

CITY OF BASTROP

BASTROP CITY COUNCIL REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, March 11, 2025

The Bastrop City Council met in a Regular Meeting on Tuesday, March 11, 2025, at 5:30 p.m. at the Bastrop Convention Center, 1408 Chestnut Street, Bastrop, Texas, with the following action taken to wit:

Council Members Present

Mayor Pro-Tempore John Kirkland
Council Member Cynthia Meyer
Council Member Cheryl Lee
Council Member Kerry Fossler
Council Member Kevin Plunkett

Staff Present

City Manager Sylvia Carrillo-Trevino
Assistant City Manager Andres Rosales
Interim Assistant City Attorney Stanley Springerley
Assistant City Secretary Victoria Psencik
Assistant to City Manager Vivianna Andres
Assistant Finance Director Laura Allen
Development Services Director James Cowey
Police Chief Vicky Steffanic
Public Works Director John Eddleton
Public Information Officer Colin Guerra
Library Director Bonnie Pierson
Director of Engineering Tiger Davis
Parks and Recreation Director Terry Moore

Council Members Absent

Mayor Lyle Nelson * *resigned 1/14/2025*

1. **CALL TO ORDER**

With a quorum being present Mayor Pro-Tempore Kirkland called the Regular City Council meeting to order at 5:30 p.m.

2. **EXECUTIVE SESSION**

Mayor Pro-Tempore Kirkland closed the Open Meeting to convene the City Council into Executive (Closed) Session at 5:31 p.m. pursuant to Texas Government Code, Chapter 551. as follows:

- 2A. **Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the proposed real estate acquisition of an easement located in the future Agnes Street location.**
- 2B. **Sections 551.071 and Section 551.151 to seek the advice of legal counsel regarding an economic development agreement with Burleson East, LLC.**
- 2C. **Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the Valverde Subdivision Development and associated fees.**

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

- 2A. **Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the proposed real estate acquisition of an easement located in the future Agnes Street location.**
- 2B. **Sections 551.071 and Section 551.151 to seek the advice of legal counsel regarding an economic development agreement with Burlson East, LLC.**
- 2C. **Section 551.071 and Section 551.072 to seek the advice of legal counsel and to deliberate regarding the Valverde Subdivision Development and associated fees.**

Mayor Pro-Tempore Kirkland reconvened the City Council into the Open Session at 6:06 p.m. Mayor Pro-Tempore Kirkland called for any action as a result of the Executive Session.

(Item 2A) MOTION: Council Member Plunkett moved to direct legal counsel to finalize the settlement agreement regarding the Nixon tract as discussed in the Executive Session. Council Member Lee seconded the motion. Motion carried unanimously.

(Item 2B) MOTION: Council Member Fossler moved to bring back the economic development agreement for final approval. Council Member Plunkett seconded the motion. Motion carried unanimously.

(Item 2C) MOTION: Council Member Fossler moved to authorize legal counsel to do the final review and approval of Valverde agreements and authorize the City Manager to sign agreements after legal has reviewed. Council Member Lee seconded the motion. Motion carried unanimously.

- 4. PLEDGE OF ALLEGIANCE – United States of America and Texas Flags**
Davey LaFuente and Devyn LaFuente, Sixth Graders from Bastrop Intermediate School, were not present at the time of the pledges. The students were in attendance later in the meeting, so they were recognized.

Mayor Pro Tem Kirkland led the Pledge of Allegiance to both Flags.

5. INVOCATION

City of Bastrop Police Chaplain Dale Burke was acknowledged as he was not in the audience at the time of the Invocation. Mayor Pro Tem Kirkland delivered the Invocation.

6. PRESENTATIONS

- 6A. **Mayor Pro Tem's Report**

6B. **Council Members' Report**

[Editor's Note: Council Member Fossler announced that she filed a Conflict of Interest Statement with the Assistant City Secretary regarding Item 6C number 5 (Northend Prairie Update) on the City Manager's Report; and has recused herself from the discussion of this item. A copy of the signed Conflict of Interest Statement is attached hereto and made a part of these minutes as Exhibit A.]

6C. **City Manager's Report**

1. March 22 Citywide Cleanup
2. Mayor's Race – Position on the Ballot
3. Council Race – Position on the Ballot
4. Historic Bridge Update
5. Northend Prairie Update (*Council Member Fossler recused herself when this item was discussed*)
6. 1005 Pecan Update

10. **ITEMS FOR INDIVIDUAL CONSIDERATION**

10A. **A. Consider and act on the second reading of Ordinance No. 2025-29, authorizing the appointment of Jay Caballero as Associate Municipal Judge of the City of Bastrop Municipal Court; to complete an unexpired term ending on June 19, 2025; and reappointing said Judge for an additional 2-year term effective June 20, 2025.**

Submitted by: Andres Rosales, Assistant City Manager

MOTION: Council Member Plunkett moved to approve the second reading of Ordinance No. 2025-29 as presented. Council Member Meyer seconded the motion. Motion carried unanimously.

B. Swearing Oath of Office of Incoming Associate Judge Jay Caballero by The Honorable Chris Duggan, State District Judge, District 423.

Judge Chris Duggan performed the Oath of Office and Statement of Appointed Officer for Incoming Associate Judge Jay Caballero.

6. **PRESENTATIONS, continued**

6D. **Receive the Annual Racial Profiling Presentation from the City of Bastrop Police Department.**

Submitted and Presented by: Vicky Steffanic, Chief of Police

7. **FINANCIAL TRANSPARENCY AND BUDGET PREPARATION**

7A. **Review and discuss the Bastrop Public Library and the Streets and Drainage Fund.**

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

City Manager Carrillo-Trevino stated Item 7A will be discussed at the next Regular City Council Meeting on March 25, 2025.

8. **CITIZEN COMMENT(S)**

Citizen(s) addressing the City Council on an item, not on the agenda: Linda Curtis, Cecilia Serna, Tom Leibowitz, Jodie Smith, Josiah Ingalls, Heather Greene, and Melinda Larson

9. **CONSENT AGENDA**

[Editor's Note: Council Member Fossler announced that she filed a Conflict of Interest Statement with Assistant City Secretary Psencik regarding Consent Agenda Item 9L; and has recused herself from this item. A copy of the signed Conflict of Interest Statement is attached hereto and made a part of these minutes as Exhibit A.

Item 9L was pulled from the Consent Agenda by Mayor Pro-Tempore Kirkland to take up in a separate discussion and vote due to the recusal.]

9H. **Consider and act on the second reading of Ordinance No. 2025-16, adopting the Master Fee Schedule; repealing the Appendix A “Fee Schedule” of the Code of Ordinance; amending certain fees and establishing costs and fees charged by the City of Bastrop; providing for a penalty for a violation of Chapter 1 Article 1.01 Section 1.01.009 of the City Code of Ordinances.**

Submitted by: Andres Rosales, Assistant City Manager

9I. **Consider and act on the second reading of Ordinance 2025-08, updating and amending Bastrop Code of Ordinances, Chapter 10, Article 10.02, entitled “Impact Fees”, amending impact fees for water and wastewater utilities, and providing for an effective date.**

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

9J. **Consider and act on the second reading of Ordinance No. 2025-06 amending Chapter 15, Article 15.01 “Cemeteries” of the Bastrop Code of Ordinances; and Appendix A “Fee Schedule,” Article A15.01 “Fairview Cemetery” to reflect an increase in fees for the purchase of cemetery plots, burial open/close fees, and establishing a price for columbarium niches.**

Submitted by: Laura Allen, Assistant Finance Director

9K. **Consider and act on the second reading of Ordinance No. 2025-18, adopting a local property tax exemption for qualifying child-care facilities, as defined by**

Texas Tax Code 11.36, and amending Chapter 11 “Taxation” of the Bastrop Code of Ordinances, by adding Article 11.05 “Child-care Facility Exemption”.

Submitted by: Andres Rosales, Assistant City Manager

- 9N. **Consider and act on the first reading of Ordinance No. 2025-31, authorizing the appointment of Caroline A. McClimon, JD, as Presiding Municipal Judge of the City of Bastrop Municipal Court; and appointing said Judge for a 2-year term effective March 11, 2025; and move to include on the March 25, 2025, Consent Agenda for second reading.**

Submitted by: Andres Rosales, Assistant City Manager

- 9O. **Consider and act to approve the following Bastrop City Council meeting minutes:**
1. Tuesday, February 25, 2025, Regular Meeting; and
2. Tuesday, March 4, 2025, Special Meeting.

Submitted by: Victoria Psencik, Assistant City Secretary

- 9P. **Consider and act on Resolution No. R-2025-63, authorizing the City of Bastrop to accept a grant from the Office of the Governor (OOG) for twenty-six thousand, two hundred sixty-seven dollars and fifty cents (\$26,267.50) for 10 (ten) rifle-resistant ballistic shields with no matching funds from the City of Bastrop; authorizing the Chief of Police as the grantee's authorized official.**

Submitted by: Vicky Steffanic, Chief of Police

- 9S. **Consider and act on Resolution No. R-2025-59, approving a Public Improvement Plan Agreement with West Bastrop Village, Ltd for Phase 1 Major Tract, as attached in Exhibit A.**

Submitted by: Andres Rosales, Assistant City Manager

- 9T. **Consider and act on Resolution No. R-2025-60, approving a Public Improvement Plan Agreement with West Bastrop Village, Ltd for Phase 1, Section 2, as attached in Exhibit A.**

Submitted by: Andres Rosales, Assistant City Manager

- 9U. **Consider and act on Resolution No. R-2025-61, approving a Public Improvement Plan Agreement with West Bastrop Village, Ltd for Phase 1 Section 3 and 4, as attached in Exhibit A.**

Submitted by: Andres Rosales, Assistant City Manager

Mayor Pro-Tempore Kirkland called for requests to remove any item from the Consent Agenda for separate discussion. Mayor Pro-Tempore Kirkland pulled Items 9A through 9G due to submitted citizens' comments for these items. Council Member Lee requested Items 9M, 9Q, and 9R be removed from the Consent Agenda for a separate discussion and vote.

MOTION: Council Member Lee moved to approve the Consent Agenda Items 9H, 9I, 9J, 9K, and 9N as presented after being read into the record by Assistant City Secretary Psencik and Consent Agenda Items 9O, 9P, 9S, 9T, and 9U as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

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9A. **Consider and act on the second reading of Ordinance No. 2025-23, repealing the 2019 Amendment to Chapter 5 of the Transportation Master Plan, as attached in Exhibit A; replacing with 2017 Chapter 5 of the Transportation Master Plan and amending, as attached in Exhibit B.**

Submitted and Presented by: Andres Rosales, Assistant City Manager

Citizen Comments submitted specifically to Item 9A: Melinda Larson (did not speak), Cecilia Serna, Jerrod Hruska

MOTION: Council Member Plunkett moved to approve the second reading of Ordinance No. 2025-23 as presented. Council Member Meyer seconded the motion. Motion carried 3 – 1 (Ayes: Plunkett, Meyer, and Lee; Nay: Fossler).

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9B. **Consider and act on the second reading of Ordinance No. 2025-24, amending the Bastrop Code of Ordinances Chapter 14, the Bastrop Building Block (B3) Code, by removing all references to the Mandatory Street Network and the Gridded Street Network; and establishing standards and procedures; as shown in Exhibit A.**

Submitted and Presented by: Andres Rosales, Assistant City Manager

Citizen Comments submitted specifically to Item 9B: Melinda Larson (did not speak), Cecilia Serna (did not speak), Jerrod Hruska (did not speak).

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-24 as presented. Council Member Plunkett seconded the motion. Motion carried 3 – 1 (Ayes: Plunkett, Meyer, and Lee; Nay: Fossler).

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- 9C. **Consider and act on the second reading of Ordinance No. 2025-25, amending the Code of Ordinances related to Chapter 14, the B3 Technical Manual, by removing all references to the Mandatory Street Network and the Gridded Network; as shown in Exhibit A.**

Submitted and Presented by: Andres Rosales, Assistant City Manager

Citizen Comments submitted specifically to Item 9C: Melinda Larson (did not speak) and Cecilia Serna.

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-25 as presented. Council Member Plunkett seconded the motion. Motion carried 3 – 1 (Ayes: Plunkett, Meyer, and Lee; Nay: Fossler).

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- 9D. **Consider and act on the second reading of Ordinance No. 2025-26, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, by removing duplexes as an allowable building type in P2 and P3.**

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

Citizen Comments submitted specifically to Item 9D: Melinda Larson (did not speak).

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-26 as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

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- 9E. **Consider and act on the second reading of Ordinance No. 2025-22, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Build-to-Line standards in P2 and P3, and adopting a First Layer Setback in P2 and P3.**

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

Citizen Comments submitted specifically to Item 9E: Melinda Larson (did not speak).

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-22 as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

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9F. **Consider and act on the second reading of Ordinance No. 2025-21, amending the Bastrop Code of Ordinances, Chapter 14, Bastrop Building Block (B3) Code, Minimum Lot Sizes in P2 and P3.**

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

Citizen Comments submitted specifically to Item 9F: Melinda Larson (did not speak), and Tom Leibowitz.

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-21 as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

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9G. **Consider and act on the second reading of Ordinance No. 2025-19, amending the Bastrop Code of Ordinances, Chapter 10 – Subdivisions, by enacting Article 10.01 titled “Parkland Dedication and Park Enrichment Fund,” Sections 10.01.001 – 10.01.014.**

Submitted and Presented by: Vivianna Nicole Andres, Assistant to the City Manager

Citizen Comments submitted specifically to Item 9G: Melinda Larson (did not speak)

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-19 as presented. Council Member Plunkett seconded the motion. Motion carried unanimously.

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9M. **Consider and act on the second reading of Ordinance No. 2025-20, amending Section 1.04.002 Membership, terms of the Code of Ordinances to remove any elected official from appointed boards or commissions when their term ends either by election or resignation.**

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

Citizen Comments submitted specifically to Item 9M: Melinda Larson (did not speak)

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-20 as presented. Council Member Plunkett seconded the motion. Motion carried 3 – 1 (Ayes: Plunkett, Meyer, and Fossler; Nay: Lee).

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- 9Q. **Consider and act on Resolution No. R-2025-17, regarding an amendment to the Master CCN Transfer Agreement between the City of Bastrop and Aqua Water Supply Corporation for the transfer of the Aqua WSC CCN to the City of Bastrop for the Valverde Development.**

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

MOTION: Council Member Plunkett moved to approve Resolution No. R-2025-17 as presented. Council Member Meyer seconded the motion. Motion carried unanimously.

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- 9R. **Consider and act on Resolution No. R-2025-62, approving a Public Improvement Plan Agreement with PRC 01 Bastrop LLC for Sendero Phase 1, as attached in Exhibit A.**

Submitted and Presented by: Andres Rosales, Assistant City Manager

MOTION: Council Member Plunkett moved to approve Resolution No. R-2025-62 as presented. Council Member Meyer seconded the motion. Motion carried unanimously.

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[Editor's Note: At this time, Council Member Fossler recused herself from Item 9L and left the room.]

- 9L. **Consider and act on the second reading of Ordinance 2025-15, amending the Bastrop Code of Ordinances, Chapter 1 "General Provisions", Article 1.20 "Uniformity of Requirements", amending Section 1.20.015 Appeal of Board of Adjustment to Appeal of City Council, Amending subsection (a) and (c), removing subsection (b) and (d).**

Submitted by: Andres Rosales, Assistant City Manager

Citizen Comments submitted specifically to Item 9L: Melinda Larson (did not speak)

MOTION: Council Member Meyer moved to approve the second reading of Ordinance No. 2025-15 as presented. Council Member Plunkett seconded the motion. Motion carried 3 – 0 (Ayes: Meyer, Plunkett, and Lee; Nays: None; Recused: Fossler).

At this time, Council Member Meyer directed the City Manager to schedule a town hall-style meeting regarding the Northend Prairie Development.

10. ITEMS FOR INDIVIDUAL CONSIDERATION, continued

10B. Consider and act on Resolution No. R-2025-56, approving the Bastrop Public Library Public Information Policy.

Submitted and Presented by: Bonnie Pierson, Library Director

MOTION: Council Member Plunkett moved to approve Resolution No. R-2025-56 as presented. Council Member Fossler seconded the motion. Motion carried unanimously.

10C. TABLED 3/4/2025 - Conduct a public hearing, consider, and act on the first reading of Ordinance No. 2025-28, amending the Master Fee Schedule for tree mitigation fees and amending the Code of Ordinances Chapter 1 "General Provisions", adding Section 1.13.05 "Trees on Private Property"; amending the Bastrop Building Block (B3) Code, Section 6.3.004 "Protected & Heritage Trees, adding subsection (j) Administrative Decision; establishing fees and the penalty for violation, and move to include on the March 25, 2025 Consent Agenda for the second reading.

Submitted and Presented by: James E. Cowey, Director of Development Services

Mayor Pro-Tempore Kirkland opened the Public Hearing at 8:05 p.m. for the Bastrop Building Block (B3) Code Amendments listed in Item 10C.

Public Hearing: Colton Santmyer

Mayor Pro-Tempore Kirkland closed the Public Hearing at 8:06 p.m. for the Bastrop Building Block (B3) Code Amendments listed in Item 10C.

ORIGINAL MOTION: Council Member Meyer moved to approve the first reading of Ordinance No. 2025-28 as presented and to include on March 25, 2025 Consent Agenda for the second reading. Council Member Fossler seconded the motion.

Council Member Meyer (original motion maker) moved to make an **amendment** to the original motion to amend letter (f) in Section 1.13.05.03 "Establish a Process for Mitigation" adding the following language below in bold and underlined:

(f) If the City Arborist, or 3rd party Arborist, establishes that the tree must be removed for health, safety, protection from damage to surrounding property or structures, or other public safety reasons, the City Manager shall have the authority to assess no mitigation fees; however:

1. On non-residential property, the replacement trees in equal caliper inches must be replanted on the site.

2. On residential property, the property owner will be required to replant one tree from the Plant List of a 2" caliper.

to Ordinance No. 2025-28". Council Fossler (seconded) accepted the friendly amendment.

REVISED MOTION: Council Member Meyer moved to approve the first reading of Ordinance No. 2025-28 with the included amendment listed above and to include on March 25, 2025 Consent Agenda for the second reading. Council Member Fossler seconded the motion.

10D. **Consider and act on Ordinance No 2025- 30 amending the FY 2024-25 budget by reducing the Hotel Occupancy Tax (HOT) Reserve amount by \$350,000 and increasing the Hotel Occupancy Tax (HOT) Fund operating expenses by \$350,000.**

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

MOTION: Council Member Meyer moved to approve the first reading of Ordinance No. 2025-30 as presented and to include on March 25, 2025 Consent Agenda for the second reading. Council Member Fossler seconded the motion. Motion carried unanimously.

10E. **Consider and act on Resolution No. R-2025-64 creating a \$2,500 spending limit for Council Travel and Training.**

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

MOTION: Council Member Plunkett moved to approve Resolution No. R-2025-64 as presented. Member Meyer seconded the motion. Motion carried unanimously.

11. ADJOURNMENT

Upon receiving a motion duly made and seconded to adjourn, the March 11th Regular Meeting was adjourned at 8:22 p.m.

CITY OF BASTROP, TEXAS

John Kirkland, Mayor Pro-Tempore

ATTEST:

Victoria Psencik, Assistant City Secretary