

**Bastrop City Council  
October 11, 2016 at 6:30 pm**



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*In compliance with the requirements of Chapter 551 of the Texas Government Code, the public is hereby provided notice that it is possible that a quorum, or more, of the membership of the Bastrop Economic Development Corporation may be in attendance, to observe and/or participate in the above-referenced meeting of the Bastrop City Council.*

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Pursuant to the Texas Government Code, Chapter 551, the Bastrop City Council will hold a Regular Meeting on October 11, 2016, in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider the following matters:

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. INVOCATION**
- 4. PRESENTATIONS**
  - A. Presentation from Progressive Waste – Steve Shannon
- 5. PROCLAMATIONS**
  - A. Community Planning Month
- 6. ANNOUNCEMENTS, INFORMATION AND REQUESTS BY COUNCIL MEMBERS**
  - A. Update on Comprehensive Plan Steering Committee – Kay Garcia McAnally
  - B. Distribution of Items to Council (If Necessary) – Ann Franklin
  - C. Items Targeted for Future Meetings.
  - D. Requests by Council Members for items on future agendas and requests for information from City Manager.
  - E. Announcements by City Manager Marvin Townsend regarding the status of pending lawsuits
- 7. Discussion with Interim City Attorney concerning Open Meetings Act, its requirements and its exceptions as applied to interviews with independent contractors who are candidates for hiring by the City.**
- 8. CITIZEN COMMENTS**

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*EXECUTIVE SESSION: The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act,*

Ch. 551 Govt. Code, Vernon’s TX Code, Annotated, the item below will be discussed in closed session. 1. SECTION 551.071 – Consultations with Attorney related to legal matters

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**A. CONSENT AGENDA** - *All of the following items are considered to be self-explanatory by the Council and will be enacted with one motion; there will be no separate discussion of these items unless a Council Member requests.*

TAB PG REQUESTOR

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|-----|--|---------|---|
| A.1 | Approval of the statutory denial for a period of 180 days from the date of Council action on the Replat of Don A. Stewart Subdivision Amended Plat of Lots 1G and 1H being +/-0.703 acres located south of Old Austin Highway and north of Highway 71 West within the city limits of Bastrop, Texas. | A.1 PG1 | Director of Planning and Development,<br>Melissa McCollum |
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**B. PUBLIC HEARINGS, ORDINANCES & OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION**

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| B.1 | PUBLIC HEARING: Receive public input on Variances to the Subdivision Ordinance, Suburban Subdivision Standards Section 7.10.2 Layout Requirements A. Minimum lot width shall be one hundred and twenty-five feet and Section 7.10.2 G. Lot depth to width ratio shall not exceed 3 to 1. The proposed 512 House Group Subdivision is +/-0.997 acres within the Stephen F. Austin Survey Abstract No. 3 located on Phelan Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ). | B.1 PG3 | Director of Planning and Development,<br>Melissa McCollum |
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| B.2 | Consideration, discussion and possible action on Variances to the Subdivision Ordinance, Suburban Subdivision Standards Section 7.10.2 Layout Requirements A. Minimum lot width shall be one hundred and twenty-five feet and Section 7.10.2 G. Lot depth to width ratio shall not exceed 3 to 1. The proposed 512 House Group Subdivision is +/-0.997 acres within the Stephen F. Austin Survey Abstract No. 3 located on Phelan Road within the City of Bastrop, Texas One Mile Extra Territorial Jurisdiction (ETJ). | B.2 PG12 | Director of Planning and Development,<br>Melissa McCollum |
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| B.3 | Public Hearing: Receive public input on a request to designate 1201 Main Street, the First United Methodist Church and Memorial Bell Tower as a Significant Landmark. | B.3 PG13 | Director of Planning and Development,<br>Melissa McCollum |
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| B.4 | Consideration, discussion and possible action to designate 1201 Main Street, the First United Methodist Church and Memorial Bell Tower as a Significant Landmark. | B.4 PG23 | Director of Planning and Development, |
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Melissa  
McCollum

**C. OLD BUSINESS**

- C.1 Discussion regarding update on the City of Bastrop Shelter Project that will be located at 1209 Linden Street Bastrop Tx. **C.1 PG24** Director of Public Works, Trey Job
- C.2 Second reading of an ordinance requesting parking modifications along Main Street, converting parking from angle to parallel on the west side of Main Street between Pine Street and Chestnut Street. **C.3 PG26** Mayor Kesselus

**D. NEW BUSINESS**

- D.1 Request that the City Manager initiate research regarding possible annexations that will be beneficial to the City. **D.1 PG29** Council Member, McAnally
- D.2 Consideration, discussion and possible action regarding first reading of an ordinance requesting traffic modifications along Alley A and B, limiting vehicles traveling south on Alley A to right turns only and Alley B, traffic heading north right turn only. **D.2 PG30** Mayor Kesselus
- D.3 Consideration of a resolution approving the County prepared Bastrop Local Mitigation Plan. FEMA has granted tentative approval, subject to approval of each involved jurisdiction, including Elgin, Smithville and Bastrop. **D.3 PG33** Public Safety Director, Steve Adcock
- D.4 Consideration, discussion and possible action regarding the request of Bastrop County Judge Paul Pape for a long term lease of approximately 1.78 acres at Mayfest Park for a site for a shelter/multi use facility of approximately 12,500 square feet with approximately 158 paved parking spaces, payment by Bastrop County will be deposited in the Park trust fund for acquisition of park land adjacent to Mayfield Park. **D.4 PG37** Interim City Manager, Marvin Townsend
- D.5 Consideration, discussion and possible action on the Final Plat for Pecan Park, Section 3A being +/-12.181 acres within the Mozea Rousseau Survey A-56, located west of Childers Drive (proposed extension) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas. **D.5 PG42** Director of Planning and Development, Melissa McCollum

- D.6 Consideration, discussion and possible action on the Final Plat for Pecan Park, Section 6A being +/-10.961 acres within the Mozea Rousseau Survey A-56, located east of Childers Drive (Childers Drive to be extended) and south of the 100' wide LCRA easement within the city limits of Bastrop, Texas. D.6 PG48 Director of Planning and Development, Melissa McCollum
- D.7 Consideration for approval of the proposed repair & reprogramming work by Trac-N-Trol Inc. on the Scada System for the water and wastewater system for \$98,330. D.7 PG57 Director of Public Works, Trey Job
- D.8 Consideration for approval of the renewal of the contract with Trac-N-Trol to provide SCADA repair services for the Water And Waste Water Department on an hourly basis as needed for non-warranty work. D.8 PG73 Director of Public Works, Trey Job
- D.9 Consideration for approval of a change order for the amount of \$35,297 to Excel Construction Services to include repairs to the central lift station piping. Excel is currently performing lift station repairs at three locations under a \$897,099 contract. This needed work became apparent while the contracted repairs were underway. D.9 PG87 Director of Public Works, Trey Job
- D.10 Consideration, discussion and possible action concerning closing the City's Refuse Disposal Transfer Station at 1209 Linden Street on October 31, 2016 and encouraging potential customers to use the Bastrop County facility at 601 Cool Water Drive. D.10 PG98 Director of Public Works, Trey Job
- D.11 Report from the Bastrop Main Street Program regarding Council direction on the 1832 Farmer's Market and lot adjacent to the Convention Center D.11 PG100 Director of Main Street, Sarah O'Brien

Pursuant to Texas Government Code §551.071 the City Council will meet in Executive Session to consult with its attorney to seek his advice about pending or contemplated litigation, or settlement offers specifically the VanDiver litigation, and the water permit litigation, as well as other pending legal matters. The City Council also will meet with its attorney to discuss legal issues related to the Texas Open Meetings Act and Texas Public Information Act. The City Council also will meet with its attorney pursuant to Texas Government Code §551.071(2) to consult on matters in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code.

**E. EXECUTIVE SESSION**

E1. The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551, *et seq*, to discuss the following:

- A. **SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, pending and/or potential code enforcement, litigation related to subdivision

development, Pine Forest Unit 6 Lawsuit and Vandiver Lawsuit, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.

E2. The Bastrop City Council will reconvene into open (public) session to discuss, consider and/or take any actions necessary related to the executive session(s) items noted herein, or regular agenda items, noted above, and/or related agenda items.

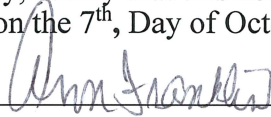
**ACTION ITEMS FROM EXECUTIVE SESSION (If Any Are Needed.)**

**E2.A SECTION 551.071(1)(A)(B) & SECTION 551.071(2)** – Consultation with Attorney concerning: (1) potential, pending, threatened, and/or contemplated litigation, claims, and/or settlement/mediation, including (*but not limited to*) the following: municipal water supply, pending and/or potential code enforcement, litigation related to subdivision development, Pine Forest Unit 6 Lawsuit and Vandiver Lawsuit, and/or (2) matter upon which the Attorney(s) have a duty and/or responsibility pursuant to the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas to report to the governmental body, concerning these matters, and/or any other matters posted on the agenda.

**F. ADJOURNMENT**

CERTIFICATION

I, Ann Franklin, City Secretary, certify that this notice of meeting was posted at the Bastrop City Hall on the 7<sup>th</sup>, Day of October 2016 at **5:00 pm**



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NOTICE OF ASSISTANCE AT PUBLIC MEETINGS; THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND A MEETING AND WHO MAY NEED ASSISTANCE ARE ENCOURAGED TO CONTACT THE CITY SECRETARY AT 512-332-8800. PLEASE PROVIDE A FORTY-EIGHT (48) HOUR NOTICE. Confirmed by **TC**