

FEBRUARY 14, 2023

The Bastrop City Council met in a regular meeting on Tuesday, January 14, 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. Council Member Plunkett was not present.

PLEDGE OF ALLEGIANCE

Skyla Hamilton and Laraine Curry, Cedar Creek Intermediate School, 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

WORK SESSIONS/BRIEFINGS - NONE**STAFF AND BOARD REPORTS - NONE****CITIZEN COMMENTS - NONE****CONSENT AGENDA**

A motion was made by Council Member Kirkland to approve Items 8A, 8B, 8C, 8D, 8E, and 8F 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 4-0 vote. Council Member Plunkett was not present.

- 8A. Consider action to approve City Council minutes from the January 23, 2023, Joint City Council and BEDC meeting and January 24, 2023, Regular meeting.
Submitted by: Ann Franklin, City Secretary
- 8B. Consider action to approve Resolution No. R-2023-22 of the City Council of the City of Bastrop, Texas confirming the Mayor's appointment of David Carlson, Place 2 of the Construction Standard Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.
Submitted by: Ann Franklin, City Secretary

- 8C. Consider action to approve Resolution No. R-2023-18 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with HSD Bastrop Pecan Park LP, for Pecan Park Commercial Lot 5, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Jennifer C. Bills, Director of Planning & Development
- 8D. Consider action to approve Resolution No. R-2023-17 of the City Council of the City of Bastrop, Texas authorizing a license to encroach agreement with Bastrop Grove Residential Community, Inc. to encroach into the City right-of-way to install irrigation, landscaping, signage, and mail kiosks for a residential development, as attached in Exhibit A; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.
Submitted by: Jennifer C. Bills, Director of Planning & Development
- 8E. Consider action to approve Resolution No. R-2023-19 of the City Council of the City of Bastrop, Texas, approving a construction contract with JM Pipeline, LLC. for the Riverwood Water Main (WM) Replacement – Phase I – Bastrop CDV21-0276 for a not to exceed amount of Three Hundred Fifty-Eight Thousand, Two Hundred Thirty-One Dollars (\$358,231.00); 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
- 8F. Consider action to approve Resolution No. R-2023-16 of the City Council of the City of Bastrop, Texas, supporting the application for Housing Tax Credits for the rehabilitation of the Settlement Estates, located at 149 Settlement Drive; confirming support for the application; authorizing the City Manager to grant a Two-Hundred Fifty Dollar and No Cents (\$250.00) reduction in fees for Settlement Estates to meet all program criteria; authorizing the Mayor to certify documents; and establishing an effective date.
Submitted by: Jennifer C. Bills, AICP, LEED AP, Director of Planning & Development

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution R-2023-15 approving the City of Bastrop, Texas Library Collection Development Policy, which is attached as Exhibit A; providing for a repealing clause; and establishing an effective date.
Submitted by: Bonnie Pierson, Library Director
Presentation was made by Bonnie Pierson, Library Director.

A motion was made by Council Member Lee to remove this item from the agenda and consider at a later date, seconded by Council Member Kirkland, motion was approved on a 4-0 vote. Council Member Plunkett was not present.

Council Member Plunkett arrived at 7:15 p.m.

- 9B. Consider action to approve Resolution No. R-2023-21 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 Treatment Plant (WWTP) # 3 – Phase II (expansion) for a not to exceed amount of Three Hundred Seventy-One Thousand,

One Hundred Eighteen Dollars (\$371,118.00);authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, Director of Engineering

Presentation was made by Fabiola de Carvalho, Director of Engineering.

A motion was made by Council Member Kirkland to approve Resolution No. R 2023-21, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2023-20 of the City Council of the City of Bastrop, Texas, approving an Amendment #5 to the Task Authorization #2, of the original Professional Services Agreement with Freese and Nichols, Inc. (FNI) to provide materials testing services for the Simsboro Water Treatment Plant, Well Field, and Transmission Facilities project for a not to exceed amount of Two Hundred Fifteen Thousand, Seven Hundred Seventy-Five Dollars (\$215,775.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, Director of Engineering

Presentation was made by Fabiola de Carvalho, Director of Engineering.

A motion was made by Council Member Lee to approve Resolution No. R 2023-20, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 9D. Consider action to approve the first reading of Ordinance No. 2023-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Section 1.02.005 regarding termination of inactive campaign treasurer appointment; providing for repealer and severability; establishing an effective date; proper notice and meeting; and move to include on the February 28, 2023, consent agenda for a second reading.

Submitted by: Ann Franklin, City Secretary

Presentation was made by Ann Franklin, City Secretary.

A motion was made by Mayor Pro Tem Rogers to approve the first reading of Ordinance No. 2023-01, and move to include on the February 28, 2023, consent agenda for a second reading, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 9E. Consider action to approve the first reading of Ordinance No. 2023-02 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual work plans for city boards, commissions, task forces, committees and advisory bodies; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting, and move to include on the February 28, 2023, agenda for a 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. 2023-02 with the following conditions, and move to include on the February 28, 2023, agenda for a second reading, seconded by Mayor Pro Tem Rogers.

Conditions:

1. A brief definition of a workplan which may include goals, activities, budget, etc.
2. A date appropriate for a budgeting cycle.
3. Specify who the owner is.
4. State that Council may modify the work plan during the approval process.
5. Outside of the ordinance would like staff to create a template.

A friendly amendment to the motion was made by Mayor Pro Tem Rogers to replace "Council may modify" with "Council may make suggestions". The friendly amendment was not accepted by the maker of the motion.

The first reading of Ordinance No 2023-02 was approved with the following conditions, and to include on the February 28, 2023, agenda for a second reading, on Council Member Kirkland's motion, Mayor Pro Tem Rogers' second on a 5-0 vote.

Conditions:

1. A brief definition of a workplan which may include goals, activities, budget, etc.
2. A date appropriate for a budgeting cycle.
3. Specify who the owner is.
4. State that Council may modify the work plan during the approval process.
5. Outside of the ordinance would like staff to create a template.

- 9F. Consider action to approve the first reading of Ordinance No. 2023-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual verification of attendance and residency for members of boards, commissions, task forces, committees and advisory bodies; and providing for: findings of fact, adoption, repealer, severability, establishing an effective date, proper notice and meeting, and move to include on the February 28, 2023, agenda for a second reading.

Submitted by: Sylvia Carrillo, City Manager

Presentation was made by Sylvia Carrillo, City Manager.

A motion was made by Mayor Pro Tem Rogers to approve the first reading of Ordinance No. 2023-03, and move to include on the February 28, 2023, agenda for a second reading, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:47 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.

- 10B. City Council shall convene into closed executive session pursuant to Texas Government Codes sections 551.071 and 551.072 to seek the advice of legal counsel regarding counteroffers for real estate acquisition for the West Side Wastewater Collection System and related real estate matters.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 (Consultation with Attorney) and 551.072 (Real Property) to discuss potential land for acquisition as identified in the recent strategic planning session.

Mayor Schroeder recessed the Executive Session at 8:36 p.m.

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

No action taken.

Adjourned at 8:36 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie Schroeder

City Secretary Ann Franklin

The Minutes were approved on February 28, 2023, by Council Member **Name's motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.**