

FEBRUARY 28, 2023

The Bastrop City Council met in a regular meeting on Tuesday, February 28, 2023, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder and Mayor Pro Tem Rogers and Council Members Lee, Plunkett, Crouch, and Kirkland. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

1. CALL TO ORDER - EXECUTIVE SESSION - 5:00 P.M.**EXECUTIVE SESSION**

The City Council met at 5:02 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 2A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel and discuss potential acquisition of real estate relating to the Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities project.
- 2B. 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 Support Services Agreement, and Policy for the Bastrop Economic Development Corporation, and related matters.
- 2C. 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 potential acquisitions of real estate relating to the Agnes Street and Vista Puente Drive right of ways and related infrastructure, and another miscellaneous property.
- 2D. 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 consider amendment to an existing development agreement concerning the Colorado Bend project.
- 2E. 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 related to matters regarding an Interlocal Agreement with Bastrop County related to development review in the City's extraterritorial jurisdiction also known as the (1445 agreement) and other areas necessary to the city of Bastrop.
- 2F. 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 to discuss a proposed development located at 1408 Chestnut.
- 2G. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 and Section 551.072 to seek the advice of legal counsel and to discuss the extension of a lease and deliberate the related terms of a new agreement for real property located in Fisherman's Park.

Mayor Schroeder recessed the Executive Session at 6:28 p.m.

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

- 2A. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.074 to seek the advice of legal counsel and discuss potential acquisition of real estate relating to the Simsboro Aquifer Water Treatment Plant, Well Field and Transmission Facilities project.

A motion was made by Council Member Lee to approve Resolution No. R-2023-36, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 2C. 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 potential acquisitions of real estate relating to the Agnes Street and Vista Puente Drive right of ways and related infrastructure, and another miscellaneous property.

A motion was made by Mayor Pro Tem Rogers to approve Resolution No. R-2023-37 and Resolution No. R-2023-38, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

CALL TO ORDER - REGULAR MEETING - 6:30 P.M.

Mayor Schroeder called the meeting to order at 6:30 p.m. with a quorum present. Council Member Plunkett was not present.

PLEDGE OF ALLEGIANCE

Hannah Knobloch and Claire Culpepper, Cedar Creek Intermediate School, Student Council, led the pledges.

INVOCATION

Bob Long, Police Chaplain, gave the invocation.

PRESENTATIONS

- 7A. Mayor's Report
7B. Council Members' Report
7C. City Manager's Report

CITIZEN COMMENTS

SPEAKERS

**Roger W. Henderson
706 MLK Dr.
Bastrop, Texas 78602
512-303-0606**

**Susan Blume
109 Eleanor Ln.
Bastrop, TX 78602**

618-692-0761

George Piazza
127 Eleanor Ln
Bastrop, TX 78602
727-293-6904

STAFF AND BOARD REPORT

- 9B. Receive the Annual Comprehensive Financial Report for the period ending September 30, 2022, which includes the independent auditor's report presented by the independent audit firm of Belt Harris Pechacek, LLP.
Submitted by: Tracy Waldron, Chief Financial Officer
Presentation was made by Robert Belt, Belt Harris Pechacek, LLP.

PRESENTATIONS CONTINUED

- 7D. Quarterly Report
Submitted by: Sylvia Carrillo, City Manager
Presentation was made by Sylvia Carrillo, City Manager.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS CONTINUED

- 9A. Receive presentation on the unaudited Monthly Financial Report for the period ending January 31, 2023.
Submitted by: Tracy Waldron, Chief Financial Officer
Presentation was made by Tracy Waldron, Chief Financial Officer.
- 9C. Receive Annual Racial Profiling Report from the Bastrop Police Department.
Submitted by: Vicky Steffanic, Interim Chief of Police
Presentation was made by Vicky Steffanic, Interim Chief of Police.

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 11A, 11B, 11C, 11D, 11F, and 11G 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 4-0 vote. Mayor Pro Tem Rogers was not present.

- 11A. Consider action to approve City Council minutes from the February 14, 2023, Regular meeting; February 21, 2023, Joint City Council and Parks Board meeting; and February 23, 2023, Special Called meeting.
Submitted by: Ann Franklin, City Secretary
- 11B. Consider action to approve the second reading of Ordinance No. 2023-01 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, by adding new section 1.02.005 – Termination of Inactive Campaign Treasurer Appointment; providing for repealer and severability; establishing an effective date; proper notice and meeting.

Submitted by: Ann Franklin, City Secretary

- 11C. Consider action to approve Resolution No. R-2023-28 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Isaac Merino, Place 5 of the Construction Standard Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

Submitted by: Ann Franklin, City Secretary

- 11D. Consider action to approve the second reading of Ordinance No. 2023-03 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual verification of attendance and residency for members of boards, commissions, task forces, committees and advisory bodies; and providing for: findings of fact, adoption, repealer, severability, establishing an effective date, proper notice and meeting.

Submitted by: Sylvia Carrillo, City Manager

- 11F. Consider action to approve Resolution No. R-2023-32 of the City Council of the City of Bastrop, Texas, designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TxCDBG); providing for a repealing clause; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

- 11G. Consider action to approve Resolution No. R-2023-31 of the City Council of the City of Bastrop, Texas authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund; reaffirming various policies and procedures required in conformity with the Civil Rights Act, and the Fair Housing Act, as shown in Exhibit A; providing for a repealing clause and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

DISCUSSION ITEM

- 11E. Consider action to approve Resolution No. R-2023-29 of the City Council of the City of Bastrop, Texas to award an engineering service contract to provide engineering services for the City's 2023-2024 Community Development Fund application and project-related engineering services if funded; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer.

A motion was made by Council Member Lee to approve Resolution No. R-2023-30 awarding an engineering service contract to Halff and Associates, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 12A. Consider action to approve Resolution No. R-2023-30 of the City Council of the City of Bastrop, Texas, recommending designating Bastrop Post Office, 1106 Main Street, Bastrop, Texas as "Sergeant Major Billy D. Waugh Post Office".
Submitted by: Sylvia Carrillo, City Manager
A motion was made by Council Member Lee to approve Resolution No. R-2023-30, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.
- 12D. Consider action to approve Resolution No. R-2023-27 of the City Council of the City of Bastrop, Texas approving an agreement between the City of Bastrop and Bastrop River Company providing for a five year lease of a .52 acre portion of A11 Bastrop town tract, acres 5.100 (city park) located in Fisherman's Park with an option to renew for three additional two-year term upon mutual agreement; authorizing the city manager to execute said lease agreement on behalf of the city; and declaring an effective date.
Submitted by: Trey Job, Assistant City Manager
Presentation was made by Trey Job, Assistant City Manager

A motion was made by Council Member Kirkland to approve a 30-day extension of existing lease and tabling the motion to approve the new lease with staff bringing it back based on direction received in Executive Session at the next most appropriate meeting, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.
- 12E. Consider action to approve Resolution No. 2023-33 revising the agreement for subdivision plat regulation in the City of Bastrop's ETJ in Bastrop County also known as the (1445 agreement); providing for repeal; and providing an effective date.
Submitted by: Sylvia Carrillo, City Manager
This item was pulled from the agenda.
- 12F. Consider action to approve the second reading of Ordinance No. 2023-02 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances Article 1.04 regarding annual work plans for city boards, commissions, task forces, committees and advisory bodies; and providing for findings of fact, repealer, severability, codification, effective date, proper notice and meeting.
Submitted by: Sylvia Carrillo, City Manager
A motion was made by Council Member Kirkland to approve the second reading of Ordinance No. 2023-02, seconded by Council Member Lee, motion was approved on a 5-0 vote.
- 12G. Consider action to approve amendments to the Development agreement between the City of Bastrop and Colorado Bend, LLC. Authorizing the City Manager to execute all necessary documents; providing for repeal; and providing an effective date.
Submitted by: Sylvia Carrillo, City Manager
This item was pulled from the agenda.

- 12H. Consider action to approve Resolution No. R-2023-34 of the City Council of the City of Bastrop, Texas, authorizing the ability to enter into a wholesale wastewater agreement with Corix Utilities Texas, LLC; 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: Trey Job, Assistant City Manager

Presentation was made by Trey Job, Assistant City Manager

A motion was made by Council Member Kirkland to approve Resolution No. R-2023-34, approving the terms and authorizing the Mayor or City Manager to execute the contract that matches the terms that are before Council, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

EXECUTIVE SESSION CONTINUED

The City Council met at 8:30 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 2B. 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 Support Services Agreement, and Policy for the Bastrop Economic Development Corporation, and related matters.

Mayor Schroeder recessed the Executive Session at 10:15 p.m.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 12B. Consider action to approve Resolution No. R-2023-23 approving appointment of Caroline A. McClimon, JD as Presiding Municipal Judge, Bastrop Municipal Court, City of Bastrop and approving a contract to provide services, attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Sylvia Carrillo, City Manager.

A motion was made by Council Member Kirkland to approve Resolution No. R-2023-23, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 12C. Consider action to approve Resolution No. R-2023-39, of the City Council, of the City of Bastrop, Texas, approving a Request for Qualifications be issued for one or more Associate Judges; in the Municipal Court of the City of Bastrop, providing for a repeal; and providing an effective date.

Submitted by: Tracy Waldron, Chief Financial Officer.

Presentation was made by Sylvia Carrillo, City Manager.

A motion was made by Council Member Lee to approve Resolution No. R-2023-39, seconded by Council Member Crouch, motion was approved on a 5-0 vote.

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

- 2B. 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 Support Services Agreement, and Policy for the Bastrop Economic Development Corporation, and related matters.

Motion was made by Council Member Lee to direct the City Attorney to draft a resolution that institutes the following: a review of BEDC Board Members; evaluation of BEDC President and CEO; a hiring freeze; and assessment of expenditures, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

Motion was made by Council Member Crouch to direct the City Attorney to meet with the BEDC General Counsel to finalize the draft policy for Economic Development incentives, and general operations, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

Adjourned at 10:18 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie Schroeder

City Secretary Ann Franklin

The Minutes were approved on March 28, 2023, by Council Member **Name's motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.**