

TO: Honorable Mayor and Members of the City Council
FROM: Paul A. Hofmann, City Manager
DATE: February 25, 2022
SUBJECT: Weekly Memo, February 21 - 25, 2022



Upcoming Training

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

TML Newly Elected Officials' Webinars – Understanding Your Financial Oversight Responsibilities

Date: March 10
Time: 10:00 a.m. – 11:00 a.m.
Location: webinar

TML Newly Elected Officials' Webinars – Interacting Constructively with the Media

Date: April 14
Time: 11:00 a.m. – Noon
Location: webinar

TML Newly Elected Officials' Webinars – Governing Ethically: Understanding Your Influence

Date: April 26
Time: 2:00 p.m. – 3:00 p.m.
Location: webinar

TML Small Town Conference

Date: May 19, 2022 – May 20, 2022
Time: All Day
Location: Fredericksburg

TML-TAMCC Newly Elected City Officials' Orientation

Date: August 11, 2022 - August 12, 2022
Time: All Day
Location: San Antonio

Annexation of the 75-acre “Duff” tract

In 2011, the City completed several annexations on the west side of town. During this process, the City entered into annexation agreements on 8 properties with tax agricultural exemptions, as required by Chapter 43 of the Texas Local Government Code. A 75-acre tract owned by the Ehrhard Legacy Partners LLC, north of State Highway 71 and east of FM 969 is one of the tracts. The annexation agreement stated that the property would be annexed into the city limits when the property was sold, or the property was developed. In December 2021, the entire tract was sold to PRC 01 Bastrop LLC. Planning Staff is working with legal to set a schedule and begin the annexation of the property in accordance with Chapter 43 and the annexation agreement.

Follow-up to February 22 City Council Meeting

Citizen Comments from The Colony developers

In September 2019, the State Legislature adopted House Bill 3167 which enforces a “shot-clock” that requires a city to approve all subdivision and site development plan applications within 30 days from submittal to approval. This may be for projects that can be approved at the staff level or at Planning & Zoning Commission. In August 2019, ahead of the B3 Code adoption in November, the City adopted new submittal and review processes that broke the development process into multiple steps that would allow staff to be able to thoroughly review the required elements within the timelines required by the State. Other cities have adopted different processes, from requiring a 30-day completeness check before review begins, to requiring all items (administrative and board approved) to first be reviewed and denied at Planning & Zoning Commission before real review can begin.

Mr. Najera and Mr. Neff (The Colony MUD) provided staff with a timeline of final plats reviewed over the last year and found that out of the 8 month timelines provided by the owner for plat approval and recordation, more than half of that time staff was waiting for the applicant to respond to comments or provide the proper documentation (recording fees, tax certificates, performance bonds) in order to take the plat for recordation at the County Clerk’s Office. The Planning process currently allows for the applicant to submit the three preliminary (drainage, infrastructure, plat) reviews concurrently, and the three-construction plan (Final Drainage, Public Improvement Plan, Public Improvement Plan Agreement) reviews concurrently. The final plat can only be submitted once the previous processes are complete.

We are open to a new process, but this will require code writing and working with the city attorney to ensure that our process follows State Law. That said, we work hard to meet the two-week turnaround time that is required for comments on every subdivision and site development plan review, and the results reflect that effort.

Citizen Comments from Marie Blazek

The Planning Staff will meet with customers and citizens at the front counter if we are available. With the current workload, there are times when staff are all unavailable due to attendance at internal staff and team meetings, as well as meetings with other customers. Customers can submit a planning/building question in the MyGov Request Manager. There is a public computer available to access MyGov in the lobby. If the customer indicates that they cannot enter the information themselves the technicians will help the customer input the request. In this instance, Ms. Blazek came to the front desk at a time that Planning Staff that could answer the question were unavailable. It appears that she went home to enter the request. Ms. Bills answered the question in MyGov and then followed up with an email. The request did not indicate that she wanted to schedule a meeting to meet with Planning Staff. The question was regarding the Piney Creek Bend development and the parkland/open space requirements. In the future, we’ll make sure our customers know that we’re happy to take note of their request for a meeting.

For the Piney Creek Bend development, their planned development district zoning required a minimum of 25 acres dedicated as parkland and open space and to include a trail tying back to the sidewalks. The developer has installed the trail and is in the process of deeding more than 50 acres to the city for open space, including the trail, however this property is not under city control at this time. Most of the property is Piney Creek and is a floodplain. Other than the trail that has been built, the plan is to leave the park/open space a natural park.

MyGov question from Council Member Rogers

Council member Rogers was concerned about the level of detail required for the banner sign permit in MyGov. Planning Staff have modified the Banner Permit to require the following information:

- Address (default MyGov Field)
- Project Description (default MyGov Field)
- Banner Location
- Building
- Fence
- Posts in Yard
- Sign Area in Square Feet
- Place Type Zoning District
- Application Acknowledgement
- Tenant Information (optional)

All of these are fill in or drop-down fields. There are no uploads required.

Update on Future Car Shows

The police department believes that the illegal car show slated for this Saturday has been moved to the evening of March 5th. That said, this Saturday, the property owners have hired Titan Protective Services. Additionally, two sworn officers will be present from 6 PM to 10 PM. Regarding March 5th, Chief Nagy is completing an action plan that emphasizes proactive deterrence of the event.

March 8 sign code agenda item

We're hearing concerns about how the sign code regulations impact the "Best of Bastrop" banners. There is no exception for those banners in the code, and so the permitting requirements for banners apply. I plan to place an item on the March 8 Council agenda to ensure that we know Council's intent moving forward.

Cult Classic Convention

This event will be held this weekend at the convention center. They have been holding their convention in Bastrop since 2019 and grows even bigger every year. Here is a link for more information.

www.cultclassicconvention.com

Time out of the office

I will be attending a meeting of the Texas City Management Association Ethics Committee on Thursday March 3. On Friday March 4, I'll be providing training to Texas City Managers so that they may become certified ethics trainers. These sessions will take place at the Texas Municipal League offices in Austin. I serve as the Chair of the TCMA Ethics Committee.

I'm also planning vacation time on March 10 and 11, and the week of March 28.

Future Agenda Items

March 8, 2022

- Accept certification of unopposed candidates/cancel May 7 general city council election
- Discuss FY 22 strategic planning calendar

Attachments

- TML Legislative Update Number #08
- Press release on CAMPO Approval of Loop 150 Corridor Study



PUBLIC INFORMATION OFFICE

PRESS RELEASE

Contact: Colin Guerra
512-332-8986 (Office)

FOR IMMEDIATE RELEASE
February 18, 2022

CAMPO Approves Loop 150 Corridor Study, Council Contracts with Design Firm

(Bastrop County, TX) – On February 8, 2022, the Bastrop City Council unanimously voted to approve a contract with Garver, LLC, a design firm that provides engineering, architectural, and environmental services and has a strong background aiding with applications for grant funding on transportation and historic bridge projects.

With this contract, Garver will provide assistance with identifying and making application for federal grant funds specifically for the Old Iron Bridge. Specifically, this will include exploring opportunities under the Infrastructure Investment and Jobs Act which provides for \$1.2 trillion in federal spending over the next five years and will provide future funding opportunities. Currently, the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant Notice of Funding Opportunity is available, which includes \$1.5 billion in grant funding. “We think the Old Iron Bridge project is a great candidate for this funding,” said Kirsten McCullough, Grant Specialist for Garver.

Along with securing funds for the Old Iron Bridge, Garver, the City of Bastrop, and the Capital Area Metropolitan Planning Organization (CAMPO) will be working on a multimodal corridor study for Loop 150 that will look at the corridor between the intersection at West State Highway 71 to the intersection at East State Highway 71. “I would like to thank my fellow CAMPO board members and staff for supporting this very worthy project and congratulate the City of Bastrop for putting together a solid proposed project submission. I will continue to advocate on behalf of all three of our cities and Bastrop County for these Federal Highway dollars,” said Clara Beckett, Bastrop County Commissioner, Precinct 2 and member of the CAMPO Transportation Policy

Board. This study will take about a year, has a value of \$200,000, and will result in plans that will ultimately turn into capital improvement projects for the City.

Mayor Connie Schroeder spoke positively of the action, “We are grateful CAMPO approved the study for the Old Iron Bridge and Loop 150 (Chestnut). This is a major step towards rehabilitating the bridge and addressing the traffic congestion on Chestnut.” The Loop 150 Multimodal Corridor Study will study how improved mobility will impact safety, economic development, and the environment. Results of the study will provide short, medium and long-term recommendations and implementation strategies to guide policy and future capital improvement projects that will impact the corridor and downtown.

About the City of Bastrop:

The Mission of the City of Bastrop is to continuously strive to provide innovative and proactive services that enhance our authentic way of life and achieve our vision.

For more information on the City of Bastrop, visit www.cityofbastrop.org and follow us on social media via Instagram, Facebook, or Twitter. Residents can also tune in to BTXN-TV via Time Warner Channel 10 and AT&T U-verse Channel 99 or watch online at www.btxn.tv.

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Legislative UPDATE

February 25, 2022
Number 8

Governor Sets Special May Election Date

Last week, the governor ordered a [special election](#) to be held on May 7, 2022, for two constitutional amendments passed by the legislature during the 2021 special sessions.

The two constitutional amendments are:

Proposition Number 1

The constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.

Proposition Number 2

The constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$25,000 to \$40,000.

One point of interest for Texas cities: Under state law, county election administrators may refuse to provide election services by contract to cities and other political subdivisions for the May uniform election date in an even-numbered year due to the proximity of the May election to the primary runoff date and complications with providing sufficient election resources. However, because every county will be conducting May elections on the two above propositions, counties will likely be more amenable to assisting other political subdivisions on this date. In recognition of the unique situation in May 2022, the secretary of state is [strongly recommending](#) that counties contract with political subdivisions to ensure uniform polling places for votes in May 2022.

Federal Infrastructure Bill Update

In November 2021, the federal Infrastructure Investment and Jobs Act (IIJA) was signed into law. The IIJA is altogether a \$1.2 trillion bill that will invest in the nation’s core infrastructure priorities including roads, bridges, rail, transit, airports, ports, energy transmission, water systems, and broadband.

The League will monitor state and federal agencies and work with the National League of Cities (NLC) to access the latest information relating to the IIJA. We will be providing periodic updates in the Legislative Update on resources for Texas cities on how to access IIJA funding for local infrastructure projects.

White House

The White House has launched “Infrastructure School,” which is a series of webinars that go into detail on IIJA programs using the [Bipartisan Infrastructure Law Guidebook](#) as a reference. The March Infrastructure School calendar of webinars is as follows (click links below to register):

- Thursday, March 3, 2022 at 3pm- 4pm CST: [Roads, Bridges and Major Projects](#)
- Tuesday, March 8, 2022 at 3pm-4pm CST: [Transportation Safety](#)
- Thursday, March 10, 2022 at 3pm- 4pm CST: [Clean Energy and Power](#)
- Tuesday, March 15, 2022 at 3pm-4pm CST: [Water](#)
- Thursday, March 17, 2022 at 3pm- 4pm CST: [Resilience](#)
- Tuesday, March 22, 2022 at 3pm-4pm CST: [Environmental Remediation](#)
- Thursday, March 24, 2022 at 3pm- 4pm CST: [Broadband](#)

Department of the Interior (DOI)

Last week, DOI [released its blueprint](#) for implementing the IIJA. Among other things, DOI outlined plans to spend up to \$8.3 billion on water and drought resilience, which specifically will fund “water efficiency and recycling programs, rural water projects, WaterSMART grants, and dam safety to ensure that...communities receive adequate assistance and support.” More can be read about the DOI blueprint [here](#).

U.S. Department of Transportation (DOT)

DOT is hosting a March 1 webinar entitled “Bipartisan Infrastructure Law Changes to Public Transportation Agency Safety Plan Requirements.” The webinar will provide an overview of IIJA changes that will apply to transit agencies with an agency safety plan in place. Interested city officials can register [here](#).

Environmental Protection Agency (EPA)

Last week, EPA’s Local Government Advisory Committee [adopted recommendations](#) to present to EPA regarding the agency’s implementation of the IIJA. The committee made the following recommendations, among others:

- Expanding the technical assistance available to help governments access funding, upgrade their infrastructure and ensure climate and equity are incorporated into their projects;
- Providing training and education at every level of government on environmental justice and encouraging the use of available tools and data to make informed, equitable decisions; and
- Encouraging state partners to engage with communities, solicit project ideas from local governments, and include them in decision-making processes.

Federal Aviation Administration (FAA)

On Tuesday, February 22, the FAA [announced](#) the opening of the application process for airports to submit projects for the first \$1 billion of funding under the IIJA for the Airport Terminal Program. Eligible airports include those operated by cities within the national air transportation system. Large hub airports will receive up to 55 percent of the total funding; medium hub airports will receive up to 15 percent of the total funding; and small hub airports will receive up to 20 percent of the total funding. At least 10 percent of the total funding will go to non-hub and non-primary airports. The [Notice of Funding Opportunity](#) spells out the criteria for airports to apply. Airports are encouraged to submit eligible projects as soon as possible, but must do so by March 28, 2022.

Federal Communications Commission (FCC)

The FCC adopted its [final rule](#) for the Affordable Connectivity Program, which was established under the IIJA and designed to help families struggling to pay for broadband internet service. According to a [recent FCC press release](#), over ten million households have enrolled in the program. The FCC is currently [seeking comments on proposals](#) for further increasing awareness and participation in the Affordable Connectivity Program.

National League of Cities (NLC)

NLC is regularly posting explainer videos that address what city officials need to know about the IIJA. These videos can be accessed [here](#).

Texas Attorney General Secured \$1.167 Billion for Texas from Global Opioid Agreement

Last week, Attorney General Ken Paxton [announced](#) his office secured \$1.167 billion for Texas from the \$26 billion opioid agreement with the three largest pharmaceutical distributors, Cardinal, McKesson, and AmerisourceBergen. The Texas Attorney General [previously entered into an intrastate agreement](#) with counties and cities regarding the opioid crisis.

15 percent of the funds distributed to Texas are to be allocated to political subdivisions, including cities. Exhibit B of the agreement shows the funding allocations to Texas cities. Funds are generally to be used for costs associated with “opioid remediation” as that term is characterized in the settlement agreement. Cities should review [the settlement agreement](#) with their city attorney to determine their interest in any amount the state receives and how the funds may be used.

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