

NOVEMBER 7, 2023

The Bastrop City Council met in a regular meeting on Tuesday, November 7, 2023, 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 Lee, Meyer, Plunkett, and Crouch. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the meeting to order at 6:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Layla Fehlker and Mark Hernandez, RISE, Red Rock Elementary, 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

**Stephanie Jenkins
1302 Pecan Street
Bastrop, Texas 78602
512-796-3938**

**Kirk Harrison
Frontier Waste
210-872-1708**

CONSENT AGENDA

A motion was made by Council Member Lee 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 5-0 vote.

- 8A. Consider action to approve City Council minutes from the October 24, 2023, Regular meeting.
Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve the second reading of Ordinance No. 2023-40 of the Bastrop City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 13 Utilities, adding Article 13.14, establishing regulations for wireless transmission facilities (antenna towers).
Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager
- 8C. Consider action to approve Resolution No. R-2023-149 of the City Council of the City of Bastrop, Texas awarding a Community Support Service Agreement for services associated with operating, marketing, and the providing of cultural art and theater services to the Bastrop Opera House, at a cost of One Hundred and Sixty Nine Thousand and Nine Hundred Ninety-One 00/100 Dollars (\$169,991.00) attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the agreement; providing for a repealing clause; and establishing an effective date.
Submitted by: Kathy Danielson, Community Engagement Director
- 8D. Consider action to approve Resolution No. R-2023-150 of the City Council of the City of Bastrop, Texas awarding a community support service agreement for services associated with operating, marketing, and providing of cultural art, to the Lost Pines Art Center, at a cost of One Hundred Forty-Nine Thousand and One Hundred and Nine and 00/100 dollars (\$149,109.00). attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
Submitted by: Kathy Danielson, Community Engagement Director
- 8E. Consider action to approve Resolution No. R-2023-151 of the City Council of the City of Bastrop, Texas awarding a community support service agreement for operating, marketing, and staffing a historical museum and visitor center and providing visitor center services to the Bastrop County Historical Society, at a cost of Two Hundred and Eighty-Nine Thousand and One Hundred Seven and 00/100 dollars (\$289,107.00) attached as Exhibit A; authorizing the City Manager to execute all necessary documents for the contract; providing for a repealing clause; and establishing an effective date.
Submitted by: Kathy Danielson, Community Engagement Director
- 8F. Consider action to approve Resolution No. R-2023-165 of the City Council of the City of Bastrop, approving the 2023 Tax Roll and Tax Levy; providing for a repealing clause; and providing for an effective date.
Submitted by Laura Allen, Senior Accountant

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve the first reading of Ordinance No. 2023-41 of the City Council of the City of Bastrop, Texas, authorizing and allowing for (1) an increase in the employee contribution rate to Texas Municipal Retirement System (TMRS); and (2) adopting: (i) annually accruing updated service credits and transfer updated service credits; and (ii) annually accruing annuity increases, also referred to as cost-of-living adjustments (COLAS) for retirees and beneficiaries of deceased retirees, as attached in Exhibit A; providing for findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice, and move to include on the December 12, 2023, agenda for second reading.

Submitted by: Tanya Cantrell, Human Resource Director

Presentation was made by Tanya Cantrell, Human Resource Director.

A motion was made by Council Member Meyer to approve the first reading of Ordinance No. 2023-41 and move to include on the December 12, 2023, Council agenda for second reading, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2023-163 of the City Council of the City of Bastrop, Texas, approving a contract with Electric Cabs of North America to provide transportation services in the amount not to exceed one hundred thirty thousand four hundred and ten dollars (\$130,410); attached in Exhibit B; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Candice Butts, Main Street Manager

Presentation was made by Candice Butts, Main Street Manager.

This item was tabled until November 14, 2023.

- 9C. Consider action to approve the first reading of Ordinance No. 2023-42 of the Bastrop City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Chapter 1 General Provisions, Article 1.10 Parks, Section 1.10.002 Park Rules: and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting; and move to include on the December 12, 2023, Council agenda for second reading.

Submitted by: Terry Moore, Recreation Manager

Presentation was made by Terry Moore, Recreation Manager.

A motion was made by Mayor Pro Tem Kirkland to approve the first reading of Ordinance No. 2023-42 with the following amendments and move to include on the December 12, 2023, Council agenda for second reading, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

The amendments were: In the phrase “The public may swim at their own risk” replace the word “swim” with “enter, wade, swim, or engage in any aquatic activity”. In the phrase “the City of Bastrop does not assume any liability for any Residents swimming in the Colorado River” change the word “Residents” to “Persons”.

- 9D. Hold public hearing and consider action to approve the second reading of Ordinance No. 2023-35 approving the Reed Ranch Planned Development District, changing the zoning for 24.462 acres out of the Nancy Blakey Survey from P2 Rural to a Planned Development District (PDD) with a P4 Mix base zoning, located at 615 W Highway 71, within the city limits of Bastrop, Texas.

Submitted by: Kennedy Higgins, Planner, Development Services

Presentation was made by Doug Haggerty, Senior Planner, Development Services and Shannon Mattingly, Drenner Group.

Public hearing opened.

Public hearing closed.

A motion was made by Council Member Lee to approve the second reading of Ordinance No. 2023-35 with additional language to include the tree, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:54 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 section 551.071 to seek the advice of legal counsel regarding a petition submitted by JMA Entity LLC, for the removal from the City's Extraterritorial Jurisdiction of Tract 1: being a 2.333-acre tract, lot, or parcel of land out of and being a part of the Nancy Blakey Survey, A-98, in Bastrop County, Texas and Tract 2: being a 5.292-acre tract or parcel of land out of and being a part of the Nancy Blakey Survey, A-98, in Bastrop County, Texas.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.072 to seek the advice of legal counsel and discuss professional engineering contract matters and potential acquisitions of real estate related to the Wastewater Treatment Plant No. 3 Project and other matters.
- 10C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding a potential agreement with Corix, SpaceX, and Gapped Bass LLC related to real property.
- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Texas Local Government Code Chapter 42, Subchapters D and E, and matters related to the extraterritorial jurisdiction.
- 10E. 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 development agreement for the project known as the Hill located at Hwy 95 and Arena Drive.

10F. City Council shall convene into closed executive session pursuant to Section 551.074 to conduct the first annual performance evaluation of the City Manager as described in her employment agreement.

Mayor Nelson recessed the Executive Session at 10:58 p.m.

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

10C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 and 551.072 to seek the advice of legal counsel regarding a potential agreement with Corix, SpaceX, and Gapped Bass LLC related to real property.

Direction was given to the City Manager to work out an agreement with Corix to bring back before Council, preferably by December 12, 2023.

10F. City Council shall convene into closed executive session pursuant to Section 551.074 to conduct the first annual performance evaluation of the City Manager as described in her employment agreement.

A motion was made by Mayor Pro Tem Kirkland to approve a resolution accepting the City Manager’s employee review per her contract and approve a raise in compensation as discussed in Executive Session, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

Adjourned at 10:59 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on November 15, 2023, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.