

BASTROP CITY COUNCIL
September 24, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, September 24, 2019, at 5:30 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.

EXECUTIVE SESSION - CALL TO ORDER

At 5:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

The City Council met at 5:31 p.m. in 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 a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-102 of the City Council of the City of Bastrop, Texas, involving an opportunity for settlement of a pending sanitation lien at 1900 Jasper Street.
- 10B. City council shall convene into closed executive session pursuant to Tex. Gov't Code Sections 551.071 and 551.072 regarding real estate matters including the possible exchange by sale of property and the abandonment of a right of way near downtown.
Mayor Schroeder recused herself.
- 10C. 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.
- 10D. The City Council shall convene into executive session pursuant to Section 551.071 of the Texas Government Code to deliberate and seek advice of its attorneys regarding the operation of Hunters Crossing Public Improvement District.
Mayor Pro Tem recused himself.

The City Council came out of closed/executive session at 6:32 p.m.

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 a Legal Briefing by the City Attorney pursuant to Texas Government Code Section 551.071, regarding Resolution No. R-2019-102 of the City Council of the City of Bastrop, Texas, involving an opportunity for settlement of a pending sanitation lien at 1900 Jasper Street
A motion was made by Council Member Jackson to approve Resolution No. R-2019-102, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

REGULAR SESSION - CALL TO ORDER

At 6:32 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

Kailei Anzaldua and Ava Leal, Bastrop Intermediate School Band led the pledges.

INVOCATION

Deacon Corby Weiss, Ascension Catholic Church gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing October as National Community Planning Month.
The proclamation was read into record by Mayor Schroeder and received by Planning Department.
- 4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing the week of October 6th through October 12th as Fire Prevention Week for the City of Bastrop.
The proclamation was read into record by Mayor Schroeder and received by Fire Department.
- 4F. A proclamation of the City Council of the City of Bastrop, Texas recognizing the evening of October 1st, 2019 as National Night Out for the City of Bastrop.
The proclamation was read into record by Mayor Schroeder and received by Police Department.

INDIVIDUAL CONSIDERATION

- 9K. Consider action to approve Visit Bastrop's 2020 Business Plan and FY20 Budget.
Presentation was made by President and CEO of Visit Bastrop, Susan Smith.

A motion was made by Mayor Pro Tem Nelson to approve Visit Bastrop's 2020 Business Plan and FY20 Budget, seconded by Council Member Ennis, motion was approved on a 5-0 vote.
- 9C. Consider action to approve Resolution No. R-2019-88 of the City Council of the City of Bastrop, Texas, approving an agreement for the provision of Main Street Program support between the City of Bastrop and the Bastrop Economic Development Corporation attached as Exhibit A; authorizing the City Manager to execute the agreement; repealing all resolutions in conflict; and providing an effective date.
Presentation was made by Main Street Manager, Rebecca Gleason and BEDC Assistant Director, Angela Ryan.

A motion was made by Council Member Rogers to approve Resolution No. R-2019-88, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS

- 5B. Receive a presentation and discuss the possibilities of allowing an entry monument sign and a "way-finding" kiosk sign pilot program for the Piney Creek Bend Subdivision with Shawn Kirkpatrick, Director of Public Affairs for KB Home Austin. **Presentation was made by Assistant City Manager of Public Safety and Community Support, James Altgelt and Shawn Kirkpatrick, Director of Public Affairs, KB Homes.**

CONSENT AGENDA

A motion was made by Council Member Ennis to approve Items 8A, 8B, 8C, 8E, 8F, 8G, 8H, 8I, and 8J listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the September 9, 2019, Special Joint Council and Visit Bastrop meeting; September 10, 2019, Regular meeting; and Special Called, September 17, 2019 meeting.
- 8B. Consider action to approve the second 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, amendment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.
- 8C. Consider action to approve Resolution No. R-2019-89 approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
- 8E. Consider action to approve Resolution No. R-2019-95 approving a Memorial Tree Program in the Fairview Cemetery, as attached in Exhibit A; providing for a repealing clause and establishing an effective date.
- 8F. Consider action to approve Resolution No. R-2019-98 of the City Council of the City of Bastrop, Texas supporting the Baron de Bastrop Chapter of The Daughters of the Republic of Texas to pursue funding for the Stephen F. Austin and The Baron de Bastrop sculptures to be created by Clint Howard, owner of Deep in the Heart Art Foundry with no matching funds from the City of Bastrop; providing for a severability and repealing clause; and establishing an effective date. *(Note: Original Resolution had incorrect name of the DRT Chapter. This Resolution is the same, but with the correct name.)*
- 8G. Consider action to approve Resolution No. R-2019-94 of the City Council of the City of Bastrop, Texas awarding a community support service agreement to the Bastrop County Historical Society for services associated with operating, marketing, and

providing museum and visitor center services at a cost of One Hundred and Sixty-Nine Thousand and One-Hundred and Twenty-Four and 00/100 dollars (\$169,124), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.

- 8H. Consider action to approve Resolution No. R-2019-93 of the City Council of the City of Bastrop, Texas awarding a Community Support Service Agreement to the Bastrop Opera House for services associated with operating, marketing, and providing cultural art and theater services at a cost of One Hundred and Twenty-Six Thousand and 00/100 Dollars (\$126,000), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
- 8I. Consider action to approve Resolution No. R-2019-91 of the City Council of the City of Bastrop, Texas awarding a Community Support Service Agreement to the YMCA of Austin/Bastrop Branch associated with providing recreation and pool services at a cost of Seventy-Nine Thousand and Eight-Hundred and 00/100 Dollars (\$79,800), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
- 8J. Consider action to approve Resolution No. R-2019-92 of the City Council of the City of Bastrop, Texas awarding a community support service agreement to the Lost Pines Art Center associated with operating, marketing and providing cultural art services, at a cost of Eighty-five thousand and 00/100 dollars (\$85,000), attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.

DISCUSSION ITEM

- 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.
This item was withdrawn from agenda.

Mayor Schroeder recessed the Council Meeting at 7:48 p.m.

Mayor Schroeder called the Council Meeting back to order at 7:52 p.m.

CITIZEN COMMENTS - NONE

INDIVIDUAL CONSIDERATION CONTINUED

- 9F. Consider action to approve Resolution No. R-2019-85 of the City Council of the City of Bastrop, Texas, approving a task order with MWM DesignGroup to provide the services of City Engineer in the amount of One Hundred Fifty-Six Thousand Four Hundred Forty-Eight Dollars (\$156,448.00); attached in Exhibit A; authorizing the City

Manager to execute all necessary documentation; providing for a repealing clause; and establishing an effective date.

Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-85, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2019-84 of the City Council of the City of Bastrop, Texas awarding a contract for the Gills Branch Drainage Channel Replacement Project located at the corner of highway 71 and Lovers Lane to Forsythe Brothers Infrastructure, LLC of Manor Texas in the amount of One Hundred Ninety-Three Thousand Two Hundred Three Dollars and zero cents (\$193,203.00) as attached in Exhibit A , Authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing 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-2019-84, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9A. Hold a public hearing and consider action to approve the second 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 matters incident and related thereto; and providing for an effective date.
Presentation was made by George Hyde, Special Legal Counsel to City of Bastrop, Texas.

Public hearing was opened.

SPEAKERS

**Carlos Liriano
Lost Pines Toyota
806 Highway 71 W.
Bastrop, TX 78602**

**Misty Ventura
9406 Biscayne Blvd.
Dallas, TX 75218**

**Adib Khoury
15409 Barrie Dr.
Lakeway, TX 78734**

Public hearing was closed.

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

- 9B. Consider action to approve Resolution No. R-2019-86 of the City Council of the City of Bastrop, Texas approving an Amended and Restated Public Improvements District Development and Reimbursement Agreement for the Hunters Crossing Public Improvement District, as attached in Exhibit A; providing for a repealing clause and establishing an effective date.

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

A motion was made by Council Member Rogers to approve Resolution No. R-2019-86, seconded by Council Member Ennis motion was approved on a 4-0-1 vote. Mayor Pro Tem Nelson recused himself.

Mayor Schroeder recessed the Council Meeting at 9:04 p.m.

Mayor Schroeder called the Council Meeting back to order at 9:10 p.m.

INDIVIDUAL CONSIDERATION CONTINUED

- 9D. Hold a public hearing and consider action to approve Resolution No. R-2019-96 of the City Council of the City of Bastrop, Texas, granting Historic Landmark status for Building Block 11, North East ¼ Subdivision, Lot 1, also known as 909 Farm Street, within the city limits of Bastrop, Texas, as attached in Exhibit A; providing for findings of fact; providing for a repealing clause; and establishing an effective date.

Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.

Public hearing was opened.

Public hearing was closed.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-96, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

WORK SESSION/BRIEFINGS CONTINUED

- 5A. Review Noise, Light, and Odor as a Nuisance in preparation of adopting the Bastrop Building Block Codes.

Presentation was made by Bastrop Police Department, Assistant Chief, Clint Nagy.

STAFF AND BOARD REPORTS

- 6A. Receive Monthly Development Update.

Presentation was made by Planning and Zoning Director, Matt Jones.

- 6B. Receive presentation on the unaudited Monthly Financial Report for the period ending August 31, 2019.

Presentation was made by Chief Financial Officer, Tracy Waldron.

INDIVIDUAL CONSIDERATION CONTINUED

- 9G. Consider action to approve the second 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; and proper notice and meeting.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-38, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

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

- 9H. Consider action to ratify the vote on the Fiscal Year 2019-2020 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 Peterson to ratify the vote just taken to approve the Fiscal Year 2019-2020 budget which will raise more revenues from ad valorem taxes than the previous fiscal year, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

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

- 9I. Consider action to approve the second 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; and proper notice and meeting.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Jackson to increase the property tax rate by the adoption of a tax rate of 0.5640, which is effectively a 5.98 percent increase in the tax rate, approve the second reading of Ordinance No. 2019-39, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

Mayor Pro Tem Nelson	Yea <u> X </u>	Nay <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Jackson	Yea <u> X </u>	Nay <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Ennis	Yea <u> X </u>	Nay <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Rogers	Yea <u> X </u>	Nay <u> </u>	Abstain <u> </u>	Absent <u> </u>
Council Member Peterson	Yea <u> X </u>	Nay <u> </u>	Abstain <u> </u>	Absent <u> </u>

- 9J. Consider action to approve the second 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; and proper notice and meeting.
Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-42, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9L. Consider action to approve Resolution No. R-2019-97 of the City Council of the City of Bastrop, Texas to accept the Cultural Arts Master Plan, as attached in Exhibit A; providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant City Manager of Public Safety and Community Support, James Altgelt

A motion was made by Council Member Rogers to approve Resolution No. R-2019-97, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9M. Consider action to approve the first 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.
Presentation was made by Planning and Zoning Director, Matt Jones.

A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-46, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

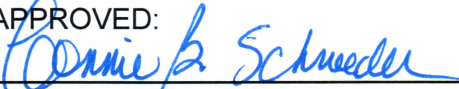
- 9N. Consider action to approve Resolution R-2019-101 of the City Council of the City of Bastrop, Texas confirming a board appointment of the Mayor, as required in Section 3.08 of the City’s Charter, and establishing an effective date.

A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-101, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

ADJOURNMENT

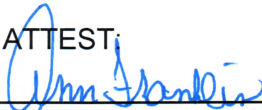
Adjourned at 9:59 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on October 8, 2019, by Mayor Pro Tem Nelson's motion, Council Member Peterson's second. The motion was approved on a 5-0 vote.