

JULY 11, 2023

The Bastrop City Council met in a regular meeting on Tuesday, July 11, 2023, at 5:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Plunkett, and Crouch. Officers present were: City Manager, Sylvia Carrillo; Assistant City Secretary, Victoria Psencik; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the meeting to order at 5:30 p.m. with a quorum present.

EXECUTIVE SESSION

The City Council met at 5:33 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 2A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding pending a proposed real estate Purchase and Sale Agreement with Capstick Development Group, Ltd and related matters involving Pine Forest Unit 6.
- 2B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding recent legislation, certain real estate projects, possible hotel development, and the Bastrop Civic and Exhibit Center.
- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding matters related to Economic Development expenditures, incentives, and sales taxes.

Mayor Nelson recessed the Executive Session at 6:30 p.m.

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

No action taken.

CALL TO ORDER REGULAR MEETING

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

PLEDGE OF ALLEGIANCE

Mason Patten, Leovani Gottschall, and Juniper Moore led the pledges.

INVOCATION

Bob Long, Police Chaplain, gave the invocation.

PRESENTATIONS

- 7A. Mayor's Report
- 7B. Council Members' Report
- 7C. City Manager's Report

WORK SESSIONS/BRIEFINGS

- 8A. Receive presentation from Stantec Consulting on the proposed Parks and Recreation Masterplan.
Submitted by: Terry Moore, Recreation Manager
Presentation was made by Mark Maldonado, Stantec Consulting.

STAFF AND BOARD REPORTS

- 9A. Receive presentation on a Credit Card Fee policy.
Submitted by: Tracy Waldron, Chief Financial Officer
Presentation was made by Tracy Waldron, Chief Financial Officer

CITIZEN COMMENTS

SPEAKERS

Debbie Moore
1306 Church Street
Bastrop, TX 78602

Gary Moss
1706 Wilson Street
Bastrop, TX 78602

CONSENT AGENDA

A motion was made by Mayor Pro Tem Kirkland to approve Items 11A, 11B, 11C, 11D and 11E as listed on the Consent Agenda after being read into the record by Assistant City Secretary Victoria Psencik. Seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 11A. Consider action to approve City Council minutes from the June 27, 2023, Regular meeting.
Submitted by: Ann Franklin, City Secretary
- 11B. Consider action to approve the second reading of Ordinance No. 2023-20 of the City Council of the City of Bastrop, Texas approving the Fiscal Year 2024 Annual Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a 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: Tracy Waldron, Chief Financial Officer
- 11C. Consider action to approve the second reading of Ordinance No. 2023-19 of the City Council of the City of Bastrop, Texas, amending Chapter 1 of the Bastrop Code of Ordinances, Chapter 2, Article 1.04, Section 1.04.002, providing for automatic resignations of members of certain boards, committees and commissions who run for City Council; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

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

- 11D. Consider action to approve the second reading of Ordinance No. 2023-16 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Bastrop Code of Ordinances, the B3 Code, Chapter 2, Article 2.4, Section 2.4.007, providing for a supermajority vote of Council to approve a zoning change for which a unanimous P&Z recommended denial; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

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

- 11E. Consider action to approve the second reading of Ordinance No. 2023-17 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Bastrop Code of Ordinances, the B3 Code, Chapter 2, Article 2.4, Section 2.4.002 proving for recommendations from Planning and Zoning to the City Council; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.

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

DISCUSSION ITEM

- 11F. Consider action to approve on second reading Ordinance No. 2023-18 of the City Council of the City of Bastrop, Texas, amending Chapter 14 of the Bastrop Code of Ordinances, the B3 Code, Chapter 2, Article 2.4, Section 2.4.002, proving for qualifications for P&Z members; and providing for findings of fact, repealer severability, codification, effective date, proper notice and meeting.

Submitted by: Mayor Pro-Tem John Kirkland and Councilmember Plunkett

A motion was made by Mayor Pro Tem Kirkland to approve the second reading of Ordinance No. 2023-18, seconded by Council Member Crouch, motion was approved on a 4-1 vote. Those voting aye were: Mayor Pro Tem Kirkland and Council Members Meyer, Plunkett, and Crouch. The voting nay was: Council Member Lee.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 12A. Consideration action to approve Resolution No. R-2023-91 of the City Council of the City of Bastrop, Texas approving the closure of Chestnut Street for the Bastrop Homecoming Parade; providing for a repealing clause; and providing for an effective date.

Submitted by: Terry Moore, Recreation Manager

Presentation was made by Terry Moore, Recreation Manager.

A motion was made by Mayor Pro Tem Kirkland approve Resolution No. R-2023-91, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 12B. Consider action to approve the first reading of Ordinance No. 2023-21 of the City Council of the City of Bastrop, Texas approving a Natural Gas Franchise Agreement to Universal Natural Gas, LLC (d/b/a Universal Natural Gas, Inc.) and its successors and assigns, for a period of ten (10) years from the effective date of this ordinance, a non-exclusive franchise and right to enter the public ways of the City of Bastrop, Texas for the transportation, distribution, and/or sale of gas to customers and the public generally in the City; defining the words and phrases therein; providing assignment, sale or lease of the franchise; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; providing for indemnification of the City of Bastrop; providing for inspection of Grantee's records; requiring Grantee to pay a Franchise Fee;

providing for conditions of the Franchise; providing for construction of this ordinance upon invalidity of any part thereof; providing for acceptance of this Franchise by Grantee and both an effective and operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; providing for publication, and move to include on the July 25, 2023 agenda for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer and Celena Loeb, Universal Natural Gas, Inc.

A motion was made by Council Member Lee to approve the first reading of Ordinance No. 2023-21 and to include on the July 25, 2023 agenda for a second reading, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 12C. Holding a public hearing and consider action to approve the first reading of Ordinance No. 2023-22 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 14, the Bastrop Building Block (B3) Code, Article 3.1 Place Type Zoning Districts, and adding Article 3.4 Planned Development Districts; establishing standards and procedures; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting; and move to include on the July 25, 2023, agenda for second reading.

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

Presentation was made by Sylvia Carrillo, City Manager, ICMA-CM, CPM.

Public Hearing opened.

Public Hearing closed.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2023-22, with the additions of changing the language on the notification requirements and inserting language regarding substantial progress, and to include on the July 25, 2023 agenda for a second reading, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 12D. Consider action to approve Resolution No. R-2023-103 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Gary Moss to Place 4 of the Planning and Zoning Commission, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Plunkett to approve Resolution No. R-2023-103, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

EXECUTIVE SESSION CONTINUED

The City Council met at 8:35 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding matters related to Economic Development expenditures, incentives, and sales taxes.

Mayor Nelson recessed the Executive Session at 9:40 p.m.

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

No action taken.

Adjourned at 9:41 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

Assistant City Secretary Victoria Psencik

The Minutes were approved on July 25, 2023, by Council Member Name's motion, Council Member Name's second. The motion was approved on a 5-0 vote.