

BASTROP CITY COUNCIL
September 10, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, September 10, 2019, 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 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 6:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

First Responders led the pledges.

INVOCATION

Phil Woods, Police Chaplain gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4C. City Manager's Report

WORK SESSION/BRIEFINGS

- 5A. Discuss letter received from the Texas Department of Transportation (TxDOT) regarding their concerns about the State Park Trail Project.
This item was postponed to September 17, 2019.

INDIVIDUAL CONSIDERATION

- 9M. Consider action to approve Resolution No. R-2019-69 of the City Council of the City of Bastrop, Texas, adopting a wholesale water agreement with the West Bastrop Village Municipal Utility District of Bastrop County and West Bastrop Village Ltd.; attached in Exhibit A; providing for a repealing clause; and establishing an effective date.
This item was withdrawn from the agenda.
- 9N. Consider action to approve Resolution No. R-2019-68 of the City Council of the City of Bastrop, Texas, adopting a wholesale wastewater agreement with West Bastrop Village Municipal Utility District of Bastrop County and West Bastrop Village, Ltd.; attached in Exhibit A; providing for a repealing clause; and establishing an effective date.
This item was withdrawn from the agenda.
- 9K. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-40 of the City Council of the City of Bastrop, Texas related to the Hunters

Crossing Public Improvement District; approving a 2019 amended and restated service and assessment plan, including Fiscal Year 2020 assessment roll for the district, attached as Exhibit A; ratifying and confirming prior actions of the City Council in connection with the District; resolving all matters incident and related thereto; providing for an effective date and move to include on the September 24, 2019 City Council Meeting for a second reading.

Presentation was made by George Hyde, Special Legal Counsel to City of Bastrop, Texas.

Public Hearing was opened.

SPEAKERS

Kathy Pederson
218 Pleasant Trl.
Bastrop, TX 78602
512.308.5199

Robert Reetz
600 Congress, #2100
Austin, TX 78701
512.495.6062

Misty Ventura
9406 Biscayne Blvd.
Dallas, TX 75218
214.328.1101

Linda Nunez
Box 1431
335 Dog Bend Blvd.
Bastrop, TX 78602

Public Hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-40 and include on the September 24, 2019 agenda for a second reading, seconded by Council Member Peterson, motion was approved on a 3-0-2 vote. Mayor Pro Tem Nelson recused himself. Council Member Jackson abstained.

Mayor Schroeder recessed the Council Meeting at 8:30 P.M.

Mayor Schroeder called the Council Meeting back to order at 8:36 P.M.

WORK SESSION/BRIEFINGS CONTINUED

- 5G. Receive presentation and discuss the Cultural Arts Master Plan.
Presentation was made by Ed Skarnulis, Bastrop Art in Public Places.

STAFF AND BOARD REPORTS - NONE**CONSENT AGENDA**

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

- 8A. Consider action to approve City Council minutes from the August 20 and 21, 2019, Special Budget Workshop meetings; August 26, 2019 Board and Commission Interviews; August 27, 2019, regular meeting; and August 28, 2019 Board and Commission Interviews.
- 8B. Consider action to approve Resolution No. R-2019-80 of the City Council of the City of Bastrop, Texas, approving the Pecan Park, Section 1B, 2, and 7 Preliminary Plat, being 117.695 acres out of the Mozea Rousseau Survey, Abstract 56, located south of the future extension of Sterling Drive, and west of Childers Drive, within the city limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause and establishing an effective date.
- 8C. Consider action to approve Resolution No. R-2019-78 of the City Council of the City of Bastrop, Texas, approving Bluebonnet Acres, Lots 6A & 7A, Block 4, Section 1, a Replat of Lots 6 & 7, Block 4, Section 1, being 7.404 acres located at 437 & 443 Union Chapel Road, within the City of Bastrop Voluntary Extraterritorial Jurisdiction as shown in Exhibit A; providing for a repealing clause; and establishing and effective date.
- 8D. Consider action to approve Resolution No. R-2019-69 of the City Council of the City of Bastrop, Texas, approving XS Ranch Road Subdivision, Section One Final Plat being 6.284 acres out of the Lemman Barker Survey, Number 3, Abstract 6 and 11.468 acres out of the Jose Manuel Bangs Survey, Abstract 5, located north of FM 969 within Area A of the Extra-Territorial Jurisdiction of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

INDIVIDUAL CONSIDERATION CONTINUED

- 9B. Consider action to approve Resolution No. R-2019-79 of the City Council of the city of Bastrop, Texas, allowing an alternative lighting plan for QuikTrip #4128, being 0.638 acres of Building Block 119, East of Water Street, 0.602 acres out of Building Block 118, East of Water Street, 0.319 acres out of Building Block 118, East of Water Street, and 3.233 acres of the TREM Subdivision, Phase 1, Block A, Lot 1, located at the southeast corner of Jackson Street and State Highway 71, within the City Limits of Bastrop, Texas, as shown in Exhibit A; setting out conditions; providing for a repealing clause and establishing an effective date.
Presentation was made by Assistant Director of Planning and Zoning, Jennifer Bills.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-79, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9G. Consider action to approve the first reading of Ordinance No. 2019-43 of the City Council of the City of Bastrop, Texas authorizing the issuance of City of Bastrop, Texas Tax Note, Series 2019 to be used to fund drainage projects; prescribing the form of the note; levying an ad valorem tax to pay the note; awarding the sale thereof; and enacting other provisions relating thereto; and move to include on the September 24, 2019 agenda for a second reading.
Presentation was made by Dan Wegmiller, Managing Director, Specialized Public Finance, Inc.

A motion was made by Council Member Jackson to approve the first and only reading of Ordinance No. 2019-43 with the following amendment, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

The amendment was to include specific project(s) and still provide the flexibility with any remaining funds.

- 9F. Consider action to approve Resolution No. R-2019-82 of the City Council of the City of Bastrop, Texas expressing official intent to reimburse certain expenditures including Fire Pumper Truck, Fire Aerial Ladder Truck and Self-Contained Breathing Apparatus attached as Exhibit A; providing a severability clause; and providing an effective date.
Presentation was made by Bart Fowler, McCall Parkhurst & Horton.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R- 2019-82, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

- 5F. Receive a presentation and discuss incorporated changes to the Bastrop Building Block Code updates, technical manual, and pattern book with Matt Lewis.
This item was postponed to September 17, 2019.

INDIVIDUAL CONSIDERATION CONTINUED

- 9A. Consider action to approve Resolution No. R-2019-83 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 Nelson to approve Resolution No. R-2019-83, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

- 5C. Receive update on the Boards and Commissions Ordinance.
This item was postponed to September 17, 2019.

INDIVIDUAL CONSIDERATION CONTINUED

- 9L. Consider action to approve the first reading of Ordinance No. 2019-44 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 1, titled "General Provisions", Article 1.02, titled "Administration," Section 1.02.002, Article 1.04, titled "Boards, Committees and Commissions," Sections 1.04.001 and 1.04.002, Article 1.05, titled "Housing Authority," Section 1.05.002, Article 1.10, titled "Parks," Section 1.10.001, Article 1.12, titled "Libraries," Division 2, titled "Library Board," Section 1.12.062, Article 1.15, titled "Code of Ethics," Division 3, titled "Implementation," Section 1.15.013, Article 1.16, titled "Art in Public Places," Section 1.16.002 and 1.16.003; Chapter 3, titled "Building Regulations," Article 3.02, titled "Construction Standards Board of Adjustments and Appeals," Sections 3.02.001, 3.02.002, and 3.02.003; Chapter 14, titled "Zoning," Article 14.03, titled "Historic Landmark Preservation," Section 14.03.001; Chapter 15, titled "Cemeteries," Article 15.01, titled, "Fairview Cemetery," Section. 15.01.002; unifying appointments, terms, number of members, residency requirements, and the filling of vacancies for city boards and commissions attached as Exhibit A; providing for findings of fact; enactment; dissolution; repealer; severability; providing an effective date, proper notice and meeting; and move to include on the September 24, 2019 agenda for a second reading.

This item was withdrawn from the agenda.

- 9E. Consider action to approve Resolution No. R-2019-81 of the City Council of the City of Bastrop, Texas approving and adopting the Investment Policy and Investment Strategies attached as Exhibit A; approving the list of Qualified Brokers attached as Exhibit B; making various provisions related to the subject; and establishing an effective date.

This item was postponed to September 17, 2019.

- 9H. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-45 of the City Council of the City of Bastrop, Texas adopting the "Bastrop Power & Light Electrical Service Standards for Underground Electric Secondary Service", attached as Exhibit A, the "Bastrop Power & Light Electrical Service Standards for Underground Electric Primary Service", attached as Exhibit B and the "Bastrop Power & Light Electrical Construction Service Standards", attached as Exhibit C in compliance with H.B. 3167; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; proper notice and meeting; and move to include on the September 24, 2019 agenda for 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. 2019-45 with the following amendment, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

The amendment was to remove line number 8 of the Bastrop Power & Light Electrical Service Standards in the section titled "Underground Electric Primary Service".

- 9I. Consider action to approve Resolution R-2019-87 of the City Council of the City of Bastrop, Texas approving a License to Encroach at 702 and 704 Main Street; and providing for an effective date.
Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Council Member Rogers to approve Resolution No. R-2019-87, seconded by Council Member Peterson, motion was approved on a 4-0 vote. Council Member Ennis recused himself.

- 9J. Consider action to approve the first reading of Ordinance No. 2019-42 of the City Council of the City of Bastrop, Texas amending Appendix A, the Master Fee Schedule for the City of Bastrop, attached as Exhibit A; providing that other fees not listed but now charged pursuant to other ordinances and resolutions shall remain in effect until transferred to the Master Fee schedule by amendment; Excluding sections A13.02 and A13.07; providing for findings of fact, enactment; enforcement; a repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the September 24, 2019 agenda for a second reading.
Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-42 and include on the September 24, 2019 agenda for a second reading, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9C. Hold public hearing and consider action to approve the first reading of Ordinance No. 2019-38 of the City Council of the City of Bastrop, Texas adopting a budget for the Fiscal Year 2019-2020 (October 1, 2019 through September 30, 2020) attached as Exhibit A; providing that expenditures for said Fiscal Year be made in accordance with said budget; providing a severability clause; establishing an effective date; proper notice and meeting; and move to include on the September 24, 2019 agenda for a second reading.
Presentation was made by Chief Financial Officer, Tracy Waldron.

Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-38, 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. 2019-39 of the City Council of the City of Bastrop, Texas, adopting the tax rate and levying ad valorem taxes for the Fiscal Year 2019-2020 to provide revenue for the

payment of current expenditures: providing a severability clause; establishing an effective date; proper notice and meeting; and move to include on the September 24, 2019 agenda for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

Public Hearing was opened.

Public Hearing was closed.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-39 increasing the tax rate by adopting a tax rate of \$0.5640 and include on the September 24, 2019, agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

- 5B. Annual review of the Financial Policy by City Council.
This item was postponed to September 17, 2019.
- 5D. Discuss the Fairview Cemetery Memorial Tree Program.
This item was postponed to September 17, 2019.
- 5E. Receive briefing on Easement Acquisition on Main Street Rehabilitation Project.
This item was postponed to September 17, 2019.
- 5H. Annual review of the Purchasing Policy by City Council.
This item was postponed to September 17, 2019.
- 5I. Receive presentation on the City of Bastrop Emergency Shelter Open House being conducted on Saturday, September 21, 2019.
This item was postponed to September 17, 2019.

CITIZEN COMMENTS – NONE

EXECUTIVE SESSION

The City Council met at 10:24 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 Cause No. 1:19-cv-482, Bastrop Estates, LLC v. City of Bastrop.

The Bastrop City Council reconvened at 10:45 p.m. into open (public) session.

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

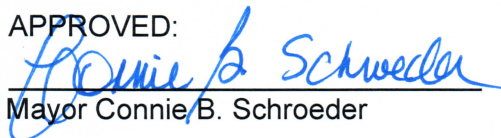
- 10A. City council shall convene into closed executive session for an update from the City Attorney pursuant to Texas Government Code Section 551.071, regarding Cause No. 1:19-cv-482, Bastrop Estates, LLC v. City of Bastrop.

A motion was made by Mayor Pro Tem Nelson to authorize the Mayor to sign the settlement agreement regarding this item, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

ADJOURNMENT

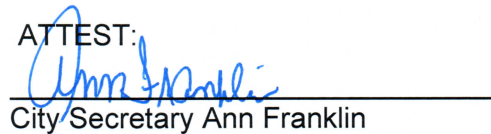
Adjourned at 10:45 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on September 24, 2019, by Council Member Ennis' motion, Council Member Roger's second. The motion was approved on a 5-0 vote.