

## CHARTER REVIEW COMMISSION MINUTES

Wednesday, July 17, 2024

Pursuant to the Texas Government Code, Chapter 551, the City of Bastrop Charter Review Commission met on Wednesday, July 17, 2024, at 12:00 p.m. at the Bastrop City Hall, 1311 Chestnut Street, Bastrop Texas. Commissioners present in person: Connie Schroeder, Debbie Moore, Bernie Jackson, Richard Martin, David Bragg, Jimmy Crouch, Dock Jackson, Ken Kesselus, Chris Kirby, and Joe Grady Tuck. Commissioner present via Zoom: Robin Peyson. City Staff present: Alan Bojorquez, City Attorney; Sylvia Carrillo-Trevino, City Manager; and Ann Franklin, City Secretary.

### CALL TO ORDER

At 12:06 p.m. Alan Bojorques, City Attorney called the meeting to order with, a quorum present. Commissioner Alex Henley was absent

### INTRODUCTION BY BOARD MEMBERS

2A. Introduction of the commission members.

### ITEMS FOR INDIVIDUAL CONSIDERATION

3A. Consider and act on the appointment of a commission chair.

**A motion was made by Commissioner Ken Kesselus to nominate Commissioner David Bragg as the Chair, seconded by Commissioner Dock Jackson, motion was approved on a 12-0 vote.**

3B. Consider and act on establishing a meeting date schedule for future meetings.

### PRESENTATION - OVERVIEW OF CHARTER REVIEW ITEMS

4A. Legal overview by City Attorney.

4B. Overview of 2022 proposed charter amendments.

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

**Prop. A** Shall Section 2.03 of the Charter be amended to conform with state law by removing reference to the City's power to annex territory without consent of the inhabitants?

**A motion was made by Commissioner Chris Kirby to accept Proposition A, seconded by Commissioner Connie Schroeder, motion was approved on a 12-0 vote.**

**Prop. B** Shall Section 3.06(6) of the Charter be amended to conform with state law creating a vacancy on the city council when a council member announces their candidacy for certain elected offices and the unexpired term of the council member exceeds one year and thirty days?

**A motion was made by Commissioner Dock Jackson to accept Proposition B, seconded by Commissioner Judy Enis, motion was approved on a 12-0 vote.**

**Prop. C** Shall Section 3.15(b) of the Charter be amended to authorize the city council to waive by an affirmative vote of four (4) or more Council Members the requirement that an ordinance be read in two separate meetings?

**A motion was made by Commissioner Dock Jackson to reject Proposition C, seconded by Commissioner Connie Schroeder, motion was approved on a 12-0 vote.**

**Prop. D:** Shall Section 3.16 of the Charter be amended to reflect the fact that codes of technical regulations are available to the public digitally and free of charge?

**A motion was made by Commissioner Chris Kirby to accept Proposition D, seconded by Commissioner Jimmy Crouch, motion was approved on a 12-0 vote.**

**Prop. E:** Shall Section 3.17(b) of the Charter be amended to reflect the fact that ordinances are available to the public digitally and free of charge?

**A motion was made by Commissioner Debbie Moore to accept Proposition E, seconded by Commissioner Bernie Jackson, motion was approved on a 12-0 vote.**

**Prop. F:** Shall Section 5.02 of the Charter be amended to conform with state law by stating that the term of office of municipal court judges shall be provided for by ordinance?

**A motion was made by Commissioner Ken Kesselus to accept Proposition F, seconded by Commissioner Connie Schroeder, motion was approved on a 12-0 vote.**

**Prop. G:** Shall Section 10.04 of the Charter be amended to conform with state law by requiring petitions calling for initiative or referendum elections to comply with the Texas Election Code?

**A motion was made by Commissioner Debbie Moore to accept Proposition G, seconded by Commissioner Dock Jackson, motion was approved on a 12-0 vote.**

**Prop. H:** Shall Section 10.08 of the Charter be amended to conform with state law by requiring petitions calling for recall elections to comply with the Texas Election Code?

**A motion was made by Commissioner Connie Schroeder to accept Proposition H, seconded by Commissioner Judy Enis, motion was approved on a 12-0 vote.**

**Prop. I:** Shall Section 12.01 of the Charter be amended to provide that the number of Planning and Zoning commissioners shall be established by ordinance?

**A motion was made by Commissioner Chris Kirby to table Prop I to the next meeting to allow more input, seconded by Commissioner Ken Kesselus, motion failed on a vote of 5-7. Those voting yay: Commissioners Richard Martin Chris Kirby, Ken Kesselus, Jimmy Crouch, and Joe Grady Tuck. Those voting nay: Commissioners David Bragg, Connie Schroeder, Bernie Jackson, Judy Enis, Debbie Moore, Dock Jackson, and Robin Peyson.**

**A motion was made by Commissioner Ken Kesselus to reject Proposition I, seconded by Commissioner Dock Jackson, motion was approved on a 8-2-2 vote. Those voting yay: Commissioners David Bragg, Connie Schroeder, Bernie Jackson, Judy Enis, Dock Jackson, Ken Kesselus, Robin Peyson, and Debbie Moore. Those voting nay: Commissioners Jimmy Crouch, and Joe Grady Tuck. Commissioners Chris Kirby and Richard Martin abstained.**

**Prop. J:** Shall Sections 14.03 and 14.04 of the Charter be repealed in their entirety as outdated, transitional provisions that are now irrelevant?

**A motion was made by Commissioner Debbie Moore to accept Proposition J, seconded by Commissioner Dock Jackson, motion was approved on a 12-0 vote.**

**Prop. K:** Shall the Charter be amended throughout to replace gender -specific language with gender-neutral terminology?

**A motion was made by Commissioner Chris Kirby to amend Proposition K to replace single gender pronouns with phrases that would be all inclusive such as his or hers/he or she, seconded by Commissioner Connie Schroeder, motion was approved on a 12-0 vote.**

4C. Discussion of additional charter review items to consider.

**Prop. 1** Shall Section 3.01 (*and possibly 3.08*) of the Charter be amended to clarify that the Mayor (*or two Council Members*) appoint(s) candidates to serve on boards (committees, commissions, task forces, etc.) and the Council confirms the appointment(s)?

**A motion was made by Commissioner Ken Kesselus to amend Proposition 1 by removing red language in 308.**

**A motion was made by Commissioner Debbie Moore to accept Proposition 1, Option A, seconded by Commissioner Bernie Jackson, motion was approved on a 11-1 vote. Commissioner Chris Kirby voted nay.**

Chair Bragg recessed the Charter Review Commission meeting at 1:46 p.m.

Chair Bragg called the Charter Review Commission meeting at 1:56 p.m.

**Prop. 2** Shall Section 3.01 of the Charter be amended to provide for the position of Mayor Pro Tem to alternate annually among the City Council members?

**A motion was made by Commissioner Connie Schroeder to reject Proposition 2, seconded by Commissioner Ken Kesselus, motion was approved on a 10-1 vote. Commissioner Dock Jackson abstained. Commissioner Robin Peyson lost connection.**

**Prop. 3** Shall Section 3.07 of the Charter be amended to compensate the Mayor at a rate of \$\_\_\_ per month and Council Members at \$\_\_\_ per month?

**A motion was made by Commissioner Joe Grady Tuck to have compensation to Mayor and Council be set by Council for Proposition 3, seconded by Commissioner Dock Jackson. Commissioner Dock Jackson withdrew his second, item died for lack of a second.**

**A motion was made by Commissioner Dock Jackson to table Proposition 3, seconded by Commissioner Debbie Moore, motion was approved on a 11-0 vote. Robin Peyson lost connection.**

**Prop. 4** Shall Section 3.09 of the Charter be amended to mandate that the City Council must appoint a Charter Review Commission every six years?

**A motion was made by Commissioner Judy Enis to accept Proposition 4, seconded by Commissioner Dock Jackson, motion was approved on a 10-1 vote. Joe Grady Tuck voted nay. Robin Peyson lost connection.**

**Prop. 5** Shall Section 3.13 of the Charter be amended to specify that 3 members of the Council shall constitute a quorum?

**A motion was made by Commissioner Debbie Moore to accept Proposition 5, seconded by Commissioner Ken Kesselus, motion failed on a 8-3 vote. Robin Peyson lost connection.**

**Prop. 6** Shall Section 4.01 of the Charter be amended to require the City Manager to reside within the City Limits or one-mile statutory Extraterritorial Jurisdiction (*or within one mile of the City Limits*)?

**A motion was made by Commissioner Joe Grady Tuck amending Proposition 6 to state the City Manager does not need to be a resident in the City of Bastrop at the time of employment, seconded by Commissioner Dock Jackson. Motion was withdrawn.**

**A motion was made by Commissioner Chris Kirby to remove the second paragraph of Section 4.01, seconded by Commissioner Joe Grady Tuck, motion was approved on a 10-1-0 vote. Commissioner Debbie Moore voted nay. Commissioner Robin Peyson lost connection.**

#### **CITIZEN COMMENTS - NONE**

#### **WORKSHOP**

- 6A. Discussion of the proposed timeline the commission will work towards.  
**Chair Bragg will work with the City Secretary to find a date and time for next Charter Review Commission meeting to discuss remaining and additional items.**
- 6B. Discussion of items presented and any additional items the commission may want to consider.

#### **ITEMS FOR INDIVIDUAL CONSIDERATION**

- 7A. Consider and act on a recommendation to the City Council of any of the items presented for discussion.

**Adjourned at 3:30 p.m. without objection.**

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David Bragg, Chair

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Ann Franklin, City Secretary