

MARCH 26, 2024

The Bastrop City Council met in a joint meeting with BEDC and regular meeting on Tuesday, March 26, 2024, at 5:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas.

Bastrop Mayor and Council Members present were: Mayor Nelson and Mayor Pro Tem Kirkland and Council Members Lee, Meyer, Crouch, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

Bastrop Economic Development Corporation Members present were: Chair Spencer and Directors Urbanek, Palmer, and Schroeder. Staff present: Angela Ryan.

CALL TO ORDER JOINT MEETING

Mayor Nelson called the joint meeting of the Bastrop City Council to order, with a quorum being present at 5:30 p.m.

Chair, Ron Spencer called the joint meeting of the BEDC Board to order, with a quorum being present at 5:30 p.m.

JOINT MEETING WITH BASTROP CITY COUNCIL AND BASTROP ECONOMIC DEVELOPMENT CORPORATION

2A. Joint Meeting with the Bastrop Economic Development Corporation (BEDC) regarding a Sports Complex and a potential Qualified Hotel Project (QHP) and action to potentially create a project for BEDC.

Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, Interim Executive Director of the BEDC and City Manager

EXECUTIVE SESSION

The City Council met at 6:05 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, Sections 551.071, 551.072, and 551.087.

The BEDC met at 6:05 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, Sections 551.071, 551.072, and 551.087.

Mayor Nelson recessed the Bastrop City Council Executive Session at 6:21 p.m.

Chair Spencer recessed the BEDC Executive Session at 6:21 p.m.

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

Motion was made by Director Schroeder to approve the creation of a BEDC project to be called Sports Complex to be located within the Bastrop Industrial Park, seconded by Director Palmer, motion was approved on a 10-0 vote.

Mayor Nelson appointed a working committee to look at the Sports Complex issue moving forward. Mayor Nelson appointed Council Member Crouch, Council Member Meyer, and himself as the Mayor to the Bastrop City Council places on the committee.

Chair Spencer appointed Director Schroeder, Director Urbanek, as well as himself to the BEDC places on the committee.

Mayor Nelson adjourned the Bastrop City Council joint meeting at 6:22 p.m. without objection.

Chair Spencer adjourned the BEDC Board joint meeting at 6:22 p.m. without objection.

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

Spencer Reutter and Kynleigh Whitworth, Mina Elementary Gifted and Talented Program led the pledges.

INVOCATION

Bob Long, Police Chaplain, gave the invocation.

PRESENTATIONS

6A. Mayor's Report

6B. Council Members' Report

6C. City Manager's Report

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS

8A. Receive Annual Racial Profiling Report from the City of Bastrop Police Department.
Submitted by: Vicky Steffanic, Chief of Police
Presentation was made by Vicky Steffanic, Chief of Police.

CITIZEN COMMENTS

SPEAKER(S)

**T.J. Finn
240 S Hasler Blvd.
Bastrop, Texas 78602
936-657-8012**

**Chris White
208 Strand Lane
Bastrop, Texas 78602
512-545-4245**

**David Harwell
113 Waiale Court
Bastrop, Tx 78602
512-744-0790**

Irby Morvant
575 Lost Pines
512-308-4600

EXECUTIVE SESSION

The City Council met at 6:56 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 12A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Visit Bastrop's Destination and Marketing Services Agreement and related policies, procedures, and practices.

Mayor Nelson recessed the Executive Session at 8:21 p.m.

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

- 12A. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Visit Bastrop's Destination and Marketing Services Agreement and related policies, procedures, and practices.

A motion was made by Council Member Crouch to create a Hotel Occupancy Tax Task Force to evaluate the best means of using the funds and approve a resolution at the next meeting, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

APPROVAL OF MINUTES

- 10A. Consider action to approve City Council minutes from the March 12, 2024, Regular meeting.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Plunkett to approve City Council minutes from the March 12, 2024, Regular meeting, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 11A. Consider action to approve Resolution No. R-2024-33 of the City Council of the City of Bastrop, Texas, approving Amendment #6 to the Task Authorization #2, of the original Professional Services Agreement with Freese and Nichols, Inc. (FNI) to provide additional construction phase services for the Simsboro Water Treatment Plant, Well Field, and Transmission Facilities project for a not to exceed amount of Five Hundred Sixteen Thousand, Nine Hundred Seventy-Five Dollars (\$516,975.00); authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Fabiola de Carvalho, CFM, AMP MIAM, Executive Director of Engineering and Construction Management

Presentation was made by Fabiola de Carvalho, CFM, AMP MIAM, Executive Director of Engineering and Construction Management and Kendall King, Freese and Nichols.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-33, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 11B. Consider action to approve Resolution No. R-2024-37 of the City Council of the City of Bastrop, Texas, approving and ratifying the execution of a Wholesale Wastewater Services Agreement and a Wastewater Facility Payment Contribution Agreement between the City and Corix Utilities Inc., as attached as Exhibits A and B respectively; providing for 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

This item was tabled until the April 9, 2024, agenda.

- 11C. Consider action to approve Resolution No. R-2024-34 of the City Council of the City of Bastrop, Texas, approving a Wastewater Easement Acquisition Agreement between the City and Corix Utilities Inc., as 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: 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 approve Resolution No. R-2024-34, seconded by Council Member Lee, motion was approved on a 5-0 vote.

Item 11B was un-tabled to hear speaker.

- 11B. Consider action to approve Resolution No. R-2024-37 of the City Council of the City of Bastrop, Texas, approving and ratifying the execution of a Wholesale Wastewater Services Agreement and a Wastewater Facility Payment Contribution Agreement between the City and Corix Utilities Inc., as attached as Exhibits A and B respectively; providing for 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

This item was tabled until the April 9, 2024, agenda.

SPEAKER

**Judah Ross
213 Nicole Way
Bastrop, Texas 78602**

This item was tabled until the April 9, 2024, agenda.

- 11D. Consider action to approve Resolution No. R-2024-35 of the City Council of the City of Bastrop, Texas, approving an Agreement between the City, 7Arrows Land Staff, LLC, and Corix Utilities Inc., for 7Arrows Land Staff, LLC, to provide professional land rights acquisition services in the amount not to exceed Five Hundred Thousand Five Hundred Dollars (\$500,500.00), as 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: 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 Mayor Pro Tem Kirkland to approve Resolution No. R-2024-35, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 11E. Consider action to approve the first reading of Ordinance No. 2024-08 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 14, The Bastrop Building Block (B3) Code, Article 9.2 Categories Of Preservation establishing standards and procedures; as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting and move to include on the April 9, 2024, Consent Agenda for the second reading.
Submitted by: Kennedy Higgins, Senior Planner, Development Services Department
Presentation was made by Kennedy Higgins, Senior Planner, Development Services Department.

A motion was made by Mayor Pro Tem Kirkland to approve the first reading of Ordinance No. 2024-08, seconded by Council Member Meyer, motion was approved on a 4-0 vote. Council Member Plunkett off dais.

- 11F. Consider action to approve the first reading of Ordinance No. 2024-10 authorizing the amendment of the City of Bastrop FY2024 budget with a reduction of \$25,000 in revenue received from the Bastrop Economic Development Corporation allocated to the Main Street program; providing for severability; repealing conflicting ordinances; providing an effective date; providing for proper meeting and notice; and move to include on the April 9, 2024, Consent Agenda for second reading.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager, and Interim Director of the BEDC
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager, and Interim Director of the BEDC.
- A motion was made by Mayor Pro Tem Kirkland to approve the first reading of Ordinance No. 2024-10, seconded by Council Member Meyer, motion was approved on a 4-0 vote. Council Member Plunkett off dais.**
- 11G. Consider action to approve Resolution No. R-2024-36 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Richard Smarzik to Place 6; Kathryn Lang to Place 4; Christopher Higgins to Place 3; and Judith Magana to Place 9, of the Main Street Board as required in Section 3.08 of the City's Charter; 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
- A motion was made by Council Member Meyer to approve Resolution No. R-2024-36, seconded by Council Member Crouch, motion was approved on a 4-0 vote. Council Member Plunkett off dais.**
- 11H. Consider action to approve Resolution No. R-2024-39 of the City Council of the City of Bastrop, Texas, approving an Interlocal Agreement with the Bastrop County Water Control and Improvement District No. 2 for the maintenance and improvement of certain streets, as attached in Exhibit A; authorizing the execution of all necessary documents; providing for repealer; and providing an effective date.
Submitted by: Andres Rosales, Assistant City Manager
Presentation was made by Submitted by: Andres Rosales, Assistant City Manager
- A motion was made by Council Member Plunkett to approve Resolution No. R-2024-39, seconded by Council Member Crouch, motion was approved on a 5-0 vote.**
- 11I. Consider action to approve Resolution No. R-2024-40 of the City Council of the City of Bastrop, Texas, approving an interlocal agreement with the Bastrop County for the maintenance and improvement of certain streets, as attached in Exhibit A; authorizing the execution of all necessary documents; providing for repealer; and providing an effective date.
Submitted by: Andres Rosales, Interim Assistant City Manager
Presentation was made by Submitted by: Andres Rosales, Assistant City Manager
- A motion was made by Council Member Crouch to approve Resolution No. R-2024-40, seconded by Council Member Meyer, motion was approved on a 5-0 vote.**

- 11J. Consider action to approve Resolution No. R-2024-38 of the City Council of the City of Bastrop, Texas adopting the previously accepted 2023 City of Bastrop Parks, Recreation and Open Space Master Plan.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-38, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 11K. Consider action to approve Resolution No. R-2024-29 regarding a petition filed by Eron R. Smith to remove approximately 128.563 acres of land, as described in the petition, from the City of Bastrop's extraterritorial jurisdiction pursuant to Local Government Code Chapter 42.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM

A motion was made by Council Member Lee to approve Resolution No. R-2024-29, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

EXECUTIVE SESSION CONTINUED

The City Council met at 9:37 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 12B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding the plans for the potential annexation of certain county roads as related to future development projects.
- 12C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding current laws and procedures for the creation of a Municipal Utility District.
- 12D. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding current laws and procedures for creation of a Public Improvement District.
- 12E. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding a Mutual Release and Termination of Development Agreement with Bastrop Colorado Bend, LLC, including de-annexation of Bastrop 552 Project property.

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.

12E. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding a Mutual Release and Termination of Development Agreement with Bastrop Colorado Bend, LLC, including de-annexation of Bastrop 552 Project property.

A motion was made by Council Member Plunkett to approve the agreement indicated in 12E, Mutual Release and Termination of Development Agreement with Bastrop Colorado Bend, LLC, including de-annexation of Bastrop 552 Project property and authorize the City Manager to execute, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

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

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on April 9, 2024, by Council Member Name's motion, Council Member Name's second. The motion was approved on a 5-0 vote.