

SEPTEMBER 26, 2023

The Bastrop City Council met in a regular meeting on Tuesday, September 26, 2023, at 5:30 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 5:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Kaison Ancrum, Compass Rose Harvest and Aria Perkins, led the pledges.

INVOCATION

Phil Woods, Police Chaplain, gave the invocation.

PRESENTATIONS

- 4A. Mayor's Report-**NONE**
- 4B. Council Members' Report-**NONE**
- 4C. City Manager's Report-**NONE**

WORK SESSIONS/BRIEFINGS-NONE

STAFF AND BOARD REPORTS- NONE

CITIZEN COMMENTS - NONE

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 8A, 8B, and 8C 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 September 19, 2023, Regular meeting.

Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve the second reading of Ordinance No. 2023-37 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Appendix A, Fee Schedule, Article A13.02.004 Water Service Charge, as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice and meeting.

Submitted by: Laura Allen, Senior Accountant

- 8C. Consider action to approve the second reading of Ordinance No. 2023-36 approving the Burleson Crossing East Zoning Concept Scheme, changing the zoning for 19.81

acres out of the Nancy Blakey Survey from P5 Core to a Planned Development District (PDD) with a P5 Core base zoning, as shown in attached as Attachment 2, located at the northeast corner of State Highway 71 and Edward Burleson Drive, within the city limits of Bastrop, Texas.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2023-128 of the City Council of the City of Bastrop, Texas, approving Amendment Number 1 to Capital Area Council of Governments (CAPCOG) "Lease of Site for Air Quality Monitoring" for a portion of property in the City's Mayfest Park, located at 25 American Legion Drive, for a term of three (3) years at a total rent of One and 00/100 Dollar (\$1.00); attached as Exhibit A; authorizing City Manager to execute all appropriate documentation; providing for a repealing clause; and establishing an effective date.

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

Presentation was made by Sylvia Carrillo, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Meyer to approve Resolution No. R-2023-128, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2023-144 of the City Council of the City of Bastrop, Texas appointing Mayor Lyle Nelson as the General Assembly Representative to the Capital Area Council of Government (CAPCOG) and replacing current member Connie Schroeder; authorizing the Mayor 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 Sylvia Carrillo, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2023-144, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9C. Consider action to approve the first reading of Ordinance No. 2023-38, of the City Council of the City of Bastrop, Texas, establishing and adopting transportation impact fees; amending the Bastrop Code of Ordinances, Chapter 13, Article 13.12, by enacting sections 13.12.094 - 13.12.099 providing for definitions; providing for assessment of said impact fees; providing for the general administration of said impact fees; providing a severability clause; providing an effective date and an open meetings clause, providing adoption, repealer, severability, filing and enforcement; establishing an effective date; providing for proper notice and meeting; and move to include on the October 10, 2023, agenda for second reading.

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

Presentation was made by Sylvia Carrillo, ICMA-CM, CPM, City Manager and Jake Gutekunst, Kimley-Horn.

A motion was made by Council Member Plunkett to accept the study with its maximum rates and set the second reading for December 12, 2023, meeting, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2023-145 approving an amendment to the Animal Control Services Interlocal Agreement with Bastrop County to extend the agreement through October 31, 2023.
Submitted by: Vicky Steffanic, Chief of Police
This item was pulled from the agenda.

EXECUTIVE SESSION

The City Council met at 6:59p.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 sections 551.071 and 551.072 to seek the advice of legal counsel and discuss the potential acquisition of real estate relating to the Transfer Lift Station and Force Main project.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Wastewater Treatment Plant & Collection System and Improvements at the Administration Building, including the HVAC system, amended sealed plans, supplemental instructions, change orders, contract compliance, and invoice irregularities involving KSA Engineering, Inc.
- 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 potential agreements with Aqua Water Supply Corporation regarding treated wastewater effluent.
- 10D. 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 and discuss the potential acquisition of real estate relating to the Blakey Lane Extension project.
- 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 the Destination and Marketing Services Agreement with Visit Bastrop and related information.

Mayor Nelson recessed the Executive Session at 8:07 p.m.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9D. Consider action to approve Resolution No. R-2023-145 approving an amendment to the Animal Control Services Interlocal Agreement with Bastrop County to extend the agreement through October 31, 2023.
Submitted by: Vicky Steffanic, Chief of Police
This item was pulled from the agenda.

This item was placed back on the agenda.

Presentation was made by Vicky Steffanic, Police Chief.

A motion was made by Council Member Plunkett, to approve Resolution No. R-2023-145, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

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

10A. 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 the potential acquisition of real estate relating to the Transfer Lift Station and Force Main project.

A motion was made by Council Member Plunkett to approve Resolution No. R-2023-148, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

10B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding Wastewater Treatment Plant & Collection System and Improvements at the Administration Building, including the HVAC system, amended sealed plans, supplemental instructions, change orders, contract compliance, and invoice irregularities involving KSA Engineering, Inc.

A motion was made by Mayor Pro Tem Kirkland barring any updates on Engineering plans from KSA Engineering, authorize the City Manager to engage a forensic engineer for action related to Wastewater Treatment Plant Construction, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

10D. 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 and discuss the potential acquisition of real estate relating to the Blakey Lane Extension project.

A motion was made by Mayor Pro Tem Kirkland to direct the City Manager to develop an ordinance regarding eminent domain and bring back to Council, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

Adjourned at 8:15 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on October 10, 2023, by Council Member **Name**'s motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.