

JULY 23, 2024

The Bastrop City Council met in a regular meeting on Tuesday, July 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, Lee, Fossler, and Plunkett. 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.

PLEDGE OF ALLEGIANCE

Juniper and Mac Moore, Bastrop Opera House Youth Academy led the pledges.

INVOCATION

Bob Long, Police Chaplain, gave the invocation

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report
 - 1. Presentation of a Certificate of Appreciation for outgoing City Secretary, Ann Franklin.

Mayor Lyle Nelson recessed the Council meeting at 6:50 p.m.

Mayor Lyle Nelson called the meeting back to order at 7:05 p.m.

- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing July 23, 2024, as Ivy and Darrel Carroll Day.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
The proclamation was read into record by City Manager Sylvia Carrillo-Trevino.

WORK SESSIONS/BRIEFINGS

- 5A. Receive presentation of the Proposed FY 2025 Budget and announce that the Public Hearing on the FY 2025 budget will be held on September 10, 2024, at 6:30pm at City Hall 1311 Chestnut Street.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Removed from agenda. This item to be presented at the July 30, 2024 Budget Workshop.
- 5B. Update on the Hotel Occupancy Tax Taskforce Meeting
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited Monthly Financial Report for the period ending June 30, 2024.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

CITIZEN COMMENTS

SPEAKERS

David Harwell

**Dax Havrilak
779 Peach Creek Road
Rosanky, Texas 78953**

Deborah Jones

**Perry Lowe
2015 Prickly Pear Dr.
Bastrop, Tx 78602**

Sumai Lokumbe

**Cheryl Long
1501 Church Street
Bastrop, Texas 78602**

CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from the July 9, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary
- 8B. Consider action to approve Resolution R-2024-96 of the City of Bastrop, Texas, amending Exhibit A of Resolution No. R-2024-76 to include Colliers Engineering and Design under the General Engineering section; providing for a repealing clause; and establishing an effective date.
- 8C. Consider action to approve the second reading of Ordinance No. 2024-22 of the City Council of the City of Bastrop, Texas, annexing FM 969 Retail Center (R30094), for 10.559 acres of land out of the Nancy Blakey Survey, Abstract No. 98, located north of SH 71 W and west of FM 969, as shown in Exhibit A, providing for findings of fact, adoption, establishing zoning and character district, repealer, severability, filing and enforcement; establishing an effective date; and proper notice and meeting.
Submitted by: Andres Rosales, Assistant City Manager

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9M. Consider and act on a request for Hotel Occupancy Tax (HOT) Funds in the amount of \$50,000 for the Bastrop County African American Museum & Freedom Colonies Museum. Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Meyer to direct the City Manager to incorporate the request for Hotel Occupancy Tax (HOT) Funds in the amount of \$50,000 for the Bastrop County African American Museum & Freedom Colonies Museum into the budget, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9N. Consideration, discussion and possible action regarding the City Secretary's submission of a Charter amendment petition to the City Council and certifying as to the sufficiency and compliance of the petition with the provisions in Local Government Code, Title 22, Subtitle A, Chapter 9. Submitted by: Ann Franklin, City Secretary
Presentation was made by Ann Franklin, City Secretary.

A motion was made by Council Member Meyer to accept the certification of the Charter amendment petition, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9O. Discussion regarding propositions addressed by the Charter Review Commission. Submitted by: Alan Bojorquez, City Attorney
Presentation was made by Alan Bojorquez, City Attorney. No action was taken.

SPEAKER

**Elise DiNuzzo
313 Cedar Street
Bastrop, Texas 78602**

- 9P. Consider action to approve second reading of Resolution No. R-2024-79 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date. Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

SPEAKERS

**Charles Barrow
906 Pine Street
Bastrop, Texas 78602**

Pam Vear – did not speak

Renate Suitt – did not speak

**Alex Henley
313 Cedar Street
Bastrop, Texas 78602**

David Barrow – did not speak

Carl Grossmann – did not speak

**Maria Montoya Stayton
1707 Pecan Street
Bastrop, Texas 78602**

Sarah Rooney – did not speak

**Jeffrey Stayton
1707 Pecan Street
Bastrop, Texas 78602**

Brian Rooney – did not speak

Kasey Ducloux – did not speak

**Richard Gartman
104 Bowstring Bend
Bastrop, Texas 78602**

Ky Hote – did not speak

Ellen Tanner – did not speak

Herb Goldsmith – did not speak

Brett Douglas – did not speak

Carrie Caylor – did not speak

Cheryl Long – did not speak

Jolene Jaehne – did not speak

A motion was made by Council Member Lee to table this item to August 13, 2024 for the second reading of Resolution No. R-2024-79, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

Mayor Nelson recessed the Council Meeting at 8:44 p.m.

Mayor Nelson called the Council Meeting back to order at 8:50 p.m.

- 9A. Consider and act in support of a Bastrop County project in the Capital Area Metropolitan Planning Organization (CAMPO) 2050 Regional Transportation Plan
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM.

A motion was made by Council Member Lee to support a Bastrop County project in the Capital Area Metropolitan Planning Organization (CAMPO) 2050 Regional Transportation Plan, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9B. Consider and act on Resolution No. R-2024-91 regarding the Bridging Bastrop Board.
Submitted by: Councilmembers Cynthia Sanders-Myer and Kevin Plunkett
Presentation was made by Council Members Kevin Plunkett.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-91, seconded by Council Member Meyer, motion was approved on a 4-1 vote. Council Member Lee voted nay.

- 9C. Consider action to approve Resolution No. R-2024-97 approving an Interlocal Agreement between the City of Bastrop and the City of Round Rock for Joint and Cooperative Purchasing; attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Doug Haggerty, Fleet Manager
Presentation was made by Doug Haggerty, Fleet Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2024-97, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2024-87 of the City Council of the City of Bastrop, Texas, approving the Financial Management Policy, which is attached as Exhibit A; providing for a repealing clause and establishing an effective date.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-87, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2024-88 of the City Council of the City of Bastrop, Texas approving and adopting the Investment Policy and Investment Strategies attached as Exhibit A; approving the list of Qualified Brokers attached as Exhibit B; making various provisions related to the subject; and establishing an effective date.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-88, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2024-89 approving the City of Bastrop Purchasing Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Edi McIlwain, Chief Financial Officer

Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Lee to approve Resolution No. R-2024-89, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2024-98 of the City Council of the City of Bastrop, Texas for the release of land from the city's extraterritorial jurisdiction upon request and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

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

Presentation was made by Viviana Andres, Assistant to City Manager

A motion was made by Council Member Meyer to approve Resolution No. R-2024-98, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9H. Consider action to approve Resolution No. R-2024-99 of the City Council of the City of Bastrop, Texas denying the release of land from the city's extraterritorial jurisdiction and providing for findings of fact, repealer, severability, effective date, proper notice, and meeting.

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

Presentation was made by Viviana Andres, Assistant to City Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2024-99 with the removal of Mr. Lineberry's property, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

A motion was made by Council Member Fossler to approve Resolution No. R-2024-100 approving removal of property from ETJ, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9I. Consider action to approve the first reading of Ordinance No. 2024-21 of the City Council of the City of Bastrop, Texas amending Appendix A – Fee Schedule, Section A14.01.001 – Subdivision, Public Improvement Inspections; establishing a repealing clause; providing severability; and providing 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 Lee to approve the first reading of Ordinance No. 2024-21, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9J. Consider action to approve Resolution No. R-2024-92 of the City Council of the City of Bastrop, Texas, awarding and approving a contract for solid waste and recycling services with Texas Disposal Systems, Inc.; authorizing the execution of all necessary documents; providing for severability; providing for repealer; providing an effective date; and providing for proper notice & meeting.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2024-92, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9K. Consider action to approve Resolution No. R-2024-73 of the City Council of the City of Bastrop, Texas, approving and authorizing execution of the first amendment to the Viridian Development Agreement between the City of Bastrop and Continental Homes of Texas, L.P., regarding the Valverde Development; providing for severability; providing for repeal; and providing 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-2024-73, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9L. Consider action to approve Resolution No. R-2024-95 of the City Council of the City of Bastrop, Texas; approving the execution of a contract with C.C. Carlton Industries, LTD., in the amount not to exceed Three Million, One Hundred Ninety-Nine Thousand, Seven Hundred Seventy-Eight, and Fifty-Three Cents (\$3,199,778.53); for the construction of an off-site wastewater line related to the Valverde Development; authorizing the City Manager to execute all necessary documents; 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 Meyer to approve Resolution No. R-2024-95, seconded by Council Member Plunkett, motion was approved on a 4-0 vote. Council Member Lee was off the dais.

EXECUTIVE SESSION

The City Council met at 9:58 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 Sections 551.074 and 551.074 of the Texas Government Code to seek the advice of legal counsel and to discuss the contract of the Presiding Municipal Judge.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072 to seek legal counsel and discuss the 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 Section 551.071 and .072 to seek the advice of legal counsel regarding an amendment to the lease terms outlined in the Letter of Intent between the City of Bastrop and the African American Cultural Center.

Mayor Nelson recessed the Executive Session at 10:15 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 Sections 551.074 and 551.074 of the Texas Government Code to seek the advice of legal counsel and to discuss the contract of the Presiding Municipal Judge. **No action taken on this item.**

10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072 to seek legal counsel and discuss the potential acquisition of real estate adjacent to Gills Branch within the City of Bastrop. **No action taken on this item.**

10C. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and .072 to seek the advice of legal counsel regarding an amendment to the lease terms outlined in the Letter of Intent between the City of Bastrop and the African American Cultural Center. **No action taken on this item.**

Adjourned at 10:16 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

Assistant City Secretary Victoria Psencik

The Minutes were approved on August 13, 2024, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.