

TO: Honorable Mayor and Members of the City Council  
From: Paul A. Hofmann, City Manager  
Date: June 25, 2021  
Subject: Weekly Memo, June 21 - 25, 2021



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### **Personnel Updates**

Construction Manager Jerry Palady is resigning effective July 1. Jerry began his employment with the City of Bastrop on September 1, 2018, as Director of Engineering. In October of 2019, Jerry changed gears and became our Construction Manager. This change suited Jerry just fine because he found himself back in the field, which is where he loves to be. Jerry has formed some lifelong friendships during his employment with the City of Bastrop that he hopes to keep. He and wife Linda plan on staying in Bastrop and look forward to a lot of traveling in the very near future.

Josh Bennett, Water & Wastewater Systems Technician, passed his test and received his Commercial Driver's License on June 23, 2021.

Bryan Gonzalez is part of the BISD Summer Internship Program and will be working in the Development Services Department Monday through Wednesday from 9:00 a.m. to 1:00 p.m. until August 15, 2021. He will be helping Allison Land with GIS editing.

### **June 30 Meeting with area contractors**

We have scheduled a "contractors forum" for June 30 at noon, in the Council Chambers. We plan to conduct these meetings on a recurring basis. The focus of the June 30 meeting will be to listen to contractor input on the permitting process. We will be able to address some concerns on the spot, but the idea is to do a good job listening at this first meeting and to come back with solutions and responses subsequently. As we are providing a light lunch, we have asked people to let us know if they plan to attend. From the responses we have received so far, some attendees may not be contractors and may have other things to talk about other than the permitting and inspection processes. That is fine, we will see how this goes and we may need to create other appropriate avenues for how the city staff receives input.

### **Bastrop Recreation**

Terry Moore has created a recreation program report which is included as an attachment. Terry has been working hard to add programs of interest to our residents, focusing specifically on youth-oriented offerings, and the numbers reflect her efforts.

### **Leasing of Police Vehicles**

The Police Department and Finance Department have been evaluating the benefits of leasing, rather than purchasing, police vehicles. We are adding a briefing on this topic to the list of July 13 City Council agenda items. The presentation will overview current issues we are having with maintaining our existing

fleet, and how a leasing arrangement, with the associated maintenance plan, could help us manage costs and ensure we have reliable vehicles.

### Oxidation Ditch Pour at new Wastewater Plant

Work continues at the new Wastewater Treatment plant. The photos below depict the oxidation ditch pour.



## **Bastrop Public Library**

The library continues to see an increase in visits and circulation as the Summer Reading Program, Tails & Tales reaches the end of its fourth week. A total of 673 people has registered for the program and 264 had registered for the Community Adventure. Of these participants, 160 have completed the program. Completion is youth reading 500 minutes or adults reading 1,000 minutes. Saturday, the public is invited to come and create a collaborative mix media ocean mural for the Children's Area.

## **Upcoming TML Training Opportunities**

There is an attachment showing training opportunities through November 2021. If you have not already, please let Ann or Victoria know if you are interested in attending one of these sessions.

## **Bastrop Chamber of Commerce Upcoming Events**

Ribbon Cutting for Ortho360

Date: June 30, 2021

Time: 3:00 PM - 4:00 PM CDT

Location:

3965 Hwy 71 East

Bastrop, TX 78602

30<sup>th</sup> Annual Patriotic Festival

Date: July 3, 2021

Time: 8:00 AM - 11:55 PM CDT

Location:

Fisherman's Park

1200 Willow St.

Bastrop, TX 78602

Ribbon Cutting for Children's Advocacy Center

Date: July 26, 2021

Time: 4:00 PM - 5:00 PM CDT

Location:

59 W. Loop 150

Bastrop, TX 78602

## **Webinar Wednesdays**

A webinar was held on Wednesday titled Forward-Looking Building Codes & Ordinances. Our own Building Official, Shirley Ellis, was a guest speaker. Details are attached.

## Excellent Job Parks Department

A citizen from Riverside Grove sent staff a picture of the mowing in Bob Bryant Park with the following compliment and shared a picture with us.

*"Love the new look. Please tell your peeps the residents of the Grove appreciate it. It reduces mowing maintenance costs while enhancing the look of the walkways. It keeps the intrigue of a trail and is less sidewalky."*



## Future Agenda Items

July 12, 2021

- Joint City Council and Bastrop EDC meeting (5:00 p.m.)

July 13, 2021

- Authorize issuance of Certificates of Obligation
- Agreement for telecommunications and 911 service with County
- Resolution to amend Rules of Procedures
- River Loop Project Contract Award
- Leasing police vehicles
- Updated Employee Handbook
- Updated service plan and related assessments on Hunters Crossing PID
- Fiscal Year 2021 budget amendment



- FEMA Flood Map update
- Bastrop ISD Community Partner Recognition
- Viridian Development Agreement, Public Hearing, and consideration
- Confirming board appointments made by Mayor

July 27, 2021

- Receive the City Manager's submitted budget for FY 2022
- Receive quarterly presentations from Bastrop EDC, Visit Bastrop, and our Community Assets
- Interlocal agreement with Bastrop County for 911 addressing
- FY 2022 funding requests from Bastrop County Historical Society Visitor Center/Museum, Bastrop Opera House, Lost Pines Art Center

August 5, 2021

- Place a proposal to adopt tax rate for FY 2021-2022 on next agenda

August 10, 2021

- City Manager Evaluation
- Financial Management Policy and Purchasing Policy
- Third quarter report

### **Attachments**

- TML Legislative Update
- Recreation Program Report
- Contractor Forum 6-30-21
- Upcoming Training Schedule
- Farm Street Opry – July 1, 2021
- Forward Looking Building Codes Webinar
- First Friday Art Walk



# Legislative UPDATE

June 25, 2021  
Number 24

## **Governor Calls Special Session**

On Tuesday, Governor Abbott announced that he will convene a special session starting on July 8, 2021. Agenda items will be announced soon. The governor’s press release can be found [here](#).

## **League Submits Letter to the Governor Urging Request of Federal Stimulus Funds for Small Cities**

On June 22, the League submitted [this letter](#) to Governor Abbott encouraging him to formally request nearly \$1.4 billion in federal stimulus dollars earmarked for smaller Texas cities under the federal American Rescue Plan Act of 2021. Under the Act, most cities over 50,000 population received their allocated revenue directly from the federal government, but smaller “non-entitlement units” (typically those under 50,000 population) receive their allocations from the state once the state has requested those funds. As of June 21, Texas [was one of 19 states](#) that has not yet requested its funding for non-entitlement cities.

Once the state formally requests funding for non-entitlement cities, it has 30 days to disburse funding to these cities unless granted an extension by the U.S. Department of Treasury. Much more on these stimulus dollars, including on permissible uses of the funds, can be accessed on the [Treasury's website](#).

City officials with concerns about the status of these funds are encouraged to reach out to their state senators and representatives in order to help expedite the allocation process.

## **Governor Vetoes Include City-Related Bills**

Governor Abbott vetoed twenty bills passed by the legislature during the regular session. Four of the twenty bills were city-related bills described in the League's "wrap-up" Legislative Update on June 11. (Both the pdf and online version of that edition have been updated to reflect vetoed bills.) Those four vetoes are detailed here:

1. **H.B. 1477 (K. Bell/Nichols) – Public Work Contracts:** this bill: (1) defines, for purposes of certain state laws regarding public work performance and payment bonds: (a) a "prime contractor" to include a person who leases any public property, other than a person who leases property from certain river authorities; and (b) a "public work contract" to include work performed on public property owned by a governmental entity or on property leased by a governmental entity to a nongovernmental entity, but does not include certain river authority contracts; and (2) provides that a governmental entity that makes a public work contract with a prime contractor or authorizes a nongovernmental entity leasing public property from the governmental entity to enter into a public work contract with a prime contractor to require the contractor, before beginning the work, to execute to the governmental entity in certain circumstances, a performance bond and a payment bond. (Effective September 1, 2021.)

According to the governor's veto message, the bill "would make the government entity responsible for the prime contractor obtaining a bond to protect subcontractors. If no bond is obtained and the prime contractor does not pay subcontractors, the government entity would be responsible for payment because the bill waives the government entity's sovereign immunity in this situation. Because the government entity may not know who the prime contractor is – or even that there is a contract between the non-governmental entity and a prime contractor – House Bill 1477 could leave the government entity, and taxpayers, on the hook for damages not caused by the government entity.

2. **H.B. 2667 (Smithee/Perry) – Broadband:** this bill: (1) provides that the statewide uniform charge in support of the universal service fund is payable by each provider of Voice over Internet Protocol Service; and (2) defines "high cost rural area" for purposes of the universal service fund as: (a) an area: (i) receiving support from the universal service fund to assist telecommunications providers in providing basic local telecommunications service at reasonable rates in high cost rural areas on December 31, 2020; and (ii) served by a telecommunications provider that is subject to rate regulation;

and (b) any other exchange: (i) receiving support under the Texas High Cost Universal Service Plan or the Small and Rural Incumbent Local Exchange Company Universal Service Plan; and (ii) not excluded by PUC rule based on the number of telecommunications providers serving the exchange, the population density in the exchange, and the number of customers served per route mile of plant in service used to provide basic local telecommunications service served by a small provider. (Effective immediately.)

According to the governor’s veto message, “transformational broadband was achieved through multiple bills that have been signed into law, which significantly expand broadband access in Texas, especially in rural areas. Yet the only meaningful change made to the Texas Universal Fund was, in House Bill 2667, to expand the number of people paying fees. It would have imposed a new fee on millions of Texans.”

3. **S.B. 281 (Hinojosa/Lucio) – Hypnotically Induced Testimony:** provides that a statement made during or after a hypnotic session by a person who has undergone investigative hypnosis for the purposes of enhancing the person’s recollection of an event at issue in a criminal investigation or case is not admissible against a defendant in a criminal trial, whether offered in the guilt or innocence phase or the punishment phase of the trial. (Effective September 1, 2021.)

According to the governor’s veto message, “the [House] sponsor added language so that for any person who has undergone investigative hypnosis, all statements that person makes “after” the hypnosis – even ones made long “after” the hypnosis session and unrelated to that session – are barred from being admitted into evidence in any criminal trial. The House sponsor’s amendment would grant lifetime immunity, for everyone who undergoes this type of hypnosis, from having any subsequent statements used in a criminal trial.

4. **S.B. 474 (Lucio/Collier) – Unlawful Restraint of Dog:** this bill: (1) prohibits and creates a criminal offense for the unlawful restraint of a dog; and (2) provides that the prohibition in (1) does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement: (a) is compatible with and equal to, or more stringent than, the prohibition; or (b) relates to an issue not specifically addressed by the prohibition. (Effective September 1, 2021.)

According to the governor’s veto message, “Texans love their dogs, so it is no surprise that our statutes already protect them by outlawing true animal cruelty. Yet Senate Bill 474 would compel every dog owner, on pain of criminal penalties, to monitor things like the tailoring of the dog’s collar, the time the dog spends in the bed of a truck, and the ratio of tether-to-dog length, as measured from the tip of the nose to the base of the tail. Texas is no place for this kind of micro-managing and over-criminalization.”



## **Post-Session Update: “Constitutional” or “Permitless” Carry**

H.B. 1927, the so-called “constitutional” or “permitless” carry bill, becomes law effective September 1, 2021. The bill, known formally as the “Firearm Carry Act of 2021,” authorizes most Texans over 21 years of age to carry a handgun in a concealed manner or openly in a holster, without the requirement to first obtain a handgun license.

It does so by modifying language in the Texas Penal Code to make it a crime to carry “on or about his or her person a handgun” only if he or she “is younger than 21 years of age” or “has been convicted of, in the five-year period preceding the date the instant offense was committed” certain crimes as outlined in state and federal law. TEX. PENAL CODE § 46.02; 18 U.S.C. § 922(g).

Interestingly, H.B. 1927 does *not* repeal licensed carry. Why leave that bureaucracy in place? At least two reasons: (1) reciprocity – several other states still require a license to carry, and a Texans must have a Texas-issued license to carry to take advantage of that; and (2) ease of purchasing a firearm – license holders get to skip the subsequent background checks. The decision may also be beneficial to employers who want to allow employees to carry, but only if they’ve completed the requirements for a license.

For a full description of the new law, including a discussion of local government facilities where carrying of a handgun is authorized or prohibited, city officials can access the [Cities and Firearms](#) paper on the TML website, along with the [cheat sheet version](#) of the larger paper.

## **Comptroller Seeks GIS Data for Accurate Sales Tax Allocations**

The Comptroller of Public Accounts is currently undertaking a modernization project to create a more efficient system to accurately reflect sales tax allocations across the state. The Comptroller is asking political subdivisions for updated geospatial data (in any GIS compatible format including survey metes and bounds or CAD) for:

1. City boundaries
2. City annexations (including historical ones if available)
3. Extraterritorial Jurisdiction (ETJ) areas
4. Special Purpose Districts – districts that collect sales tax (emergency services, crime control and prevention, fire control, hospital, health services, development, county assistance, improvement, management, library)

If you have this data, you can reply directly to [GIS@cpa.texas.gov](mailto:GIS@cpa.texas.gov). From there, a GIS Analyst will contact you, answer any questions, and walk you through the process to securely upload the information. As annexations occur, or boundaries change, assistance with these updates will benefit the community by promptly reflecting the correct sales tax.

## **COVID-19 Update (No. 191)**

All pandemic-related updates, including information about the American Rescue Plan's city related provisions, will be in the [Legislative Update newsletter](#) from now on.

- **Federal Pandemic Unemployment Assistance Programs End This Week:** The Texas Workforce Commission (TWC) put out a reminder this week that the State of Texas is ending its participation in the federal pandemic unemployment benefit programs. The final benefit week that the TWC will pay federal pandemic unemployment benefits under the American Rescue Plan is the benefit week ending June 26, 2021. The announcement can be found [here](#).
- **Updated Treasury Department FAQ:** On June 17 and June 23, Treasury updated its Coronavirus State and Local Fiscal Recovery Funds FAQ with questions and answers related to eligibility for recovery funds and eligible uses of recovery funds. The question and answer below may be of particular interest. The entire FAQ can be accessed [here](#).

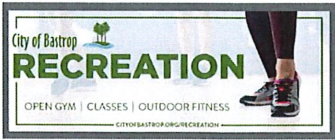
1.7. In order to receive and use Fiscal Recovery Funds, must a recipient government maintain a declaration of emergency relating to COVID-19? [6/23]

No. Neither the statute establishing the CSFRF/CLFRF nor the Interim Final Rule requires recipients to maintain a local declaration of emergency relating to COVID-19.

- **Treasury Compliance and Reporting Guidance:** Treasury updated its website to include the [Recipient Compliance and Reporting Responsibilities](#) page, which also includes the [Compliance and Reporting Guidance](#).

**Reminder:** TML Coronavirus materials are archived by date [here](#) and by subject [here](#).

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June 23, 2021

## July Recreation Report

July is a big month for the Recreation Program!!!

**The new center at 1008 Water will open on July 6<sup>th</sup>.** Public Works staff has been working hard and it is looking great! Our plan is to cease programs scheduled in the Gym and Lumberyard beginning 6/28 so we can get everything moved and organized by opening day. All classes currently scheduled for the week in the outdoor fitness center and the Senior Center will continue with no interruption.

- Opening Day – July 6<sup>th</sup>
- Hosting a Roam Roller Workshop – July 13th
- Seek and Find Event – July 14<sup>th</sup> For this event we will invite the community to *seek* out the center and for us to *find* out what type of programs they are looking for. It will be a meet and greet with games, activities, demos and refreshments.

**Membership** has grown in the last month. More families join as we add programming.

- Current at 229 individuals
- 167 Plans
- 49% Resident, 47% Non-Res, 4% City Employees
- 14% Family, 19% Individuals, 63% Seniors/Military/Persons w/disabilities, 4% City Employee

**Water Safety Program-** Focuses on teaching children, ages 3 to 10, to be safe around water. Children are tested first day and then divided into groups based on skill level. Instructors teach based on current skills. Meant to be a progressive program.

- June 9th – July 30th
- 3 day program Wed Thu Fri
- 2-40 minutes classes per day
- Week One had 5 children. Weeks Two and Three have had 12 each.





**Discovery Days** – A youth summer learning opportunity. Each day has a fitness activity, experiment, and an enrichment portion. Themes include Nutrition, Water Quality, Air Plane design, Birding, Gardening, Insects, Acid Rain and more. Speakers include a pilot, scientists, police, meteorologist, and other community leaders. Experiments include water filters, boats that float, disappearing statues, butterfly life cycles and more.

- Ages 8 to 12 yrs old
- Tue, Wed, Thu, 9 to noon, for 3 weeks
- June 22-24 - Fisherman's Park
- June 29-July 1 - Bob Bryant Park
- July 6-8 - Kerr Center & Park

Attendance first week was 15, 14, & 20 per day.



Tree Hike



Body Fuel



Sugar grams



Water Quality



Filtration Systems

Other Planned Programs include:

- Youth Nature Hike – July 2
- Youth Conditioning and Track – July 10
- Round Dancing
- 22 Health and Fitness Classes per week



# Planning Department

## CONTRACTOR FORUM

Hosted by the City of Bastrop

Wednesday, June 30, 2021

Noon - 2:00PM

LOCATION:

### Council Chambers

1311 Chestnut Street

Bastrop, Texas 78602

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Come participate in this opportunity to share your experience with the City of Bastrop's permitting process. City staff will provide guidance on navigating the permitting process as well as answer questions.

Sandwiches will be provided. Please RSVP by Monday, June 28, 2021 at [plan@cityofbastrop.org](mailto:plan@cityofbastrop.org).

For more information: 512-332-8840 or [info@cityofbastrop.org](mailto:info@cityofbastrop.org).



## **UPCOMING TRAINING**

Below are future training opportunities. If you are interested in attending any of the training please notify the City Secretary and she will take care of the registration for you.

### **TML Small Cities' Problem-Solving Clinic**

Date: July 15, 2021

Time: All Day

Location: Austin

### **TML Region 10 Meeting**

Date: July 20, 2021

Time: 5:30 p.m.

Location: Virtual

### **TML-TAMCC Newly Elected City Officials' Orientation**

Date: August 12, 2021 – August 13, 2021

Time: All Day

Location: Bastrop Convention Center

### **TML Annual Conference and Exhibition**

Date: October 6, 2021 - October 8, 2021

Time: All Day

Location: Houston

**If you are interested in attending the TML Annual Conference please let me know by July 19<sup>th</sup>. Registration opens at 10:00 a.m. July 20<sup>th</sup> and the slots fill up very quickly.**

### **TML Economic Development Conference**

Date: November 11, 2021 – November 12, 2021

Time: All Day

Location: Bastrop

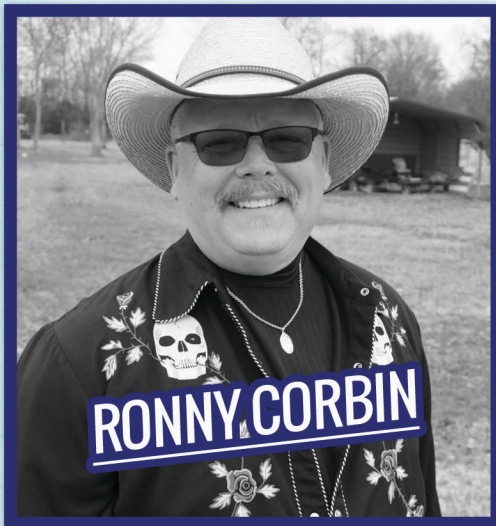
FIRST THURSDAY OF EACH MONTH - THE CITY OF BASTROP PRESENTS

# THE FARM STREET OPRY

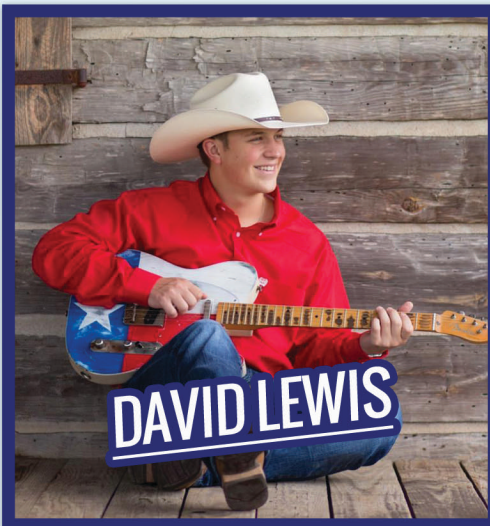
WELCOME BACK TO OPRY NIGHTS!!!

## JULY 1<sup>ST</sup>, 2021

Featuring Guest Performances by...



**RONNY CORBIN**



**DAVID LEWIS**



...And the awesome talents of The Farm Street Opry Band!

★ Show Starts at 7pm ★

**\$7.50** admission  
<10 FREE

CASH ONLY AT THE DOOR  
★ Doors Open at 5:30pm ★

COME EARLY & ENJOY THE 'BEST BURGERS IN BASTROP COUNTY'!

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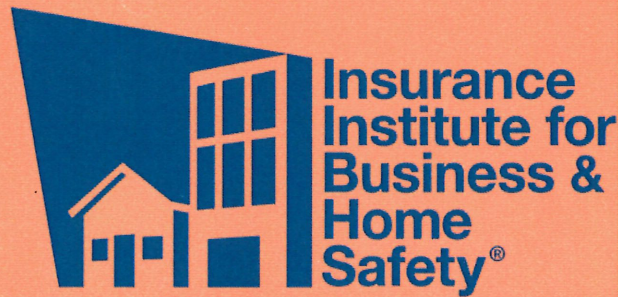
# Webinar Wednesdays

## Forward-Looking Building Codes & Ordinances

With Speakers From:



**SMART HOME  
AMERICA**



**FEMA**



June 23, 2021 @ 12pm





**FIRST FRIDAY ART WALK**  
**FRIDAY, JULY 2ND - 6PM-DUSK**



ARTIST	TYPE	LOCATION
Monte Williams	Exhibit/Sale Paintings & Jewelry	Bastrop Visitors Center 904 Main Street
Dani Moss - Nicole Savage -	Ceramics Flock & Flora	Exhibit/Sale Tuck Law Group 906 Main Street
Maya Hamby Brewington	Ceramics & Pottery Exhibit/Sale	The Painted Porch 912 Main Street
Famous Art Photo "Booth"	Interactive Experience	Bridges Emporium 920 Main Street
"Bucket List" Wall	Interactive Experience	Bridges Emporium 920 Main Street
Art Trading Cards	Interactive Experience	R. A. Green Mercantile 1022 Main Street
Christine Huber Renee Murphy	Multi-Media Exhibit/Sale	R. A. Green Mercantile 1022 Main Street
Soul Shine Rhythmn Experience	Interactive Drum Circle	R. A. Green Mercantile 1022 Main Street

**PLUS: LIVE MUSIC, DEALS, SPECIALS  
AND MORE**