

OCTOBER 11, 2022

The Bastrop City Council met in a regular meeting on Tuesday, October 11, 2022, at 5:30 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 5:30 p.m. with a quorum present.

EXECUTIVE SESSION

The City Council met at 5:30 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 to seek the advice of legal counsel regarding solid waste franchise agreements.

Mayor Schroeder recessed the Executive Session at 6:19 p.m.

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

- 2A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding solid waste franchise agreements.
A motion was made by Council Member Lee to direct the City Manager to survey residents regarding waste management preferences in service prior to implementing a Request for Proposal for competitive bids, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

CALL TO ORDER – REGULAR SESSION

Mayor Schroeder called the Regular Council Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Cannon Cole and Katherine Alexander, Mina Elementary PE Posse, led the pledges.

INVOCATION

Derek Brown, Next Generation Pastor, Calvary Baptist Church, gave the invocation.

PRESENTATIONS

- 5A. Mayor's Report
- 5B. Council Members' Report
- 5C. City Manager's Report

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS

- 7A. Receive Presentation on the unaudited monthly Financial Report for the period ending August 31, 2022.

Submitted by Tracy Waldron, Chief Financial Officer

Presentation was presented by Tracy Waldron, Chief Financial Officer.

CITIZEN COMMENTS

SPEAKERS

Stacy Fobert

123 Briar Forest Dr.

801-664-2744

CONSENT AGENDA

A motion was made by Mayor Pro Tem Rogers to approve Items 9A, 9B, and 9C 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 5-0 vote.

- 9A. Consider action to approve City Council minutes from the September 20, 2022, Regular meeting.

Submitted by: Ann Franklin, City Secretary

- 9B. Consider action to approve Resolution No. R-2022-94 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Sylvia Carrillo to Place 1 of the Hunters Crossing Local Government Corporation, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 9C. Consider action to approve the second reading of Ordinance No. 2022-26, of the City Council of the City of Bastrop, Texas, 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, and proper notice and meeting.

Submitted by: Tracy Waldron, Chief Financial Officer

ITEMS FOR INDIVIDUAL CONSIDERATION

- 10D. Consider action to approve Resolution No. R-2022-89 of the City Council of the City of Bastrop, authorizing proceeding with issuance of certificates of obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer and Dan Wegmiller, Specialized Public Finance Inc.

A motion was made by Council Member Plunkett to approve Resolution No. R-2022-89, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 10C. Consider action to approve Resolution No. R-2022-91 of the City Council of the City of Bastrop, Texas, approving a construction contract with Archer Western Construction, LLC to provide Construction Manager at Risk services for a not to exceed amount of Thirty-Five Million, Seven Hundred Ninety-Six Thousand, Two Hundred Seventeen Dollars (\$35,796,217); 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

Presentation was made by Fabiola De Carvalho, AMP MIAM, Director of Engineering and Capital Project Management and Kendall King, Freese and Nichols.

A motion was made by Mayor Pro Tem Rogers to approve Resolution No. R-2022-91, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 10B. Hold a public hearing and consider action on Resolution No. 2022-93 on an appeal to approve a replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Jennifer C. Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

Public hearing opened.

**Donald Barron
185 Hofferek Rd
Rosanky, TX 78953**

Public hearing closed.

A motion was made by Council Member Crouch to approve Resolution No. 2022-93, seconded by Council Member Plunkett.

This item was tabled.

- 10A. Hold a public hearing and consider action through an appeal to City Council on Resolution No. 2022-92 to grant a subdivision variance from the B³ Code Technical Manual, Section 3.2.005 requiring all new lots to be a minimum of one acre in size for on-site sewer facilities and a subdivision variance from the 2018 International Fire Code, Appendix D, Section D107.1 requiring a subdivision with more than 30 units/lots to have a secondary point of egress for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Jennifer C. Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

Public hearing opened.

Donald Barron
185 Hofferek Rd
Rosanky, TX 78953

Public hearing closed.

A motion was made by Council Member Crouch to approve Resolution No. R-2022-92 as a hardship variance, seconded by Council Member Plunkett, motion failed on a 3-2 vote. Four affirmative votes were required by statute because a protest was filed. Those voting aye: Council Members Crouch, Plunkett, and Kirkland. Those voting nay: Mayor Pro Tem Rogers and Council Member Lee.

- 10B. Hold a public hearing and consider action on Resolution No. 2022-93 on an appeal to approve a replat with variances for Piney Ridge Section 1, Block A, Replat of Lot 11, being 1.838 acres out of Piney Ridge Subdivision, located at TBD Post Oak Rim, within the City Limits of Bastrop, Texas, as shown in Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Jennifer C. Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

Public hearing opened.

Donald Barron
185 Hofferek Rd
Rosanky, TX 78953

Public hearing closed.

A motion was made by Council Member Crouch to approve Resolution No. 2022-93, seconded by Council Member Plunkett.

This item was tabled.

No action was required on this item, variances were not approved therefore replat cannot be approved.

Adjourned at 8:28 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie Schroeder

City Secretary Ann Franklin

The Minutes were approved on October 25, 2022, by Council Member **Name**'s motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.