

CITY OF BASTROP
REGULAR CITY COUNCIL MEETING MINUTES
SEPTEMBER 17, 2024

The Bastrop City Council met in a Regular Meeting on Tuesday, September 17, 2024, at 6:30 p.m. at the Bastrop City Hall Council Chambers, 1311 Chestnut Street, Bastrop, Texas, with the following action taken to wit:

Council Members Present

Mayor Lyle Nelson
Mayor Pro-Tempore Kirkland
Council Member Meyer
Council Member Lee
Council Member Fossler
Council Member Plunkett

Staff Present

Assistant City Manager Andres Rosales
City Attorney Alan Bojorquez
Interim City Secretary Irma G. Parker
Chief Financial Officer Edi McIlwain

1. CALL TO ORDER

Mayor Nelson called the Regular City Council meeting to order at 6:30 p.m. with a quorum present.

2. PLEDGE OF ALLEGIANCE

Yolanda Lara and Andie Cox from the Bluebonnet Elementary Safety Patrol led the Pledge of Allegiance to both the U.S. flag and the Texas flag.

3. INVOCATION

Phil Woods, Bastrop Police Chaplain, gave this evening's Invocation.

4. PRESENTATIONS

4A. **Mayor's Report**

4B. **Council Members' Report**

5. WORK SESSIONS/BRIEFINGS – NONE

No work sessions/briefings were given.

6. STAFF AND BOARD REPORTS

6A. **City Manager's Report**

Presented by: Andres Rosales, Assistant City Manager

No action was taken on Item 6A.

7. CITIZEN COMMENT(S)

Bastrop citizen addressing the City Council on an item, not on the agenda: Brett Douglas

8. CONSENT AGENDA

- 8A. **Consider and act to approve the Bastrop City Council meeting minutes from the Tuesday, September 10, 2024 Regular Meeting.**

Submitted by: Victoria Psencik, Assistant City Secretary

- 8B. **Consider and act on the second reading of Ordinance No. 2024-32 Granting an extension of the master plan expiration for the Reed Ranch Planned Development District, being 24.04 acres out of the Nancy Blakey Survey, as shown on Attachment 2, located at 615 W Highway 71, within the city limits of Bastrop, Texas, 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.**

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

- 8C. **Consider and act on the second reading of Ordinance No. 2024-28, Amending the Bastrop Code of Ordinances, Appendix A, Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges", Sections A13.02.002 Wastewater Service Charge, and A13.02.004 Water Service Charge, as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice and meeting.**

Submitted by: Edi McIlwain, Chief Financial Officer

Mayor Nelson called for requests to remove any item from the Consent Agenda for separate discussion.

Council Member Fossler requested Item 8A be pulled from the Consent Agenda for separate discussion.

Council Member Lee requested Item 8B be pulled from the Consent Agenda for separate discussion.

Mayor Nelson requested Item 8C be pulled from the Consent Agenda for separate discussion.

CONSENT AGENDA ITEM 8A DISCUSSION

- 8A. **Consider and act to approve the Bastrop City Council meeting minutes from the Tuesday, September 10, 2024 Regular Meeting.**

Submitted by: Victoria Psencik, Assistant City Secretary

MOTION: Council Member Fossler moved to approve the minutes from the September 10, 2024, Regular City Council Meeting with the deletion of the wording listed by number one under Item 6A City Manager’s Report. Council Member Lee seconded the motion. Motion carried unanimously.

CONSENT AGENDA ITEM 8B DISCUSSION

8B. **Consider and act on the second reading of Ordinance No. 2024-32 Granting an extension of the master plan expiration for the Reed Ranch Planned Development District, being 24.04 acres out of the Nancy Blakey Survey, as shown on Attachment 2, located at 615 W Highway 71, within the city limits of Bastrop, Texas, 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.**

Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

MOTION: Council Member Lee moved to approve the second reading of Ordinance No. 2024-32 Granting an extension of the master plan expiration for the Reed Ranch Planned Development District. Council Member Plunkett seconded the motion. Motion carried unanimously.

CONSENT AGENDA ITEM 8C DISCUSSION

8C. **Consider and act on the second reading of Ordinance No. 2024-28, Amending the Bastrop Code of Ordinances, Appendix A, Fee Schedule, Article A13.02 “Water and Wastewater Rates and Charges”, Sections A13.02.002 Wastewater Service Charge, and A13.02.004 Water Service Charge, as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice and meeting.**

Submitted by: Edi McIlwain, Chief Financial Officer

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2024-28 Amending the Code of Ordinances Appendix A Fee Schedule Article 13.02 “Water and Wastewater Rates and Charges”, Sections A13.02.002 Wastewater Service Charge, and A13.02.004 Water Service Charge. Council Member Plunkett seconded the motion. Motion carried unanimously.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

9A. **Consider and act on the second reading of Ordinance No. 2024-23, Approving the updated service plan, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving the fiscal year 2024 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunters Crossing Local Government Corporation; and providing for an effective date.**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

Editor's Note: Mayor Nelson announced that he has filed a Conflict of Interest Statement with the City Secretary regarding Agenda Item 9A and has recused himself. Mayor Pro Tem Kirkland filled in the Mayor role. A copy of the signed Conflict of Interest Statement is attached hereto and made a part of these minutes as Exhibit A.

Presented by: George Hyde, Hyde Kelley LLP

MOTION: Council Member Meyer moved to approve Ordinance No. 2024-23 on the second and final reading and direct staff to bring Council a Resolution at the next Regular Meeting contributing to the Hunters Crossing Local Government Corporation and an Ordinance amending the Budget as necessary. Council Member Plunkett seconded the motion. Motion carried unanimously.

- 9B. **Conduct a public hearing for the Fiscal Year 2024-2025 Budget and consider and act on the second reading of Ordinance No. 2024-29, Adopting a budget for the Fiscal Year 2024-2025 (October 1, 2024 through September 30, 2025) attached as Exhibit A; making certain appropriations; and providing that expenditures for said Fiscal Year be made in accordance with said budget; updating the Master Fee Schedule; providing a distribution; severability; repealer; an effective date; proper notice and meeting.**

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

Mayor Nelson opened the Public Hearing at 7:57 pm for the Fiscal Year 2024-2025 Budget.

No comments were submitted.

Mayor Nelson closed the Public Hearing at 7:57 pm for the Fiscal Year 2024-2025 Budget.

MOTION: Council Member Lee moved to approve the second reading of Ordinance No. 2024-29 to adopt the budget for Fiscal Year 2024-2025. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9C. **Conduct a public hearing and consider and act on the second reading of Ordinance No. 2024-30, Adopting the tax roll, adopting the tax rate, and levying ad valorem taxes for the Fiscal Year 2024-2025 to provide revenue for the payment of budgeted municipal expenditures; and providing for tax assessment; records; severability; an effective date; and proper notice and meeting.**

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

Mayor Nelson opened the Public Hearing at 8:00 pm for the adoption of the Tax Roll, the Tax Rate, and levying ad valorem taxes for Fiscal Year 2024-2025.

No comments were submitted.

Mayor Nelson closed the Public Hearing at 8:00 pm for the adoption of the Tax Roll, the Tax Rate, and levying ad valorem taxes for Fiscal Year 2024-2025.

MOTION: Council Member Lee moved that the property tax rate be increased by the adoption of a tax rate of \$0.4994 per \$100 valuation, which is effectively a 1.6 percent increase in the tax rate. Council Member Fossler seconded the motion. Motion carried unanimously.

9D. **Consider and act on Resolution R-2024-129, Ratifying that the Adoption of the Fiscal Year 2024-2025 Budget will require Raising more Revenue from Property Taxes than in the previous year; Providing for Severability; Providing for Repealer; Providing an Effective Date; and Providing for Proper Notice and Meeting**

Submitted/Presented by: Edi McIlwain, Chief Financial Officer

MOTION: Council Member Lee moved to ratify the vote just taken to approve the Fiscal Year 2024-2025 Budget which will raise more revenues from ad valorem taxes than the previous fiscal year. Council Member Meyer seconded the motion. Motion carried unanimously.

9I. **Consider and act on the Preliminary Engineering Study and Water/Wastewater Master Plan conducted by Freese and Nichols as requested by Council Member Lee and Mayor Nelson.**

Submitted by: Irma Parker, City Secretary, TRMC, CMC

Requested by: Council Member Lee and Mayor Nelson

No action was taken on Item 9I.

9J. **Consider and act on Resolution No. R-2024-126, Amending Article 2 "General rules of Procedure and Policies", Section 2.4 "Regular Meetings" by directing that meetings shall end no later than 10:00 pm.**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

Requested by: Council Member Meyer

Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Meyer moved to approve Resolution No. R-2024-126 to amend Article 2 "General Rules of Procedure and Policies," Section 2.4 "Regular Meetings" that meetings shall end no later than 10:00 pm. Council Member Plunkett seconded the motion. Motion carried unanimously.

9E. **Consider and act on Resolution No. R-2024-125, Amending the Rules of Procedure for the City Council and Board & Commissions as presented and approved at the April 29, July 9, and August 13, 2024 Regular Meetings;**

Providing for Findings of Fact, Repealer, Severability; Effective Date, Proper Notice and Meeting.

Submitted/Presented by: Irma Parker, TRMC, CMC, City Secretary

MOTION: Council Member Plunkett moved to approve the amendment of the Rules of Procedure for the City Council and Board and Commissions as presented and approved at the April 29th, July 9th, and August 13th 2024 Regular Meetings. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9F. **Consider and act on Resolution No. R-2024-121, Approving changes to the Bastrop Economic Development Corporation's Revolving Loan Fund (RLF) Program; repealing all resolutions in conflict; and providing an effective date.**

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, BEDC Interim Executive Director and City Manager

Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Plunkett moved to approve the changes to the Bastrop Economic Development Corporation's Revolving Loan Fund Program. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9K. **Consider and act on Resolution No. R-2024-110, approving an Interlocal Agreement between the City of Bastrop and Bastrop County regarding surveying a portion of land located south of Hunters Crossing and east of SH 304, as attached in Exhibit A; authorizing the execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.**

Submitted/Presented By: Andres Rosales, Assistant City Manager

MOTION: Council Member Lee moved to approve Resolution No. R-2024-110 to approve an Interlocal Agreement between the City of Bastrop and Bastrop County regarding surveying a portion of land located south of Hunters Crossing and east of SH 304 and with the correction of the Parcel Number defined in the Scope of Work changing the first Parcel Number in parenthesis "36554" to "36544". Council Member Plunkett seconded the motion. Motion carried unanimously.

- 9L. **Consider and act on Resolution No. R-2024-128, Authorizing the City Manager to negotiate and execute a change order on the initial contract with Holbrook Asphalt Company for additions to the scope of work valued at Three Hundred Forty Thousand and 00/100 dollars (\$340,000.00), provided that the total amount under the contract not to exceed One Million Six Hundred Twenty-Five Thousand and 00/100 Dollars (\$1,625,000.00), for the purchase of high-density mineral bond seal ("HA5") treatment for asphalt pavement and traffic control through use of the City of Hurst Interlocal Purchasing Agreement previously approved by Resolution No. R-2024-16; authorizing the**

execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

Submitted/Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Fossler moved to approve Resolution No. R-2024-128 to authorize the City Manager to negotiate and execute a change order on the initial contract with Holbrook Asphalt Company for the purchase of high-density mineral bond seal treatment for asphalt payment and traffic control. Council Member Meyer seconded the motion. Motion carried unanimously.

- 9M. **Consider and act on Resolution No. R-2024-124, Awarding a contract, attached as Exhibit A, for the Bastrop Power & Light Five-Year System Study to McCord Engineering, Inc. in the amount not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00); authorizing the execution of all necessary documents; upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.**

Submitted/Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Meyer moved to approve Resolution No. R-2024-124 to award a contract for the Bastrop Power & Light Five-Year System Study to McCord Engineering, Inc. Council Member Plunkett seconded the motion. Motion carried unanimously.

EXECUTIVE SESSION

The City Council met at 8:45 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- Item. The City Council shall convene in to Closed Executive Session under Texas Government Code Section 551.071 (Consultations with the Attorney) to seek the advice of legal counsel on Agenda Item 9H “Presentation regarding the status of the Recall Petition.”

Mayor Nelson recessed the Executive Session and reconvened the Open Session at 9:16 p.m.

No action was taken from the Executive Session regarding Agenda Item 9H.

- 9H. **Presentation regarding the status of the Recall Petition.**

Submitted/Presented by: Irma G. Parker, TRMC, CMC, City Secretary

No action was taken on Item 9H.

- 9G. **Consider and act to adopt Resolution No. R-2024-127, Casting a ballot for Election of Places 11-14 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool for a six (6) year Term. Submitted by: Irma Parker, City Secretary**

Submitted/Presented by: Irma Parker, City Secretary

MOTIONS:

Council Member Fossler moved to nominate candidate Robert S. Davis for Place 11 of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Council Member Lee seconded the motion.

Council Member Lee moved to nominate candidate Allison Heyward for Place 12 of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Mayor Pro Tem Kirkland seconded the motion.

Council Member Meyer moved to nominate candidate James Quin for Place 13 of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Council Member Fossler seconded the motion.

Mayor Pro Tem Kirkland moved to nominate candidate Mike Land for Place 14 of the Texas Municipal League Intergovernmental Risk Pool Board of Trustees. Council Member Meyer seconded the motion.

Council Member Lee moved to approve Resolution No. R-2024-127 to cast a ballot for Robert S. Davis for Place 11, Allison Heyward for Place 12, James Quin, for Place 13, and Mike Land for Place 14 for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election. Council Member Fossler seconded the motion. Motion carried unanimously.

10. ADJOURNMENT

Upon receiving a motion and a second to adjourn, the September 17th Regular Meeting was adjourned without objection.

CITY OF BASTROP, TEXAS

Lyle Nelson, Mayor

ATTEST:

Victoria Psencik, Assistant City Secretary