

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
September 26, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, September 26, 2017 at 3:00 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder and Council Members Jones, Ennis, Nelson and Peterson. Officers present were City Manager Lynda Humble and City Secretary Ann Franklin.

CALL TO ORDER

At 3:00 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

EXECUTIVE SESSION (BEGINS AT 3:00 P.M.)

Mayor Pro Tem Schiff arrived during the executive session.

The City Council met at 3:00 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 2A. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to conduct interviews and discuss and deliberate the appointment of a City Attorney.

The Bastrop City Council reconvened at 6:30 p.m. into open (public) session.

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

A motion was made by Council Member Peterson for the City of Bastrop to choose the Alan Bojorquez Law Firm as the sole finalist, authorize the City Manager to check all references and negotiate a contract and bring before Council at the October 10, 2017, City Council meeting for Council approval, seconded by Council Member Nelson, motion was approved on a 5-0 vote.

PLEDGE OF ALLEGIANCE

Andy Sevilla and Mary Huber of the Bastrop Advertiser led the Pledge of Allegiance.

INVOCATION

Associate Pastor Taylor Choate, Bastrop First Assembly of God gave the invocation.

PRESENTATIONS

- 6A. Mayor's Report

ACTIVITIES OF MAYOR SINCE THE LAST COUNCIL MEETING

- **September 14**
 - **Ribbon Cutting**
 - **After Action EOC meeting with Bastrop County**
 - **Attended the Chamber's Monthly Business After Hours function at Red**

Ridge Receptions

- **September 15**
 - **BEDC Coffee Chat**
- **September 18**
 - **BEDC Monthly Meeting**
- **September 19**
 - **Special Executive Meeting to review City Attorney RFQ's**
- **September 26**
 - **National Voter Registration Day**

UPCOMING EVENTS

- **September 30**
 - **Big Trucks at Bob Bryant Park**
- **October 3-6**
 - **TML Annual Conference in Houston**

6B. Councilmembers' Report**Council Member Nelson**

Complimented everyone that worked on the Delgado dedication event. He encouraged everyone to read about the genesis of this project.

Mayor Pro Tem Schiff

Attended the monthly meeting with the Library board. The highlight of the meeting was the Library is creating a "Maker Space" creative effort at the Library that is going to feature a 3D printer the Library is acquiring and will be giving lessons on the use of it.

Council Member Ennis

The Mina Ward School & Minerva Delgado Park Dedication was a joint effort of quite a few people, it exceeded the expectations. This was a wonderful celebration, approximately 20 former students attended the event. It was a testament to the City of Bastrop and Bastrop County.

Council Member Jones

- **Went to Washington DC, met with the senators, representatives and new appointees and lobbied for the Farm Bill and promoted Rural America.**
- **Attended the August 31st Planning and Zoning Commission meeting as the Council Liaison.**

6C. City Manager's Report

The Presentation of the Mina Ward School & Minerva Delgado Park Dedication was recorded and the full program will be on the City web by the end of the week of October 2nd through 6th.

WORK SESSION/BRIEFINGS

- 7A. Discuss proposed changes to the Rules of Procedure for the City Council of the City of Bastrop, Texas.
Presentation was made by City Manager, Lynda Humble.**

Discussion was held.

This item will be brought back on October 10, 2017. Direction was given to the City Manager to list in the Rules of Procedures Council plans to review in July of each year.

- 7B. Discuss proposed changes to the Boards & Commission Ordinance and/or the adoption of a Board & Commission Resolution.

The following were questions posed to Council with the responses.

1. Is there an interest in standardizing residency requirements?

Staff will visit with the City Attorney and unless there is a state law requirement for residency Council will open up the residency and leave it to the Mayor to make the appointments based on skill set and the Council will debate it from a ratification standpoint.

2. Is there a standardized number of members the Council would consider?

Council asked for the City Manager to recommend either five (5) or seven (7) members, the City Manager recommended seven (7) members.

3. Is there a need to set term limits of participation on each board? (The number of years a member could serve on a particular board but not the number of years an individual may volunteer.)

Consensus from Council to set term limits with the recommendation to stagger the terms in order to have a mix of old and new members.

4. The Mayor did not appointment members to the Bastrop Vision Task Force or the Form Based Code Task Force. Need consensus from Council to bring these two boards forward to remove from the Boards and Commissions ordinance and to term limit them out.

Consensus from Council to bring the Vision Task Force and the Form Based Code forward to remove from the Boards and Commissions ordinance and to be term limited out.

5. Move board appointments to October with the following appointment process:

- July 1st mail citywide as well as to ETJ a newsletter highlighting all of the boards and commissions providing their purpose, meeting schedule and helpful information to be on the board. This would be posted in the newspaper, City website, as well as on the City's Facebook page.
- Host a boards and commissions volunteer fair on the 3rd Tuesday of July at the Bastrop Convention and Exhibit Center. If approved the date of the next fair would be Tuesday, July 17, 2018.
- Applications due on August 15, 2018.
- Asking that Council participate in the interview of each applicant.
- The Mayor would submit his/her boards and commissions appointments at the first Council meeting in September for ratification by the Council effective October 1st.

- The first Thursday in October of each year a boards and commissions orientation would be held which would include ethics training from the City Attorney.

There was a consensus from Council.

6. Annual Boards and Commissions volunteer banquet.

There was a consensus from Council. The banquet will be Thursday, November 9th at the Bastrop Convention Center from 6:30 to 8:30 p.m. (Future banquets will be the 2nd Thursday of November.)

7. Board and Commissions attendance will be tracked monthly provided by the board liaison to the City Secretary and the annual summary will be presented to Council in June.

Council gave consensus with the suggestion that if there is a Council Liaison on the board the Council Liaison be included in the discussion of attendance issues.

8. The Bastrop Economic Development Commission meetings are being recorded and televised at a later date. The staff supports broadcasting the Planning and Zoning Commission meetings. If Council is in agreement, staff will be scheduled to be present to record the meetings and program the television station with these meetings in mind.

There was a consensus from Council.

STAFF AND BOARD REPORTS

- 8A. Receive report from Bastrop Economic Development Corporation.

This item was postponed to the October 24th meeting.

- 8B. Receive presentation on the unaudited Monthly Financial Report for the period ending August 31, 2017.

Presentation was made by Chief Financial Officer, Tracy Waldron.

CITIZEN COMMENTS

Ann Beck – Stated that Bastrop needs better signs to make people aware of the Bastrop State Park, the word “Historical” should be on the signs to read “Historical Bastrop” and the name “Bastrop” should be on the exit sign.

Linda Curtis – Spoke about water involving the Indop case. She encouraged the Council to get informed.

CONSENT AGENDA

A motion was made by Council Member Ennis to approve Items 10A, 10B and 10C listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Mayor Pro Tem Schiff, motion was approved on a 5-0 vote.

- 10A. Consider action to approve minutes from the September 12, 2017 meeting.

- 10B. Consider action to approve the second reading of Resolution No. R-2017-69 of the City Council of the City of Bastrop, Texas, approving the expenditure of Bastrop

Economic Development Corporation funds for the Technology Drive/MLK Infrastructure Project in an amount exceeding Ten Thousand and 00/100 Dollars (\$10,000); repealing all resolutions in conflict; and establishing an effective date.

- 10C. Consider action to approve the second reading of Ordinance No. 2017-23 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, Appendix A, related to Chapter 3 titled "Building Regulations," Chapter 10 titled "Subdivisions," Chapter 14 titled "Zoning," and the articles within Chapter 10, Section 8 titled "Reservations," references within Chapter 3 titled "Building Regulations," Chapter 10 titled "Subdivisions," and Chapter 14 titled "Zoning," related to fees; and deleting Section 10.03.003 titled "Subdivision and Development Escrow Fees" in its entirety, providing a repealing clause; providing a severability clause; providing a savings clause; and providing for an effective date.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A. Consider action to approve Resolution No. R-2017-79 of the City Council of the City of Bastrop, Texas supporting the Texas Parks and Wildlife Department's (TPWD) proposed public plan for the 135 acre site, formerly known as the Lost Pines Golf Club, with emphasis on outdoor programming, outdoor education, and hiking and biking trails; strongly urging the TPWD to build a "tribute green" to preserve and educate future generations of the important role that the Lost Pines golf course played in the Bastrop State Park's history; providing a repealing clause; and providing an effective date.
Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Jones to approve Resolution No. R-2017-79, seconded by Mayor Pro Tem Schiff, motion was approved on a 5-0 vote.

- 11B. Consider action to approve Resolution No. R-2017-74 of the City Council of the City of Bastrop, Texas approving an Emergency Water Interconnect agreement between the City of Bastrop and Aqua Water Supply Corporation; and 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-2017-74, seconded by Council Member Jones, motion was approved on a 5-0 vote.

- 11C. Consider action to approve Resolution No. R-2017-75 of the City Council of the City of Bastrop, Texas, approving and adopting the Financial Management Policy, making various provisions related to the subject; repealing any resolutions in conflict; and providing an effective date.
Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Nelson to approve Resolution No. R-2017-75, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 11D. Consider action to approve Resolution No. R-2017-76 of the City Council of the City of Bastrop, Texas establishing organizational funding amounts contingent upon

contract agreement deliverables, funded from Hotel Occupancy Tax Fund for Fiscal Year 2017-2018, and establishing an effective date.

Presentation was made by Main Street Director, Sarah O'Brien.

A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-76, seconded by Council Member Jones, motion was approved on a 3-0 vote. Council Members Ennis and Peterson recused themselves. This motion approved awarding \$224,985.00 to nine (9) different organizations, the Juneteenth Committee will be funded out of Bastrop Power and Light this year. There will not be a tier three (3) funding.

- 11E. Consider action to approve Resolution No. R-2017-77 of the City Council of the City of Bastrop, Texas approving and adopting the Investment Policy and Investment Strategies; approving the list of Qualified Brokers; making various provisions related to the subject; and providing an effective date.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-77, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 11F. Public hearing on the Hunters Crossing Public Improvement District ongoing service plan and proposed assessment levy, consider any objections to the proposed assessments and, consider action to approve the first reading of Ordinance No. 2017-26 of the City Council of the City of Bastrop, Texas approving the updated service plan, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a fiscal year 2018 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunters Crossing Local Government Corporation and providing for an effective date; and move to include on the September 28, 2017 Special Council Meeting for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

The Public Hearing was opened.

The Public Hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2017-26, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 11G. Consider action to approve the second reading of Ordinance No. 2017-22 of the City Council of the City of Bastrop, Texas adopting a budget for the Fiscal Year 2017-2018 (October 1, 2017 through September 30, 2018); providing that expenditures for said Fiscal Year be made in accordance with said budget; providing a severability clause; establishing an effective date.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Schiff to approve the second reading of Ordinance No. 2017-22, seconded by Council Member Ennis, motion was

approved on a 5-0 vote. The following error in the budget document was read into record for correction: Page 25, Bastrop Food Pantry was left off of the Community Support funding list, it will receive \$16,158.00.

Mayor Pro Tem Schiff	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Jones	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Ennis	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Nelson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Peterson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____

- 11H. Consider action to ratify the vote on the Fiscal Year 2017-2018 budget, which results in more revenues from ad valorem taxes than the previous year.
Presentation was made by Chief Financial Officer, Tracy Waldron

A motion was made by Council Member Nelson to approve the Fiscal Year 2017-2018 budget, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

Mayor Pro Tem Schiff	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Jones	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Ennis	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Nelson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Peterson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____

- 11I. Consider action to approve the second reading of Ordinance No. 2017-25 of the City Council of the City of Bastrop, Texas adopting the tax rate and levying ad valorem taxes for the Fiscal Year 2017-2018 to provide revenue for the payment of current expenditures: providing a severability clause; and establishing an effective date.
Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Schiff to increase the property tax rate by the adoption of a tax rate of 0.5640 approve the second reading of Ordinance No. 2017-25, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

Mayor Pro Tem Schiff	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Jones	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Ennis	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Nelson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____
Council Member Peterson	Yea	<u>X</u>	Nay	_____	Abstain	_____	Absent	_____

- 11J. Hold Public Hearing to solicit input from citizens regarding the City of Bastrop’s Parks and Recreation needs and priorities and discuss a proposed park project to be submitted to Texas Parks and Wildlife Department (TPWD) for grant funding; and consider action to approve Resolution No. R-2017-78 of the City Council of the City of Bastrop, Texas approving an application to the Texas Parks and Wildlife Division for a 50% match grant for the total amount of Five Hundred Thousand Dollars and 00/100 cents (\$500,000.00) for the development of Phase II of Minerva Delgado Park;

authorizing the City Manager to execute all necessary documents for the grant submission; and establishing an effective date.

The Public Hearing was opened.

The Public Hearing was closed.

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

A motion was made by Council Member Jones to approve Resolution No. R-2017-78, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:14 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 12A. 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 Special Counsel to the City of Bastrop regarding *City of Bastrop vs. Vandiver* settlement agreement (21st Judicial District, Cause No. 124-21).

The Bastrop City Council reconvened at 9:15 p.m. into open (public) session.


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

No action was taken.

ADJOURNMENT

Adjourned at 9:16 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on October 10, 2017, by Council Member Nelson's motion, Council Member Peterson's second. The motion was approved on a 5-0 vote.