

OCTOBER 10, 2023

The Bastrop City Council met in a regular meeting on Tuesday, October 10, 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

Reese Romney & Jaxon Vuagniaux, Emile Elementary SWAT, led the pledges.

INVOCATION

Dale Burke, Police Chaplain, gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report - **NONE**
- 4B. Council Members' Report - **NONE**
- 4C. City Manager's Report
- 4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing October 16-20, 2023, as Chamber of Commerce Week.
Ann Franklin, City Secretary
The presentation was made by Mayor Nelson and received by Becki Womble, and staff of the Bastrop Chamber of Commerce.

WORK SESSIONS/BRIEFINGS-NONE

STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited monthly Financial Report for the period ending August 31, 2023.
Submitted by: Laura Allen, Senior Accountant
The presentation was made by Laura Allen, Senior Accountant.

CITIZEN COMMENTS

SPEAKER

**Craig Swanson
1327 FM 969
Bastrop, TX 78602**

APPROVAL OF THE MINUTES

- 8A. Consider action to approve City Council minutes from the September 25, 2023, Boards and Commissions Orientation; September 26, 2023, Special meeting; and September 29, 2023, Workshop.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Lee to approve the City Council minutes from the September 25, 2023, Boards and Commissions Orientation; September 26, 2023, Special meeting; and September 29, 2023, Workshop, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2023-146 of the City Council of the City of Bastrop, Texas, approving a construction contract with 304 Construction, LLC, of Cedar Creek, Texas, in the amount of One Million Forty-Six Thousand, Seven Hundred Eighty-Eight Dollars and Seventy-Three Cents (\$1,046,788.73) for the construction of the Financial Way Improvements Project; 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, Director of Engineering and Capital Project Management

Presentation was made by Fabiola de Carvalho, CFM, AMP MIAM, Director of Engineering and Capital Project Management.

A motion was made by Council Member Plunkett to approve Resolution No. R-2023-146, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2023-147 of the City Council of the City of Bastrop, Texas, Authorizing the City Manager to accept a donation on behalf of the Bastrop Fire Department in the amount of Twenty-five thousand dollars (\$25,000.00) from Capital Area Housing Finance Corporation for the utilization by the Bastrop Fire Department in its wildland and brush fire response; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Andres Rosales, Fire Chief

Presentation was made by Andres Rosales, Fire Chief.

A motion was made by Council Member Meyer to approve Resolution No. R-2023-147, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9C. Consider action to approve the first reading of Ordinance No. 2023-39 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2024 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date, and move to include on the October 24, 2023, City Council consent agenda for a second reading.

Submitted by: Laura Allen, Senior Accountant

Presentation was made by Laura Allen, Senior Accountant.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2023-39 and to include on the October 24, 2023, consent agenda for second reading, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2023-153 of the City Council of the City of Bastrop, Texas, approving a Project of the Bastrop Economic Development Corporation (BEDC) with Acutronic Company and Acutronic Real Estate Group, the Project of which consisting of the sale of real property and the provision of incentives totaling \$1,089,000.00 by the BEDC pursuant to a performance agreement; providing for recoupment of incentives paid and property granted in the event of non-compliance by Acutronic Company and Acutronic Real Estate Group; authorizing signatories; and providing an effective date.

Submitted by: Sylvia Carrillo, ICMA-CM, CPM, City Manager & Interim Executive Director Bastrop Economic Development Corporation

Presentation was made by Sylvia Carrillo, ICMA-CM, CPM, City Manager & Interim Executive Director Bastrop Economic Development Corporation.

A motion was made by Council Member Crouch to approve Resolution No. R-2023-153, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9E. Hold public hearing and consider action to approve the first reading of Ordinance No. 2023-35 of the City Council, of the City of Bastrop, Texas, 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; and move to include on the October 24, 2023, City Council consent agenda for a second reading.

Submitted by: Kennedy Higgins

Presentation was made by Kennedy Higgins, Planner.

Public hearing opened.

SPEAKERS

Jeff Ahlborn

748 Marino Court

Bastrop, TX 78602

309-333-6855

Keith Ahlborn

201 Bryant Dr.

Bastrop, TX 78602

630-2356-8026

Public hearing closed.

A motion was made by Council Member Crouch to approve the first reading of Ordinance No. 2023-35 accepting the PDD and ensure tree at the entrance is protected and incorporated into the plan for the development, seconded by Council Member Lee, motion was approved on a 5-0 vote.

Direction was given to staff to have a dollar amount at second reading.

- 9F. Consider action to approve Resolution No. R-2023-154 approving the Animal Control Services Interlocal Agreement between the City of Bastrop and Bastrop County 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: Vicky Steffanic, Chief of Police
Presentation was made by Vicky Steffanic, Chief of Police.

A motion was made by Council Member Lee to approve Resolution No. R-2023-154, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2023-152 of the City Council of the City of Bastrop, Texas regarding the Bastrop Central Appraisal District (CAD) election voting for the 2024 Board of Directors; establishing a repealing clause; and providing an effective date.
Submitted by: Ann Franklin, City Secretary
A motion was made by Council Member Lee to approve Resolution No. R-2023-152 with the following candidates, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

**David Redd
William (Bill) Archer
David Glass
Pamela Harkins
Stacy Tiner**

- 9H. Consider action to approve Resolution No. R-2023-155 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with Continental Homes of Texas, LP for Valverde Major Tract Improvements Off-Site Water Line, as attached in 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, ICMA-CM, CPM, City Manager
Presentation was made by Doug Haggerty, Senior Planner.

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2023-155, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:16 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 the Destination and Marketing Services Agreement with Visit Bastrop and related information.
This item was pulled from the agenda.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.087 to seek the advice of legal counsel and for deliberation regarding a potential Chapter 380 agreement regarding economic development incentives with the Hyatt Lost Pines Resort.
- 10C. 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.
- 10D. 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.
- 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 petition submitted by Lanzola MHP4, LP, S1, for the removal from the City's Extraterritorial Jurisdiction of approximately 643.5 acres of land located in the Joseph Rogers Survey, Abstract No. 55, Bastrop County, Texas.
- 10F. 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 regarding the procurement of real estate interests relating to the Lost Pines Arts Center.

Mayor Nelson recessed the Executive Session at 9:52 p.m.

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

- 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 petition submitted by Lanzola MHP4, LP, S1, for the removal from the City's Extraterritorial Jurisdiction of approximately 643.5 acres of land located in the Joseph Rogers Survey, Abstract No. 55, Bastrop County, Texas.
A motion was made by Council Member Crouch to approve Resolution No. R-2023-157, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

Adjourned at 9:53 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on October 24, 2023, by Council Member Name's motion, Council Member Name's second. The motion was approved on a 5-0 vote.