

To: Honorable Mayor and Members of the City Council
From: Paul A. Hofmann, City Manager
Date: March 18, 2022
Subject: Weekly Memo, March 14 – March 18, 2022



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Personnel Updates

Arthur Moore began employment on March 14 as a Water and Wastewater Systems Technician

Public Notice to Water Customers

The Texas Commission on Environmental Quality issued a Notice of Violation Letter to the City of Bastrop dated March 2, stating that the City violated the maximum contaminate level (MCL) for total trihalomethanes for Quarter 1-2022. Trihalomethanes are a disinfection byproduct which is created when chlorine oxidizes organic matter in the water.

The City's water is still safe to drink. When establishing MCLs, the Environmental Protection Agency assumes that people who drink that water consume two liters (about half a gallon) of it every day for seventy years (approximately one lifetime).

Although the violation occurred in a small portion of the water system, the City is required to notify all customers in the water system. The City will be sending out the required public notices with supplemental information (attached) to customers no later than March 25.

Public Notification is attached.

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 – 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– May 20
Time: All Day
Location: Fredericksburg

City Hall Essentials
Municipal Fundamentals Seminar

Date: May 20
Time: 8:30 a.m. – 4:00 p.m.
Location: Webinar

TML Budget and Tax Rate Workshops

Date: June 30
Time: 8:30 a.m. – 2:30 p.m.
Location: Bastrop

TML-TAMCC Newly Elected City Officials' Orientation

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

Time out of Office

I'm planning vacation the week of March 28.

Disc Golf Course Ribbon Cutting

The Disc Golf Course Ribbon Cutting will be held on April 22 at 2:00 p.m. at Bob Bryant Park. A formal invitation from Ann will be following soon.

TxDOT Green Ribbon Program

The purpose of the TxDOT Green Ribbon Program is to improve the visual character of highway corridors and minimize the negative impacts of air pollution through the planting of trees and shrubs.

The City of Bastrop has been chosen for this program. Curtis Hancock, Thomas Martinez, and David Juarez met with Mark Barker, Transportation Landscape Architect with TxDOT, on Thursday, March 10. The program will cover the replacement/maintenance of trees, plants, and irrigation repairs. The project lets next Fall, with a start date of August/September 2023.

Sign Code Update

The Planning and Zoning Commission met Thursday March 17 and discussed the process the City undertook in developing the B3 Code as well as the different components and applications within the planning process.

On March 31 Planning Department Staff bring to the Commission a recommendation on Sign Code amendments concerning banners. We recognize the only direction received thus far from City Council is to bring back to Council the changes discussed concerning banners although the comprehensive report they receive will include areas of the Code besides banners so the expectation is the Commission may have a larger discussion about the Sign Code.

On March 16, Planning staff held the monthly Building Bastrop University which focused on the Sign Code. Ten people were in attendance and staff covered the history of the Sign Code, Prohibited Signs, Exempt Signs, and Permitted Signs. Also discussed was the MyGov system, staff support through the

process, and resources available to assist in the process including the Sign webpage and MyGov User Guide.

Attendees asked several questions and provided feedback on portions of the Code that they believe are especially difficult on small businesses. These mostly centered around regulation of A – Frames (sidewalk signs) and the need to come into compliance with temporary signage that has been used prior to the 2019 adoption. One business owner also had concerns over the ability of the City to regulate what he hangs in his windows. Since that discussion, both Rebecca and Jennifer have continued to receive feedback from business owners who are both happy to see the enforcement being undertaken around the Sign Code and those that are unhappy. We will put together a comprehensive report on the feedback we have received thus far to give to both Planning and Zoning, as well as City Council prior to the March 31 Planning and Zoning meeting.

Many of the comments made during Building Bastrop University surrounded A-Frames and the need to place them outside a building's own frontage for maximum exposure. It was pointed out that businesses could partner to place A-Frame at other businesses and that the Main Street Program could help facilitate those partnerships. Assistant City Manager Gleason will be discussing with the Main Street Board at their next meeting perhaps creating a more formalized A-Frame swap initiative to help the downtown businesses find those partners.

Building Bastrop University – Sign Code: <https://youtu.be/LmSPxU0ZIGg>

Recreation Assistance

Originally, we had shared with Council the plan to bring back a mid-year budget amendment for an additional recreation leadership type role to help meet our commitments to both the St. David's Foundation Parks & Recreation Master Plan Grant and Emile project. Since that time, the expected timeline for the Emile project has greatly slowed leading us to believe that the recreation leadership position can wait for the Fiscal Year 2023 Budget. With that being said, the current Recreation budget can support the addition of a temporary Recreation Aide to help with current programming levels in over for our Recreation Manager to be able to focus on our Parks & Recreation Master Plan. With that being said, the March 22 mid-year Budget Amendment will not include an additional recreation position.

LCRA Step Forward Program

LCRA launched its Step Forward employee volunteer program in 2015 and has held a Steps Forward Day every year since then but 2020, when the event had to be canceled because of the pandemic. LCRA works with its customers to identify service projects in their communities and supplies the labor and materials needed to complete the projects.

The City of Bastrop has been chosen for this year's Step Forward Program, scheduled for Friday, April 1. LCRA employees will repaint the restroom, bridge handrails, and kiosk in Bob Bryant Park.

City of Elgin Banner Permitting

During the work session item regarding Temporary Signs at the March 8 council meeting, some reference was made to the City of Elgin's policies on banners. Assistant City Manager Gleason made contact with Elgin and researched their Code of Ordinance to clarify these details. The City of Elgin does allow a temporary banner to hang while an applicant is working through their permanent sign permit for up to 6 weeks. The City does not pay for the banner and the temporary banner is only allowed while the applicant

is actively working through the permitting process. The cost of Elgin's banner permit is \$50, \$25 in the historic district, and only one may be issued at a time. The permit expires after 21 days and no business, individual, or organization can receive more than 8 permits per calendar year.

Table on Main

The Main Street Board will be hosting their 4th Annual Table On Main event on Sunday May 1. The fundraising event put on by the Board is designed to showcase our Downtown restaurants, farmers markets, distilleries, breweries, and wineries. This year Main Street Board Member, Rhonda Potter of Old Town/Piney Creek Chop House is the Chair of the event. Currently the Board is only accepting table sponsors with any remaining seats going on sale individually in April.

Cadet Graduation

On Friday, March 11 the Bastrop Police Department had two cadets graduate from CAPCOG's Regional Law Enforcement Academy, Jaylen West and Dylan Judd. Cadet West was elected the Class President and offered the Invocation and Class Address. After the ceremony, Chief Nagy swore in both Cadets in front of their families. You will begin seeing Officer West and Officer Judd serving our community on Monday. Our next set of Cadets, Sasha Wehr and Andrew Spilman, are beginning the Academy with the 96th Class next week.





Future Agenda Items

April 5, 2022

- Special Council Planning Session – Transportation Plan

April 12, 2022

- Amending Budget FY 2022
- PHI Contract
- Cultural Arts Commission Work Plan

April 19, 2022

- Special Council Planning Session – Comprehensive Plan

Attachments

- BBU – Crosshairs
- BBU – Simply Sweet
- BBU – Radiant Mama
- Public Notification – Water Violation
- TML Legislative Update Number #11

From: Devon Michalik <devonchtb@gmail.com>

Sent: Wednesday, March 16, 2022 9:09 PM

To: Planning Dept <plan@cityofbastrop.org>

Subject: City Council POC

You don't often get email from devonchtb@gmail.com. [Learn why this is important](#)

Thank you for having the open forum this afternoon for the Sign Ordinance.

I want to make sure our business concerns regarding this sign code change are understood. We feel like the city reaches too far into the rights of a business owner and property owner when dictating what can be displayed inside the property and inside the building, especially without providing a direct point of feedback opportunity.

I understand there were City events in 2019 offering communication with several individuals. I also understand that much of the process to make these changes occurred during a difficult time for MANY small businesses (2020-2022) and many city positions have completely new folks-- than who was in charge in 2017-2019.

We have been in compliance since we filed for our Pole sign permit on February 10, 2017 and have continuously had a (allowable per city code in 2017) sandwich board sign in front of our business since 2015 when we were located at 505 Jefferson and up until we received a sign violation notice March 4, 2022. We own our business and the property it sits on at 1102 College Street and Hill Street, but because we do not LIVE within the City of Bastrop - we are unable to vote or hold ANY type of volunteer position, so our only recourse is to fight this change legally, seek reimbursement for loss of sales and damage to our small business.

Who is the point of contact for reaching out to the City Council, Main Street Advisory Board and Planning Committee to present our argument against the sign code changes?

We look forward to having an opportunity to speak with those individuals that suggested, and finally approved changes to the sign code that had an extremely negative impact on our business. Our goal is to repair the communication we call "Sign Advertising" so that we can ultimately help ALL small businesses in Bastrop navigate the uncertain times and hopefully keep all of our business's doors open in 2022.

Respectfully,

Devon Rose Michalik
Director Of Operations @ Crosshairs Texas
TSRA- Director of Women's Shooting

Devon Michalik
Crosshairs Texas VP
www.crosshairstexas.com
www.shooteretexas.com
1102 College St. Bastrop Texas 78602
512.303.GUNS(4867)
512.321.GUNS(4867)

Radiant Mama Juice Bar
702 Main St. #103
3/17/22

To whom it may concern:

After attending yesterday's informative sign code meeting, I felt led to share some insight specifically pertaining to sidewalk or A-frame signs and their impact on our sales. After removing our sign on February 21st that had been on the corner of Main St. and Chestnut St. for the past twelve months, our sales decreased by 15% over the course of the next 3 weeks. Many locals and visitors would visit and regularly comment that they were thankful for our sidewalk sign since otherwise they would have not even known we were on Main St. I hope this gives some valuable insight to assist in any future planning for signage in the downtown area. We are looking forward to submitting permits through other businesses on Main in order to put back up a sidewalk sign.

Regarding summer/fall downtown events, is it possible to extend the area in which the main event is designated/ located to Ferry Park as to give families another park option, but also to include the juice and smoothie bar? There are a lot of open sidewalk areas for more seating/benches, the playground for kids, leisurely walking, etc... This may already be in the plans with the sidewalk loop now being completed in the area. Pedestrian usage of those sidewalks has been increasing in our area this month.

Last summer, our sales would decrease on city event days/ weekends by 30% due to our location on South Main and our lack of visibility or presence in the designated event zone. We are hoping this year we will see an increase in our sales during those times.

We love the city of Bastrop and are grateful to be part of the business community. Thank you for reviewing our input.

Kind regards,
Danielle McDonald
Co-Owner, Radiant Mama Juice Bar

Dear City Council:

March 17, 2022

As business owners, we recently attended the BBU session dealing with the new sign ordinance. We hope you will understand that we fully appreciate and recognize the need for a sign code that allows some uniformity across the Bastrop region. This letter will address what we believe to be an unintended consequence.

As we address this, we wish to note that there was a lack of any notification to our business that you would be looking to charge existing business fees for signs which businesses already had in place. While you might have been told that notifications were sent out, you should also note that they were sent to the property owners and not to the businesses. Our email addresses (plural) were known to the city hall employees and yet were not added to your notification system as Candace Butts can confirm to you.

However, having missed the opportunity to address the sign ordinance before it went into effect, we will address the result of it now:

It seems to us to be a severe disservice to our existing businesses to enforce a new ordinance retroactively. Having with good faith placed signs in windows and on the sidewalk with A-frame signage and having no code in effect to prevent it, now we are being told not just the code has changed but that now an existing sign needs to be permitted and a fee paid.

This retroactive enforcement seems to us to be unjust. Many new laws are passed in many different jurisdictions and the 'grandfathering' of things prior to the new laws and ordinances is a well respected and relied on principle.

It would appear that you have such a clause in the current ordinance. This would be section 8.1.007 and we have brought this up with the city director. He is discussing it with the city attorney. Regardless of the finding of that discussion, we would like to request that you take action to prevent any such permit fees from being enforced upon our current businesses, in effect, grandfathering them in with no fee required. Additionally, should you agree to do so, you should also require refunds to any business who has paid for a permit fee based on the letter of violation recently sent out by the planning department

Sincerely,



Sheila and Steven Sarff

Simply Sweet Cupcakes, LLC

1010 Main St.

512.704.4438

**Mandatory Language for a Maximum Contaminant Level
Violation MCL, LRAA / TTHM**



The Texas Commission on Environmental Quality (TCEQ) has notified the CITY OF BASTROP TX0110001 that the drinking water being supplied to customers had exceeded the Maximum Contaminant Level (MCL) for total trihalomethanes. The U.S. Environmental Protection Agency (U.S. EPA) has established the MCL for total trihalomethanes to be 0.080 milligrams per liter (mg/L) based on locational running annual average (LRAA) and has determined that it is a health concern at levels above the MCL. Analysis of drinking water in your community for total trihalomethanes indicates a compliance value in quarter one 2022 of 0.083 mg/L for DBP2-01.

Trihalomethanes are a group of volatile organic compounds that are formed when chlorine, added to the water during the treatment process for disinfection, reacts with naturally occurring organic matter in the water.

Some people who drink water containing trihalomethanes in excess of the MCL over many years may experience problems with their liver, kidney, or central nervous systems, and may have an increased risk of getting cancer.

You do not need to use an alternative water supply. However, if you have health concerns, you may want to talk to your doctor to get more information about how this may affect you.

We are taking the following actions to address this issue:

Reducing the organic material in raw water through filtration, optimizing disinfection processes, administering directional flushing throughout the water distribution system, development of capital improvement projects to replace or improve aging infrastructure and water treatment/distribution methods.

Please share this information with all people who drink this water, especially those who may not have received this notice directly (i.e., people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

If you have questions regarding this matter, you may contact [James Wilson](#) at [512-332-8962](#).

Posted /Delivered on: [3/25/2022](#)

TO: City of Bastrop Water Consumers
From: James Wilson, City of Bastrop W/WW Superintendent
Date: March 25, 2022
Subject: TTHM Violation



I am writing to you today in response to the City's recent Total Trihalomethanes (TTHMs) Maximum Contaminant Level (MCL) violation. The Texas Commission on Environmental Quality (TCEQ) requires public water systems to distribute the attached Public Notice that contains very specific, mandated language in cases such as these. I believe the mandated language can leave many customers with unanswered questions and/or concerns, most of which I hope to answer below.

When Chlorine is added to water with organic material, THMs are formed. Residual chlorine molecules react with this harmless organic material to form THMs.

The quantity of byproduct formed is determined by several factors, such as the amount and type of organic material present in water, temperature, PH, chlorine dosage contact time available for chlorine, and bromide concentration in the water.

What is the city doing to reduce THMs in the system?

- A) Reducing the organic materials in raw water through filtration.
- B) Optimizing disinfection processes.
- C) Administering directional flushing throughout the water distribution system
- D) Development of capital improvement projects to replace or improve aging infrastructure and water treatment/distribution methods.

Why use Chlorine:

Without adequate disinfection of our water supplies, the health risks from micro-organisms would far outweigh the risk from THMs. Drinking water is disinfected with chlorine to kill bacteria and viruses that can cause serious illness and deaths. In fact, chlorination of drinking water has virtually eliminated typhoid fever, cholera, and many other diseases: it represents one of the greatest achievements of public health protection.

The area affected:

The area affected was zone 1, which is the older part of town from Mesquite to Hwy 71 and Hwy 95 to the river.

TCEQ Public Drinking Water Section, rev: August 12, 2005

Trihalomethanes (THMs) and haloacetic acids (HAAs) form when disinfectants are added to drinking water systems to kill potentially dangerous microorganism. The added disinfectants react with naturally occurring organics in the water to form other chemicals, including THMs and HAAs. Because long-term exposures to these chemicals in our water may result in adverse health effects, Environmental Protection Agency (EPA) has established standards (the MCLs) for them. When they exceed their respective MCLs in drinking water, your provider is required to notify you. Notification is not intended to suggest that you or your family members will be harmed by the detected levels, but instead is meant to

keep you informed. Exceedance of MCLs also informs the water supplier that action is warranted to reduce the concentrations of those chemicals in the water system.

The required public notice language for these violations includes the statements:

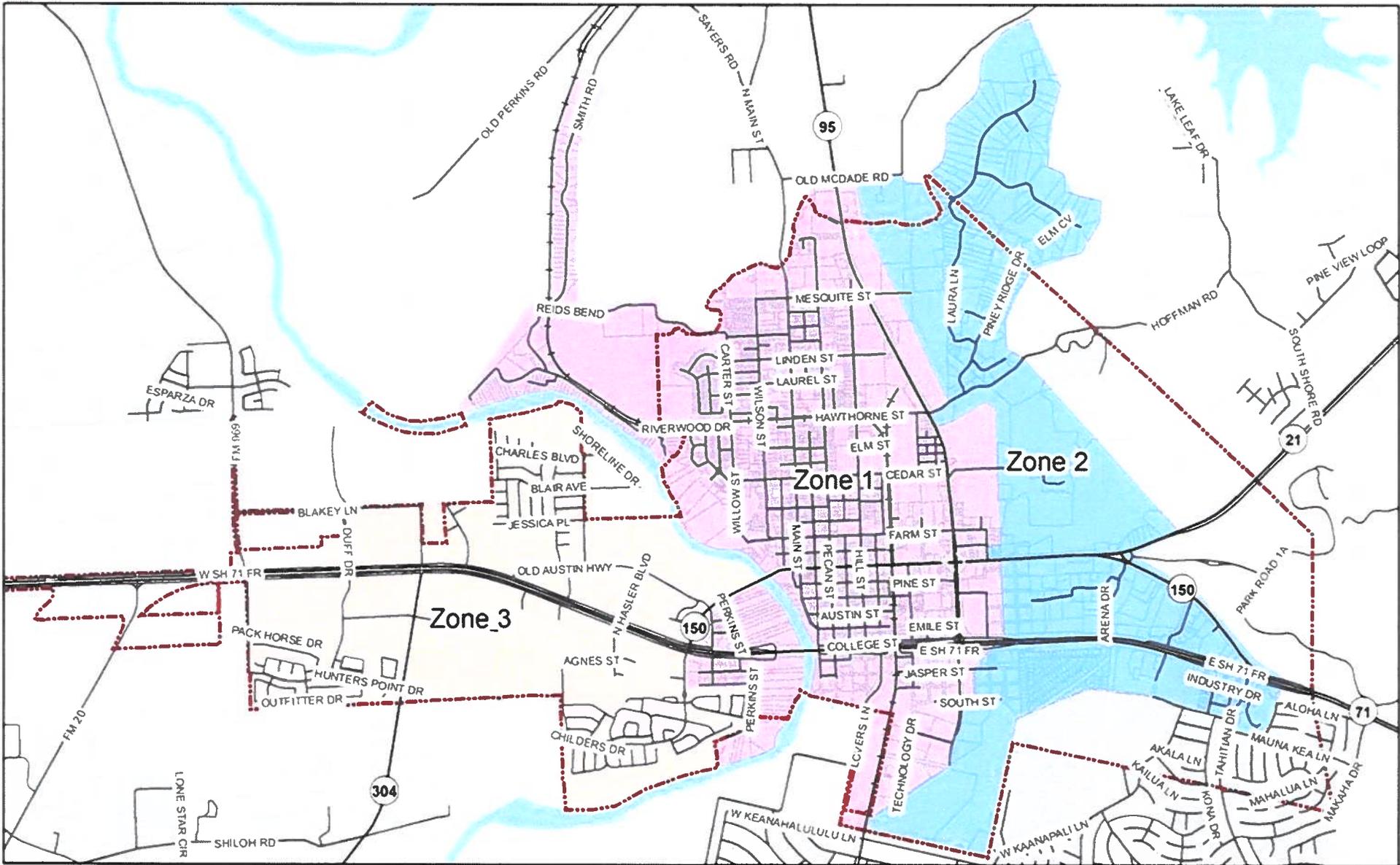
- This is not an emergency
- You do not need to use an alternative water supply

When the EPA establishes the MCL for chemical that is known or suspected to cause adverse health effects from long-term exposures, it assumes that the people who drink that water consume two liters (about half a gallon) of it every day for seventy years (approximately one lifetime).

I want you, the consumer, to understand that the City staff remain committed to taking the necessary steps in providing you with safe, palatable water. Should you feel that you are still left with unanswered questions, you may contact me directly via email at jwilson@cityofbastrop.org, or by phone at (512)332-8962. I may not be able to answer immediately, but I promise to return your call or answer your emailed questions as soon as possible.

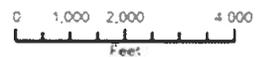
Best,

A handwritten signature in blue ink, appearing to read "J. Wilson", written in a cursive style.



Date: 2/18/2021

City of Bastrop Water System Zones



The accuracy and precision of this cartographic data is limited and should be used for information planning purposes only. This data does not replace surveys conducted by registered Texas land surveyors nor does it constitute an "official" verification of zoning land use classification or other classification set forth in local state or federal regulatory processes. The City of Bastrop, nor any of its employees, do not make any warranty of merchantability and fitness for particular purpose, or assume any legal liability or responsibility, for the accuracy, completeness or usefulness of any such information nor does it represent that its use would not infringe upon privately owned rights.





Legislative UPDATE

March 18, 2022
Number 11

Get Involved in TML's Legislative Process: Volunteers Needed

Texas Municipal League (TML) advocacy efforts are based on a legislative program that is developed by member city officials. The program is essential to the legitimacy of the League's advocacy efforts. To develop the program, city officials provide input in primarily two ways.

First, a member city, TML region, or TML affiliate may submit a resolution for consideration at the business meeting of each year's annual conference. Each city is asked to provide one delegate to serve as its liaison at the meeting. The delegates will be briefed on the content of the resolutions and given a chance to discuss and vote on whether they merit inclusion in the legislative program. The resolutions form the basis of a fixed legislative program, under which – each session – modifications to the program will be made as needed.

Second, member city officials can participate in the League's Municipal Policy Summit as well as any topic-specific policy committees. The reports of the summit and committees take the form of a resolution that is submitted to the annual conference in interim years. The summit and committee participants will be appointed by the TML President in early 2022 based on volunteers and others chosen to balance the demographics of the TML membership at large.

The summit will be an intensive, two-day workshop during which League staff briefs the participants on the issues faced by cities. Most will be issues that arise each session, but several will consist of issues brought by city officials. After each subject-matter briefing, the participants will make concise recommendations on the issues. Those recommendations are placed into resolution form and submitted to the League's annual business meeting, discussed above.

The somewhat complex policy development process is necessary to ensure that the League advocates as directed by its members. The League is nothing without the involvement and expertise of its members, and participation in the process is an invaluable part of protecting municipal authority.

The process starts in earnest this spring, and TML President Martha Castex-Tatum, Vice Mayor Pro Tem of the City of Houston, is seeking volunteers to provide input. No particular expertise is needed. Volunteers need only have a willingness to learn and the ability to come to Austin for the Municipal Policy Summit and other necessary committees.

If you have questions or would like to volunteer for the Municipal Policy Summit please contact JJ Rocha, TML Grassroots and Legislative Services Manager, at jj@tml.org by April 1, 2022.

Please include your full contact information in your email. Due to space limitations and other considerations, not all those who apply will be appointed to a committee but will certainly be considered for future volunteer opportunities.

Comptroller Survey for City Officials on Texas' Broadband Development Plan

[H.B. 5](#) created the Broadband Development Office (BDO) for the purpose of closing the digital divide in Texas. In preparation to use significant funding in the most efficient way, Texas Comptroller Glenn Hegar, who has oversight of the BDO, is [touring the state](#) to hear what Texans have to say about internet access. The feedback collected on tour will be used to develop the state's first broadband plan.

Part of that feedback process is hearing directly from local elected officials, which is critical to understanding unique broadband needs and learning what initiatives are currently being pursued at the local level. All local elected officials are encouraged to take [this online survey](#) that will help Texas be the most connected state in the nation. The survey will close on May 5, 2022.

U.S. Treasury to Host Webinar on SLFRF Reporting Requirements for NEUs

The United States Treasury Department (Treasury) will be hosting a webinar on Monday, March 21 at 2:00 p.m. CDT on State and Local Fiscal Recovery Funds (SLFRF) reporting and compliance

for non-entitlement units of local government (NEUs), which are those typically serving populations of less than 50,000. NEUs are subject to the first reporting deadline to submit the Project and Expenditure Report on April 30, 2022. Treasury has previously issued the [final rule](#) and the [Compliance and Reporting Guidance](#) on SLFRF funds.

To register for the webinar, click [here](#). If Treasury reaches RSVP capacity, a recording of the webinar will be posted [here](#) following the live presentation.

In addition, Treasury encourages all NEU recipients to access the Treasury Portal as soon as possible in order to confirm their accounts, designate SLFRF reporting roles, and submit the required agreements and supporting documentation to Treasury prior to the submission of the first Project and Expenditure Report.

To assist recipients with logging into Treasury's Portal, an [NEU User Guide](#) is posted to assist NEUs to confirm their reporting roles, and provide the required documentation to Treasury.

Treasury has produced a [video](#) on how to confirm accounts and submit the required agreements and supporting documentation.

TML member cities may use the material herein for any purpose. No other person or entity may reproduce, duplicate, or distribute any part of this document without the written authorization of the Texas Municipal League.