

APRIL 23, 2024

The Bastrop City Council met in a regular meeting on Tuesday, April 23, 2024, at 6:30 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 Meyer, and Crouch. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the regular City Council meeting to order at 6:30 p.m. with a quorum present. Council Member Lee was absent.

Council Member Plunkett arrived at 6:32 p.m.

PLEDGE OF ALLEGIANCE

Noah Tawater and Zachary Coleman, Colony Oaks Elementary Safety Patrol led the pledges.

INVOCATION

Dale Burke, Police Chaplain, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 4, 2024, as National Lemonade Day.
Submitted by: Ann Franklin, City Secretary
This item was removed from the agenda.

4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing April 2024, as Sexual Assault Awareness Month.
Submitted by: Ann Franklin, City Secretary
Proclamation was read into record by Mayor Lyle Nelson, accepted by Ashlyn Wesel, Family Crisis Center.

4F. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 11, 2024, as World Migratory Bird Day.
Submitted by: Ann Franklin, City Secretary
Proclamation was read into record by Council Member Crouch, accepted by Kerry Fossler, Parks and Recreation Board.

4G. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 4, 2024, as Firefighter Appreciation Day.
Submitted by: Ann Franklin, City Secretary
Proclamation was read into record by Mayor Lyle Nelson, accepted by Chief Chris Stone and Firemen.

- 4H. A proclamation of the City Council of the City of Bastrop, Texas recognizing May 12, 2024 - May 18, 2024, as National Police Week.
Submitted by: Ann Franklin, City Secretary
Proclamation was read into record by Mayor Lyle Nelson, accepted by Chief Steffanic and Officers.
- 4I. A proclamation of the City Council of the City of Bastrop, Texas recognizing the Bastrop County Historical Society on their outstanding achievement.
Submitted by: Lyle Nelson, Mayor
Proclamation was read into record by Mayor Lyle Nelson, accepted by members of the Bastrop County Historical Society.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited Monthly Finance Report for the period ending February 29, 2024.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

CITIZEN COMMENTS

SPEAKERS

Debbie Moore
1306 Church Street
Bastrop, TX 78602

Linda Curtis
150 S. Shore Road
Bastrop, TX 78602

Stephen Ross

CONSENT AGENDA

A motion was made by Council Member Crouch to approve Items 8A and 8B, as listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Mayor Pro Tem Kirkland, motion was approved on a 4-0 vote. Council Member Lee was absent.

- 8A. Consider action to approve City Council minutes from the April 6, 2024, Special Joint Workshop/Walking Tour and April 9, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary
- 8B. Consider action to approve the second reading of Ordinance No. 2024-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024;

appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and action in conflict herewith; and establishing an effective date.

Submitted by: Edi McIlwain, Chief Financial Officer

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-12 of the City Council of the City of Bastrop, Texas, disannexing from the City limits, for full purposes, land being approximately 312.61 acres, known as Bastrop Colorado Bend, Phase 1, out of the Stephen F. Austin Survey, Abstract No. 2, in Bastrop County, Texas, located west of Lovers Lane and southeast of the Colorado River.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

Public Hearing was opened.

Public Hearing was closed.

A motion was made by Council Member Crouch to approve the first reading of Ordinance No. 2024-12, seconded by Council Member Plunkett, motion was approved on a 4-0 vote. Council Member Lee was absent.

- 9B. Consider action to approve Resolution No. R-2024-43 of the City Council of the City of Bastrop, Texas, approving and authorizing the execution of a Lease Agreement between the Bastrop Christian Church and the City for the property located at 600 Spring Street, as attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-43, seconded by Mayor Pro Tem Kirkland, motion was approved on a 4-0 vote. Council Member Lee was absent.

- 9C. Receive presentation of the Bastrop Bird Junction Project, the proposed nine (9) locations, and proposed outdoor Bird Sculptures, and consider action to approve the proposed locations and proposed outdoor Bird Sculptures for locations one (1), two (2), and five (5) as identified in Exhibit A, located within the City Limits of Bastrop, Texas.

Submitted by: James E. Cowey, Director of Development Services

Presentation was made by James E. Cowey, Director of Development Services.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-44 approving proposed locations and proposed outdoor Bird Sculptures for locations one (1), two (2), and five (5), seconded by Council Member Crouch, motion was approved on a 4-0 vote. Council Member Lee was absent.

- 9D. Consider action to approve Resolution No. R-2024-45 of the City Council of the City of Bastrop, Texas, approving and authorizing the issuance of a Request for Proposals (RFP) for Solid Waste and Recycling Services, as attached as Exhibit A; providing for repeal; and providing an effective date.

Submitted by: Andres Rosales, Assistant City Manager.

Presentation was made by Andres Rosales, Assistant City Manager.

SPEAKERS

**Alfonso Sifuentes
205-A S. Main St.
Lockhart, TX 78644**

**Ja'mar Prince
204 Waipahoehoe Dr.
Bastrop, TX 78602**

A motion was made by Council Member Plunkett to table this item with instructions to staff to include the provision of no contact and no lobbying as part of the RFP process, second by Mayor Pro Tem Kirkland, motion was approved on a 4-0 vote. Council Member Lee was absent.

- 9E. Consider action to approve Resolution No. R-2024-46 of the City Council of the City of Bastrop, Texas, approving a contract with PHI Health, LLC dba PHI Air Medical for annual membership for emergency air medical transport in an amount of Thirty-Two Thousand Three Hundred Thirty Four Dollars (\$32,334), authorizing the City Manager to execute all necessary documents, and providing for an effective date.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-46, seconded by Council Member Meyer, motion was approved on a 4-0 vote. Council Member Lee was absent.

EXECUTIVE SESSION

The City Council met at 7:51 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, 551.072, and 551.087 to seek the advice of legal counsel regarding the real estate and economic development aspects of a potential development of a Qualified Hotel Project.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072 to seek legal council and discuss potential acquisition of real estate adjacent to Gills Branch, within the City of Bastrop.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel regarding a 380 Agreement with the Bastrop County Museum & Visitor Center.

- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel regarding potential economic development incentives for the Bastrop Opera House.
- 10E. 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 regarding the conduct of Mayor Lyle Nelson and results of the recent Board of Ethics decision, including remedial measures.

Mayor Nelson recessed the Executive Session at 9:50 p.m.

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

- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.087 to seek the advice of legal counsel regarding potential economic development incentives for the Bastrop Opera House. **A motion was made by Council Member Meyer to direct staff and the City Attorney to negotiate and prepare an Economic Development Incentive Agreement with the Bastrop Opera House to help fund improvements and bring back to next possible meeting, seconded by Mayor Pro Tem Kirkland, motion was approved on a 4-0 vote. Council Member Lee was absent.**
- 10E. 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 regarding the conduct of Mayor Lyle Nelson and results of the recent Board of Ethics decision, including remedial measures. **A motion was made by Council Member Meyer to table item 10E and address it at a special called meeting to be held on Monday, April 29, 2024, at 5:30 p.m., seconded by Council Member Plunkett, motion was approved on a 4-0 vote. Council Member Lee was absent.**

Adjourned at 9:53 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on May 14, 2024, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.