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

Adjourned at 11:10 p.m. without objection.

APPROVED:

Mayor Lyle Nelson

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on July 9, 2024, by Council Member Lee's motion, Council Member Plunkett's second. The motion was approved on a 5-0 vote.