

MARCH 28, 2023

The Bastrop City Council met in a regular meeting on Tuesday, March 28, 2023, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Mayor Pro Tem Rogers and Council Members Lee, Plunkett, Crouch, and Kirkland. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Schroeder called the meeting to order at 6:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Sarah Dominguez and Sienna Guterrez, Lost Pines Elementary, Girl Scouts, led the pledges.

INVOCATION

Pastor Bernie Jackson, Trinity Zion Ministries, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

- Iredell District Update
- DEI/Park Board Mural Update
- Vibe Tribe Sign

4D. A proclamation of the City Council of the City of Bastrop, Texas, welcoming Best Warrior Competition to the City of Bastrop.

Submitted by: Ann Franklin, City Secretary

The proclamation was read into record by Mayor Schroeder received by Command Sergeant Major Michelle L. Thompson.

4E. A proclamation of the City Council of the City of Bastrop, Texas, recognizing April as National Sexual Assault Awareness Month.

Submitted by: Ann Franklin, City Secretary

The proclamation was read into record by Mayor Schroeder received by Bernie Jackson, Family Crisis Center.

4F. A proclamation of the City Council of the City of Bastrop, Texas, recognizing April as Child Abuse Prevention Month.

Submitted by: Ann Franklin

The proclamation was read into record by Mayor Schroeder and received by members of the Children's Advocacy Center and Casa.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9C. Consider action to approve Resolution No. R-2023-47 of the City Council of the City of Bastrop, Texas, approving a professional engineering services contract with Freese and Nichols, Inc. (FNI) for the Wastewater Master Plan (WWMP) for a not to exceed amount of One Hundred Sixty-Five Thousand Dollars (\$165,000.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

Presentation was made by Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

A motion was made by Mayor Pro Tem Rogers to approve Resolution No. R-2023-48, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2023-45 of the City Council of the City of Bastrop, Texas, approving a construction contract with Texas Materials Group Inc., dba Gulf Coast a CRH Company (Gulf Coast) for the Old Austin Highway Pavement Rehabilitation to a not-to-exceed amount of One Million Four Hundred Ninety Thousand One Hundred and Seven Dollars (\$1,490,107.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

Presentation was made by Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

A motion was made by Council Member Lee to approve Resolution No. R-2023-45, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2023-48 of the City Council of the City of Bastrop, Texas, approving a construction contract with Archer Western Construction, LLC to provide Construction Manager at Risk services for a not to exceed amount of Twenty-Four Million, Forty-Nine Thousand, Nine Hundred Thirty-Five Dollars (\$24,049,935); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

Presentation was made by Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management and Kendall King, P.E., Freese and Nichol's.

A motion was made by Council Member Kirkland to approve Resolution No. R-2023-48, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

CITIZEN COMMENTS

SPEAKERS

Roger W. Henderson
706 MLK Dr.
Bastrop, Texas 78602
(512) 303-0606

WORK SESSIONS/BRIEFINGS - NONE

EXECUTIVE SESSION

The City Council met at 7:44 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding consideration of action to approve amendments to the Development Agreement between the City of Bastrop and Colorado Bend, LLC.

Mayor Schroeder recessed the Executive Session at 8:18 p.m.

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

No action taken.

CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from the February 28, 2023, Regular meeting and March 7, 2023, Special Called meeting.
Submitted by: Ann Franklin, City Secretary
- 8B. Consider action to approve Resolution No. R-2023-49 of the City Council of the City of Bastrop, Texas, approving a Memorandum of Agreement with Bastrop County to use grant funds (if awarded) for the Riverwood Water Line Project; as attached in Exhibit A; providing for a repealing clause, and establishing an effective date.
Submitted by: Tracy Waldron, Chief Financial Officer
- 8C. Consider action to approve Resolution No. R-2023-51 of the City Council of the City of Bastrop, Texas, approving an additional professional services contract with Carollo Engineers, Inc. to continue to provide the services of project management, construction management and inspection for capital and non-capital improvement projects in the amount of four hundred thousand seven hundred fifty dollars (\$400,750) for approximately 12 months; attached in Exhibit B; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, AMP MIAM, Director of Engineering and Capital Project Management.

- 8D. Consider action to approve the second reading of Ordinance No. 2023-04 of the City Council of the City of Bastrop, Texas, amending the Bastrop Building Block (B³) Code, Chapter 6, Section 6.5.003 and amending Bastrop Code of Ordinances Section 3.01.001 International Code Council (ICC); International Code Family; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

Submitted by: Keehren Baah, Assistant Planning Director

- 8E. Consider action to approve Resolution No. R-2023-52 by the City Council of the City of Bastrop, Texas responding to the application of CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division (CenterPoint), to increase rates under the Gas Reliability Infrastructure Program; suspending the effective date of this rate application for forty-five days; authorizing the city’s participation in a coalition of cities known as the "Alliance Of CenterPoint Municipalities (ACM); requiring the reimbursement of costs; determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.

Submitted by: Ann Franklin, City Secretary

STAFF AND BOARD REPORT

- 6C. Receive presentation and update of the Development Process from George Arimes, Intelligent Consulting.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by George Arimes, Intelligent Consulting.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9A. Consider action to approve a workplan for the Diversity, Equity, and Inclusion Board.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by Sylvia Carrillo, City Manager

A motion was made by Council Member Kirkland to approve a workplan for the Diversity, Equity, and Inclusion Board with the inclusion of “Cultural Arts Commission” in section 1c, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9E. Consider action to approve the first reading of Ordinance No. 2023-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2023 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; establishing an effective date, and move to include on the April 11, 2023, Consent agenda for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer.

A motion was made by Mayor Pro Tem Rogers to approve the first reading of Ordinance No. 2023-05 with an increase in the Hot Funds from \$30,000 to \$50,000, seconded by Council Member Lee, motion was approved on a 5-0 vote.

STAFF AND BOARD REPORT CONTINUED

- 6A. Receive presentation on the unaudited Monthly Financial Report for the period ending February 28, 2023.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer.

- 6B. Receive presentation and update from the Bastrop Economic Development Corporation from the March 27, 2023, meeting.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by Sylvia Carrillo, City Manager.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9J. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2023-06 of the City Council of the City of Bastrop Texas, approving the zoning change for 1.998 acres out of the Nancy Blakey Survey, abstract 98, Bastrop County, Texas from P2 Rural to PS Core; providing for findings of fact; providing for repealer; providing for severability; providing for enforcement; providing for proper notice and meeting; and establishing an effective date; and include on the April 11, 2023, consent agenda for second reading.

Submitted by: Keerhen Baah, Assistant Director of Planning & Development

Presentation was made by Trey Job, Assistant City Manager

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2023-06, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2023-50 of the City Council of the City of Bastrop, Texas, approving the Financial Procedures Manual, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer.

A motion was made by Council Member Kirkland to table this item until the April 11th City Council Meeting, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2023-53 by the City Council of the City of Bastrop, Texas, to select the proxy to represent the City of Bastrop Texas at the Bluebonnet Electric Cooperative Annual meeting and instruct the proxy to vote for candidate(s) selected by Council.

Submitted by: Ann Franklin, City Secretary

Motion one was made by Council Member Kirkland to approve Resolution No. R-2023-53 to assign the proxy to the proxy committee, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

Motion two was made by Council Member Kirkland to approve Resolution No. R-2023-53 to instruct the proxy committee to vote at its discretion, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 9H. Consider action to approve the first reading of Ordinance No. 2023-08, the City Council of the City of Bastrop, Texas, amending Ordinance No. 2022-22 Fee Schedule of the City of Bastrop to amend Appendix A-Fee Schedule, A14.01.001, of the Code of Ordinances, to amend the cost of variance for Subdivision Variance Review, Zoning Review, and Zoning Board of Adjustment review fee from \$3,681 to \$500, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, and severability; and establishing an effective date; and include in the April 11, 2023, consent agenda for the second reading.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by Sylvia Carrillo, City Manager.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2023-08 and bring back in the individual consideration section of the agenda for second reading, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 9I. Consider action to approve the first reading of Ordinance No. 2023-07 of the City Council of the City of Bastrop Texas, amending the Bastrop Building Block (B3) Code Chapter 6, Section 6.3.009 private frontage, Subsections (d) and (f); and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting; and include on the April 11, 2023, consent agenda for second reading.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by Sylvia Carrillo, City Manager.

A motion was made by Council Member Kirkland to approve the first reading of Ordinance No. 2023-07 with direction to the City Manager to investigate item C and bring back in the individual consideration section of the agenda for second reading, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

EXECUTIVE SESSION CONTINUED

The City Council met at 10:33 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel and discuss potential acquisition of real estate relating to the Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities project.

Mayor Schroeder recessed the Executive Session at 10:39 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 pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel and discuss potential acquisition of real estate relating to the Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities project.

A motion was made by Council Member Lee to approve Resolution No. R-2023-54, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

Adjourned at 10:39 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie Schroeder

City Secretary Ann Franklin

The Minutes were approved on April 11, 2023, by Council Member Name's motion, Council Member Name's second. The motion was approved on a 5-0 vote.