

CITY OF BASTROP, TEXAS
SPECIAL CITY COUNCIL MEETING MINUTES
AUGUST 19, 2024

The Bastrop City Council met in a Special Meeting on Monday, August 19, 2024, at 5:00 p.m. at the Bastrop City Hall Council Chambers, 1311 Chestnut Street, Bastrop, Texas, with the following action taken to wit:

Council Members Present

Mayor Lyle Nelson
Mayor Pro-Tempore Kirkland
Council Member Meyer
Council Member Lee
Council Member Fossler
Council Member Plunkett (arrive @ 5:02 pm)

Staff Present

City Manager Sylvia Carrillo-Trevino
City Attorney Alan Bojorquez
Interim City Secretary Irma G. Parker
Assistant City Secretary Victoria Psencik
Chief of Police Vicky Steffanic

1. CALL TO ORDER

Mayor Nelson called the Special Called City Council meeting to order at 5:00 p.m. with a quorum present.

INVOCATION

Mayor Nelson introduced Pastor Bernie Jackson who gave this evening's Invocation.

2. CITIZEN COMMENT(S)

Bastrop citizens addressing the City Council on an item, not on the agenda: Alex Henley; Maria Montoya Stayton

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- 3A. **Consider and act on the proposed Charter Review Commission amendments to the Charter, any additional requests by the City Council, and possibly calling for a special election on November 5, 2024.**

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

Citizen Comments on this item:

- Not speaking: Jeffery Stayton, Herb Goldsmith, Ellen Marie Tanner
- Addressing the Council: Robin Peyson, David Bragg

MOTION: Council Member Plunkett moved to amend the following propositions as follows:

- Proposition K (formerly M): (b) *“Shall Section 3.13 of the Charter be amended to specify that four members of the Council shall constitute a quorum to do business, but **the total membership of council minus** three members of the Council shall*

constitute a quorum for all other purposes of compliance with the Texas Open Meetings Act?”

- Proposition [not specified] Section 3.02(a) Number. *“The legislative and governing body of the City shall be composed of a Mayor and ~~five (5)~~ **six (6)** members and shall be known as the City Council of the City of Bastrop.”*
- Proposition [not specified] Section 3.02 (b) Selection. *“The Mayor shall be elected to office from the city at large. The other members of the Council shall be elected to office at large, but by specific place which shall be designated as Places One (1), Two (2), Three (3), Four (4), ~~and~~ Five (5) **and Six (6)**. Each year, two (2) Council places, including the Mayoral position, shall be up for election for three-year terms, except as otherwise set forth in the Transitional Provisions hereinafter detailed.”*

Mayor Pro-Tempore Kirkland seconded the motion. The motion failed 2 to 3 with Council Members Meyers, Lee, and Fossler voting against.

MOTION: Council Member Meyer moved to accept Option “c” of City Attorney Memorandum to Proposition K (formerly M) which reads as follows: *“Shall Section 3.13 of the Charter be amended to specify that four members of the Council shall constitute a quorum to do business, but three members of the Council shall constitute a quorum for all other purposes of compliance with the Texas Open Meetings Act except when attending a meeting of a committee appointed by the Council or discussing.”* Motion not seconded. Motion failed.

MOTION: Council Member Fossler moved to accept Option “b” of City Attorney Memorandum to Proposition K (formerly M) which reads as follows: *“Shall Section 3.13 of the Charter be amended to specify that four members of the Council shall constitute a quorum to do business, but three members of the Council shall constitute a quorum for all other purposes of compliance with the Texas Open Meetings Act?”* Council Member Lee seconded the motion. Motion passed 4 to 1 with Council Member Meyer voting against.

City Attorney Bojorquez reported Council Member Meyer requested clarification to PROPOSITION I (formerly K) which reads: *“Shall Section 3.07 of the Charter be amended to compensate the Mayor at a rate of \$400 per month and Council Members at \$250 per month?”* He advised that this amendment will not affect the incumbents. City Attorney Bojorquez recommended the following addition to Proposition I to read as follows: **“Sitting Mayor and Council Members at the time of a compensation increase shall be ineligible to receive the additional funds until re-elected.”**

MOTION: Council Member Meyers moved to amend PROPOSITION I (formerly K) to read as follows: *“Shall Section 3.07 of the Charter be amended to compensate the Mayor at a rate of \$400 per month and Council Members at \$250 per month. Sitting Mayor and Council Members at the time of a compensation increase shall be ineligible to receive the additional funds until re-elected.”* Council Member Lee seconded the motion. Motion carried unanimously.

MOTION: Mayor Pro-Tempore Kirkland moved to strike PROPOSITION I (formerly K) from the election. Council Member Fossler seconded the motion. Motion failed 2 to 3 with Council Members Lee, Meyers and Plunkett voting against.

3B. **Consider and act on a charter amendment decriminalizing certain amounts of marijuana and possibly calling for a special election on November 5, 2024.**

Submitted/presented by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager; Vicky Steffanic, Chief of Police
Citizen Comment: Herb Goldsmith

MOTION: Council Member Meyer moved to accept the Charter amendment decriminalizing certain amounts of marijuana and calling for a special election on November 5, 2024. Council Member Fossler seconded the motion. Motion carried unanimously.

4. EXECUTIVE SESSION

4A. Mayor Nelson closed the Open Session to convene the City Council into closed executive session at 6:25 pm pursuant to Texas Government Code sections 551.071 and 551.074 to discuss the duties of the City Attorney.

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

Mayor Nelson reconvened the Open Session at 7:12 p.m. Mayor Nelson advised there was no action to be taken as a result of Closed Session.

* * * **ITEM 3(A) ITEMS FOR CONSIDERATION** * * *

Mayor Nelson advised that no action was taken in *Item 3(A) Items For Individual Consideration* to adopt the full ordinance relative to the Charter Review Commission amendments. Mayor Nelson called for a motion.

MOTION: Council Member Meyer moved to approve Propositions A, B, C, D, E, F, G, H, J, and L. Council Member Fossler seconded the motion. Motion carried unanimously.

6. ADJOURNMENT

Upon receiving a motion and a second to adjourn the August 19th Special Meeting, the meeting was adjourned.

CITY OF BASTROP, TEXAS

ATTEST:

Lyle Nelson, Mayor

Irma G. Parker, Interim City Secretary