

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
July 25, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, July 25, 2017 at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Schiff and Council Members Jones, Ennis and Nelson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney David Bragg.

CALL TO ORDER

At 6:31 p.m. Mayor Schroeder called the meeting to order with a quorum being present. Council Member Peterson was absent.

PLEDGE OF ALLEGIANCE

Olivia Whitfield, YMCA - life guard of the week led the Pledge of Allegiance.

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

INVOCATION

Jonah Breyer, Mission U Too gave the Invocation.

PRESENTATIONS

- 4A. Presentation of Proclamation recognizing and celebrating 2017 Volunteer Honor Roll.
Mayor Schroeder read the proclamation recognizing and celebrating 2017 Volunteer Honor Roll into record.
- 4B. Mayor's Report
- **July 13th**
 - **Ribbon cutting at Bastrop Financial Planning.**
 - **Met with Texas Municipal League (TML) Executive Director.**
 - **July 14th and 15th**
 - **Council Retreat at McKinney Roughs Nature Center.**
 - **July 14th**
 - **Had a major waterline break as a result of the construction underway in the intersection near Bastrop State Park.**
 - **Chief Wobus wanted to thank the citizens for responding to the "call for water."**
 - **July 17th**
 - **Mayor attended first BEDC meeting as mayor.**
 - **July 19th**
 - **BEDC hosted the "Opportunity Austin" team from the Austin Chamber of Commerce.**
 - **July 20th**

- **Attended the Quarterly Community meeting hosted by the Federal Correctional Institute.**
- **July 20th**
 - **Another Budget Workshop was held.**
- **July 22nd**
 - **Public Library Big Game Summer Finally Party was held.**

Upcoming events:

- **July 26 - Hunters Crossing PID meeting**
- **July 31 – BEDC Special Meeting**
- **August 1st – 5th - HOMECOMING Festivities**
- **August 1st – City Council special meeting**
- **August 3rd – Farm Street Opry**
- **August 3rd and 4th – TML “Newly Elected Official Training” in San Antonio**
- **August 4th – First Friday Art Walk**
- **August 8th – City Council**

4C. Councilmembers’ Report

Council Member Nelson

- **Attended the Hunters Crossing Home Owners Association (HOA) meeting for the first time as an elected official. The residents of Hunters Crossing are very excited about the potential for the City of Bastrop and they are looking forward to serving on a more frequent basis as volunteers.**

Council Member Jones

- **Attended the Council Retreat and felt that it created a lot of unity.**

4D. City Manager’s Report

Nothing to report.

5. WORK SESSION/BRIEFINGS

5A. Provide update and debriefing on Water Main Break at Intersections of Hwy. 21 & Hwy 150.

Debriefing was provided by Managing Director of Public Works & Leisure Services, Trey Job.

5B. Provide briefing on XS Ranch Fund VI, LP, Case No. 16-31367, a case pending in the United States Bankruptcy Court, Northern District of California and its impact on the City of Bastrop’s agreement to purchase future water.

Briefing was provided by City Attorney, David Bragg.

5D. Discuss proposed final draft of the Ethics Ordinance, which includes Council and public comments from three (3) workshops and emails from various citizens.

Presentation was made by City Attorney, David Bragg. Mr. Bragg asked Council to provide him with any comments they may have on the version of the Ethics Ordinance presented to Council in order for the comments to be factored into the next version brought before Council. City Manager, Lynda Humble will place

this item on the August 8, 2017, agenda with the understanding that it may be pulled for additional consideration.

- 5C. Provide update and briefing on the creation of a Vision Statement, Mission Statement, Focus Areas, and List of Priorities by the City Council established at the Council Retreat held July 14 – 15, 2017.
Briefing was provided by City Manager, Lynda Humble.

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation from Visit Bastrop Interim Director, Dale Lockett regarding the proposed Destination and Marketing Services Agreement between the City of Bastrop, Texas and Visit Bastrop.
Presentation was made by City Manager, Lynda Humble and Visit Bastrop Interim Director, Dale Lockett.

- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending June 30, 2017.
Presentation was made by Chief Financial Officer, Tracy Waldron.

- 6C. Receive presentation from Organizations applying for FY2018 Hotel Tax Funding.
Presentations were made by the following:
Bastrop Chamber of Commerce – Becki Womble
Bastrop County Historical Society – Kaye Sapikas
(Council Member Ennis removed himself from the dais during this presentation due to a family relationship with the Chair of the Bastrop County Historical Society.)
Bastrop County Women’s Center dba Family Crisis Center– Charlotte Peach
Bastrop Homecoming – Lori Chapin
Bastrop Opera House – Terry Moore and Lisa Holcomb
Blue Flame Cruisers Car and Motorcycle Club – Peggy Miller
Keep Bastrop County Beautiful – Melissa Middlebrooks
Lost Pines Leathernecks Detachment 1384 Bastrop County Marine Corps League – Anthony Poleti
Tough Mudder, Inc. – Shivani Banker (via video)

- 6D. Receive presentation on the Quarterly Investment Report for the period ending in June 30, 2017.
Presentation was made by Chief Financial Officer, Tracy Waldron.

- 6E. Receive report from Bastrop Economic Development Corporation.
Presentation was made by Bastrop Economic Development Corporation Director, Shawn Kirkpatrick.

7. CITIZEN COMMENTS

Linda Curtis – Stated there needs to be a redline copy of the proposed Ethics ordinance.

Mayor Schroeder recessed the Council Meeting at 9:06 p.m.

Mayor Schroeder called the meeting back to order at 9:12 p.m.

8. CONSENT AGENDA

A motion was made by Mayor Pro Tem Schiff to approve Item 8A listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Ennis, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 8A. Consider action to approve minutes from the June 29, 2017 Budget Hearing and July 11, 2017 Regular Council Meeting.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution R-2017-50 of the City Council of the City of Bastrop, Texas allowing an alternative lighting plan for additional canopy lighting at the Buc-ee's Travel Center, located at 1700 East State Highway 71, and establishing an effective date.

Presentation was made by Planning and Engineering Director, Wesley Brandon.

A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-50, seconded by Council Member Jones, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9D. Consider action to approve Resolution R-2017-32 of the City Council of the City of Bastrop, Texas approving an Interlocal Agreement with Bastrop County for a drainage improvement project on Shiloh Road approximately 700 feet from the intersection of Shiloh Road and State Highway 304 in Bastrop, Texas; authorizing the City Manager to execute all necessary documents, and establishing an effective date.

Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job and Commissioner Hamner.

A motion was made by Council Member Nelson to approve Resolution No. R-2017-32, seconded by Mayor Pro Tem Schiff, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9G. Consider action to approve Resolution No. R-2017-55 of the City Council of the City of Bastrop, Texas authorizing the Texas Housing Foundation to exercise its powers specifically limited to the Bastrop Oak Grove Apartment Complex I & II, located at 1910 Wilson Street, Bastrop, Texas, authorizing a Cooperative Agreement, Attached as Exhibit A, authorizing the Mayor to execute said agreement, and establishing an effective date.

Presentation was made by Mark Mayfield, President and Chief Executive Officer, Texas Housing Foundation.

A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-55, seconded by Council Member Jones, motion was approved on a 4-0 vote. Council Member Peterson was absent. City Manager, Lynda Humble stated for

public disclosure that The Texas Housing Foundation is specifically limited to the Bastrop Oak Grove Apartment Complex I and II, located at 1910 Wilson Street, and plan to make an investment of 2.36 million dollars. This will take this property off the tax roll because as a public entity they are tax exempt.

- 9H. Hold Public Hearing and consider action to approve Resolution No. R-2017-56 of the City Council of the City of Bastrop, Texas supporting THF Bastrop Oak Grove, LLC's application to the Texas Department of Housing and Community Affairs for 2017 Housing Tax Credits for Bastrop Oak Grove Apartments, and establishing an effective date.

Public hearing was opened and closed.

A motion was made by Council Member Ennis to approve Resolution No. R-2017-56, seconded by Council Member Nelson, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9B. Consider action to approve the first reading of Ordinance 2017-19 amending the budget for the Fiscal Year 2017 in accordance with existing statutory requirements; appropriating the various amounts herein; repealing all prior ordinances and actions in conflict herewith; and providing an effective date; and move to include on the August 8, 2017 agenda for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance No. 2017-19 and include on the August 8, 2017 agenda for a second reading, seconded by Council Member Jones, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9C. Consideration action to approve Resolution 2017-51 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to execute an Interlocal Agreement with the Capital Area Council of Governments for continuation and support of the CAPCOG Regional Air Quality Program, and authorizing a contribution towards support; and providing an effective date.

Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Nelson to approve Resolution No. R-2017- 51, seconded by Mayor Pro Tem Schiff, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9E. Consider action to approve Resolution R-2017-52 of the City Council of the City of Bastrop, Texas awarding a contract for the construction of a 16" Water Line along SH 71 to M&C Fonseca Construction Company, Inc. in the amount of Two Million Thirty-Three Thousand Two Hundred Sixteen Dollars and 00 Cents (\$2,033,216.00); authorizing the City Manager to execute all necessary documents for the construction and installation of this water line; and establishing an effective date.

Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job.

A motion was made by Council Member Nelson to approve Resolution No. R-2017-52, seconded by Council Member Jones, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9F. Consider action to approve Resolution R-2017-53 of the City Council of the City of Bastrop, Texas authorizing a contract with Bluebonnet Electric Cooperative for the conversion of overhead electric utility lines to underground electric utility lines in Bob Bryant Park located at 610 Charles Street, Bastrop, Texas at a cost of One Hundred Sixty-Eight Thousand Thirty-Five and 11/100 Dollars (\$168,035.11), authorizing the City Manager to execute all necessary documents, and establishing an effective date. **Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job**

A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-53, seconded by Council Member Jones, motion was approved on a 4-0 vote. Council Member Peterson was absent.

- 9I. Consider action to approve Resolution No. R-2017-54 of the City Council of the City of Bastrop, Texas confirming board appointments of the Mayor, as required in Section 3.08 of the City's Charter, as outlined in Exhibit A; and establishing an effective date. **A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-54, seconded by Council Member Nelson, motion was approved on a 4-0 vote. Council Member Peterson was absent.**

10. EXECUTIVE SESSION

The City Council met at 9:59 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 Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Pine Forest 6, et al vs. City of Bastrop, et al.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding XS Ranch Fund VI, LP, Case No. 16-31367, a case pending in the United States Bankruptcy Court, Northern District of California and its impact on the City of Bastrop's agreement to purchase future water.
- 10C. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Multiple Plaintiffs vs. Forestar Group, et al (including City of Bastrop) in the 21st Judicial District Court of Bastrop County, Texas – Cause No. 54 0-21, Cause No. 541-21, Cause No. 543-21, Cause No. 539-21 Cause No. 542-21; in the 423rd Judicial District Court of Bastrop County, Texas – Cause No. 423-5020, Cause No. 423-5024, Cause No. 423-5022, Cause No. 423-5021, Cause No. 423-5023, Cause No. 451-335; in the 335th Judicial District Court of Bastrop County, Texas – Cause No. 540-335, Cause No. 539-335, Cause No. 542-335, and Cause No. 451-335 regarding drainage in Hunter's Crossing.

The Bastrop City Council reconvened at 10:46 p.m. into open (public) session.


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

No action taken.

12. ADJOURNMENT

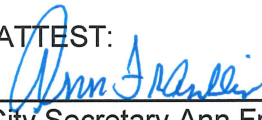
Mayor Pro Tem Schiff made the motion to adjourn the meeting at 10:47 p.m., seconded by Council Member Jones. The motion was approved on a 4-0 vote. Council Member Peterson was absent.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on August 8, 2017, by Council Member Nelson's motion, Council Member Ennis' second. The motion was approved on a 5-0 vote.