

BASTROP CITY COUNCIL
October 22, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, October 22, 2019, at 6:36 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Jackson, Ennis, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

CALL TO ORDER

At 6:36 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

INDIVIDUAL CONSIDERATION

- 9N. Consider action to approve the first reading of Ordinance No. 2019-56 of the City Council of the City of Bastrop, Texas repealing and replacing Chapter Six, Health and Sanitation, as attached in Exhibit A; and repealing and replacing Chapter Eight Offenses and Nuisances, as attached in Exhibit B; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting, and move to include on the November 12, 2019 agenda for a second reading.

This item was pulled from the agenda.

PLEDGE OF ALLEGIANCE

Samir Younes and Sarah Lyonns, Bear Tecs led the pledges

INVOCATION

Pastor Willis, New Covenant Church gave the invocation.

PRESENTATIONS

- 4D. Receive a presentation from the Youth Advisory Council regarding the communication plan related to the Hands Free Ordinance.
Presentation was given by members of the Youth Advisory Council.

EXECUTIVE SESSION

The City Council met at 6:48 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 for an update from the City Attorney pursuant to Texas Government Code Section 551.071, regarding Settlement Agreement with Bastrop Estates Mobile Home Park at 2505 Main Street.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding status of Building Bastrop Codes.

The Bastrop City Council reconvened at 7:35 p.m. into open (public) session.

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

- 10A. City Council shall convene into closed executive session for an update from the City Attorney pursuant to Texas Government Code Section 551.071, regarding Settlement Agreement with Bastrop Estates Mobile Home Park at 2505 Main Street. **A motion was made by Mayor Pro Tem Nelson to authorize the City Attorney to take such action as to enforce the settlement agreement with Bastrop Estates Mobile Home Park at 2505 Main Street, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

INDIVIDUAL CONSIDERATION

- 9C. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

SPEAKERS

**Frank Wise
1410 Willow St.
Bastrop, TX 78602
512.581.2883**

**Andrea Haschke
502 Buttonwood St.
Bastrop, TX 78602
512.545.6312**

**Judith Hoover
1316 Wilson St.
Bastrop, TX 78602
512.304.5678**

**Sandra Van Wyk
1305 Wilson St.
Bastrop, TX 78602
956.371.2824**

**Joe Grady Tuck
1503 Wilson Street
Bastrop, TX 78602
512.925.2702**

**Steven Ceresia
1502 Wilson Street
Bastrop, TX 78602
512.423.5148**

**Karol Rice
1406 Wilson
Bastrop, TX 78602
512.565.6912**

Public hearing was closed.

Presentation was made by City Manager, Lynda Humble and Director of Planning and Zoning, Matt Jones.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-51 with the following conditions and to include on the November 12, 2019 agenda for a second reading, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

The conditions were an additional overlay on the LCRA property, providing for building height limitations of 2.5 stories with a maximum of 35 feet and prohibiting apartments.

- 9B. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-50 and to include on the November 12, 2019 agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9D. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-52 and to include on the November 12, 2019 agenda for a second reading, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9E. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-53 and to include on the November 12, 2019 agenda for a second reading, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9F. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and jurisdiction, as attached in Exhibit A; establishing a repealing clause; providing severability; providing an effective date; and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Jackson to approve the first reading of Ordinance No. 2019-54 and to include on the November 12, 2019 agenda for a second reading, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9G. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.
Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-55 and include on the November 12, 2019 agenda for a second reading, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9H. Consider action to approve the first reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Neighborhood Regulating Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting; and move to include on the November 12, 2019 agenda for a second reading.

A motion was made by Council Member Jackson to approve the first reading of Ordinance No. 2019-57 and include on the November 12, 2019 agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9O. Consider action to approve Resolution No. R-2019-104 of the City Council of the City of Bastrop, Texas, authorizing the assignment of the Amended and Restated Development Agreement and the Amended and Restated Consent Agreement for Creation of, and Inclusion of Land in, Conservation and Reclamation Districts between the City of Bastrop, Texas and XS Ranch Fund VI, LP to Pacific Ventures Development Management, LLC upon the completion of the sale of said property; authorizing the City Manager to execute all necessary documentation; providing for a repealing clause, and establishing an effective date.

Presentation was made by City Manager, Lynda Humble.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-104 with the following amendments, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

Amendments:

- 1. The City of Bastrop will assign the development and consent agreements over to Pacific Ventures Development Management, LLC upon completion of the sale of XS Ranch.**
- 2. The City of Bastrop acknowledges December 12, 2014, as the effective date.**
- 3. Rather than just stating "The Pacific Ventures Development Management" the City will add the words "or their wholly or substantially owned successors and assigned".**

PRESENTATIONS CONTINUED

- 4F. A proclamation of the City Council of the City of Bastrop, Texas proclaiming the 4th – 8th of November 2019 as Municipal Court Week.

The proclamation was read into record by Mayor Schroeder and received by Kim Walters, Court Administrator; Myra Espinoza, Trial Court Coordinator; and Patsy Paranich, Juvenile Case Manager.

STAFF AND BOARD REPORTS

- 6B. Receive Quarterly Presentation from the Bastrop YMCA.

Presentation was made by Terry Moore, YMCA Executive Director.

- 6C. Receive Presentation and Update from the Bastrop Opera House.
Presentation was made by Lisa Holcomb, Executive Director, Bastrop Opera House.
- 6D. Receive Presentation and Update from the Bastrop County Historical Society.
Presentation was made by Kay Sapikas, Director, Bastrop County Historical Society.
- 6E. Receive Quarterly Report on the Bastrop Convention & Exhibit Center.
Presentation was made by Assistant City Manager of Public Safety & Community Support, James Altgelt.
- 6A. Receive Monthly Development Update.
Presentation was made by Planning and Zoning Director, Matt Jones.

PRESENTATIONS CONTINUED

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4C. City Manager's Report
Announced Pecan Street, from Spring Street to Elm Street will be closed from 6:00 p.m. to 8:00 p.m. on Halloween. This information will be communicated to the public, specifically the impacted residents.
- 4E. A proclamation of the City Council of the City of Bastrop, Texas, recognizing November 1, 2019 as City of Bastrop Arbor Day.

CITIZEN COMMENTS - NONE

CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from October 8, 2019, Regular meeting.
- 8B. Consider action to approve the second reading of Ordinance No. 2019-47 of the City Council of the City of Bastrop, Texas, granting a Conditional Use Permit for the expansion of a church use for Friendship Bible Baptist Church in Friendship Bible Subdivision, located at 1903 Pecan Street, within the city limits of Bastrop, Texas, as attached in Exhibit A and Exhibit B; setting out conditions, including a severability clause; and establishing an effective date.

- 8C. Consider action to approve the second reading of Ordinance No. 2019-46 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code Of Ordinances, Chapter 3, Article 3.01 – “General Provisions,” Section 3.01.002 “Bond And Insurance Requirements”; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.
- 8D. Consider action to approve Resolution No. R-2019-90 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

INDIVIDUAL CONSIDERATION CONTINUED

- 9A. Consider action to approve Resolution No. R-2019-107 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 Council Member Ennis to approve Resolution No. R-2019-107, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**
- 9I. Consider action to approve Resolution No. R-2019-106 of the City Council of the City of Bastrop, Texas authorizing the City Manager to execute a Special Warrant Deed transferring 2.07 acres of land in Lake Bastrop acres to Bastrop County for use as park land in consideration of Ten Dollars and 00/100 cents (\$10.00), as attached in Exhibit A; providing for a repealing clause; and establishing an effective date. **A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-106, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**
- 9J. Consider action to approve the first reading of Ordinance No. 2019-48 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2019 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; establishing an effective date, and move to include on the November 12, 2019 City Council agenda for a second reading. **Presentation was made by Chief Financial Officer, Tracy Waldron.**
- A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-48 and move to include on the November 12, 2019 agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**
- 9K. Consider action to approve the first reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting and move to include on the November 12, 2019 agenda for a second reading. **A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-49 and move to include on the November 12, 2019 agenda**

for a second reading, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

- 9L. Consider action to approve Resolution No. R-2019-108 of the City Council of the City of Bastrop, Texas, authorizing the City Manager to return the Capital Area Metropolitan Planning Organization (CAMPO) Surface Transportation Program grant intended to fund the construction of the State Park Trail project; providing for a repealing clause and establishing an effective date.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-108, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

- 9M. Consider action to approve Resolution No. R-2019-109 of the City Council of the City of Bastrop, Texas, approving an Interlocal agreement with Tarrant County allowing the City of Bastrop to participate in the Tarrant County Cooperative Purchasing Program, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing for an effective date.

A motion was made by Council Member Peterson to approve Resolution No. R-2019-109, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

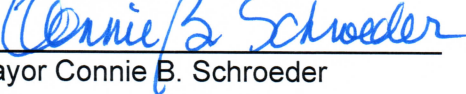
WORK SESSION/BRIEFINGS

- 5A. Receive a presentation on the City of Bastrop 2020 and 2021 Election Calendars.
Presentation was made by City Secretary, Ann Franklin.
- 5B. Receive update on a funding request being made to the Bastrop Economic Development Corporation for various park projects.
Presentation was made by Chief Financial Officer, Tracy Waldron.

ADJOURNMENT

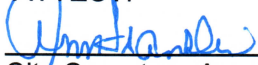
Adjourned at 9:50 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on November 13, 2019, by Council Member Peterson's motion, Mayor Pro Tem Nelson's second. The motion was approved on a 5-0 vote.