

JUNE 11, 2024

The Bastrop City Council met in a regular meeting on Tuesday, June 11, 2024, 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 Meyer, Lee, Fossler, and Plunkett. Officers present were: City Manager, Sylvia Carrillo; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Nelson called the regular City Council meeting to order at 6:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

Kaison Ancrum and Aria Perkins led the pledges.

INVOCATION

Arthur Banks, Police Chaplain, gave the invocation.

PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

4D. A proclamation of the City Council of the City of Bastrop, Texas recognizing the legacy of Harriet Tubman.

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

Proclamation was read into record by Ann Franklin, City Secretary and accepted by members of the Kerr Center Board.

4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing June 19, 2024, as Juneteenth Day.

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

Proclamation was read into record by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager and accepted by the Juneteenth Committee.

WORK SESSIONS/BRIEFINGS - NONE

STAFF AND BOARD REPORTS - NONE

CITIZEN COMMENTS

SPEAKERS

Lindy Larsen
1320 Farm St.
Bastrop, TX 78602
432-770-5969

John Eberle
20 Lost Pines Avenue
Bastrop, TX 78602
512-629-3273

Dax Havrilak
779 Peach Creek Rd.
Rosanky, Tx
1-214-364-0085

Meagan Webb
109 Tyrah Lane
512-704-5469

Kevin "Lippy" Mawby
206 Jennifer Lane
Bastrop, TX 78602
512-574-6449

CONSENT AGENDA

A motion was made by Council Member Lee to approve Items 8A, 8B, 8C, and 8D as listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the May 28, 2024, Regular meeting.
Submitted by: Ann Franklin, City Secretary

- 8B. Consider action to approve the second reading of Ordinance No. 2024-17 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 12 Titled "Traffic and Vehicles," Article 12.05 Titled "Speed Limits," adding Section 12.05.009 titled "SH 304 speed limits." Zoning for traffic and rate of speed therein, on SH 304 in the city limits of the City of Bastrop; defining speeding and fixing a penalty therefore; declaring what may be a sufficient complaint in prosecutions hereunder; repealing all prior ordinances that are in conflict herewith; and providing for findings of fact, enactment, codification, effective date, repealer, severability, proper notice and meeting as shown in Exhibit A.
Submitted by: Kennedy Higgins, Senior Planner, Development Services Department

- 8C. Consider action to approve the second reading of Ordinance No. 2024-14 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, related to Chapter 3 Building Regulations, Article 3.17 Flood Damage Prevention as attached in Exhibit A; and providing for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.
Submitted by: Elizabeth Wick, Project Manager

- 8D. Consider action to approve Resolution No. R-2024-65 of the City Council of the City of Bastrop, Texas, approving amendments to the real estate purchase contract and performance agreement between the Bastrop Economic Development Corporation and Acutronic Real Estate, Inc; authorizing all necessary actions, including execution of necessary documentation; repealing all resolutions in conflict; and providing an effective date.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, Interim Director of the BEDC and City Manager

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2024-69 of the City Council of the City of Bastrop, Texas amending a contract for the update to the 2016 Comprehensive Plan to Halff Associates, Inc to increase the contract price by an amount not to exceed Forty Thousand, Two Hundred Eighty Dollars (\$40,280.00) hereby 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: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Plunkett to approve the first reading of Resolution No. R-2024-69 and to include on the June 25, 2024, Individual Consideration agenda for second reading with a comparable contract, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9B. Consider action to approve the first reading of Ordinance No. 2024-18 approving the creation of a Charter Review Commission; appointing initial commissioners; providing for severability; providing for repeal; and providing an effective date; and move to include on the June 25, 2024, consent agenda for second reading.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Lee to approve the first reading of Ordinance No. 2024-18 including Richard Martin as a thirteenth member and to include on the June 25, 2024, consent agenda for second reading, seconded by Council Member Meyer, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2024-66 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Krissie Fountain to Place 7, of the Bastrop Parks and Recreation Board as required in Section 3.08 of the City's Charter; and establishing an effective date.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.

A motion was made by Council Member Fossler to approve Resolution No. R-2024-66, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2024-67 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Council Member Lee as Parks and Recreation Board Liaison and Council Member Fossler as DEI Board Liaison as required in Section 3.08 and Section 1.04.002(6) of the City's Charter; and establishing an effective date.

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

No vote was needed, appointments were made by the Mayor's authority.

- 9E. Consider action to confirm appointment by the Mayor of Council Member Kerry Fossler to the ad hoc executive committee to address considerations related to a regional sports facility located in the Bastrop Economic Development Corporation Industrial Park, replacing former Council Member Jimmy Crouch.

Submitted by: Mayor Lyle Nelson and Council Member Cynthia Meyer

A motion was made by Mayor Pro Tem Kirkland to confirm appointment of Council Member Kerry Fossler to the ad hoc executive committee to address considerations related to a regional sports facility, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2024-68 of the City Council, of the City of Bastrop, Texas, approving the acquisition of certain real property, known as 610 Martin Luther King Jr. Drive, being 2.195 acres of land out of Building Block 56, East of Main Street, in the City of Bastrop; authorizing the City Manager to execute a purchase & sale agreement and all other necessary documents for the acquisition of said property for the amount of \$147,000.00; providing for severability; providing for repeal; and providing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Council Member Fossler to approve Resolution No. R-2024-68, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2024-70 of the City Council of the City of Bastrop, Texas, authorizing proceeding with issuance of certificates of obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligations.

Submitted by: Edi McIlwain, Chief Financial Officer

Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-70, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 7:46 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 Sections 551.071 and 551.072 to seek the advice of legal counsel regarding potential acquisitions of real estate related to the Westside Collection System wastewater improvements project and the following cases pending in Bastrop County Court at Law No. 1: Case No. 20-20462, City of Bastrop, Texas v. Baham

Interests Limited Partnership; and Case No. 20-20464, City of Bastrop, Texas v. Palms Properties, LLC.

- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Section 551.071 to seek the advice of legal counsel and possible action regarding a potential request for a petition to create Bastrop County Emergency Services District No. 3.
- 10C. 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 possible action regarding a 380 Agreement economic development incentives for the Sendero - Pearl River (PRC 01 Bastrop, LLC) development.
- 10D. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071, 551.072, and 551.087 to seek the advice of legal counsel regarding the real estate and economic development aspects of a potential development of a Qualified Hotel Project.

Mayor Nelson recessed the Executive Session at 9:46 p.m.

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

- 10C. 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 possible action regarding a 380 Agreement economic development incentives for the Sendero - Pearl River (PRC 01 Bastrop, LLC) development.
A motion was made by Council Member Meyer to approve the 380 agreement and authorize the City Manager to execute it subject to the following 2 edits by the City Attorney: 1) limitation on HOT Fund expenditures and 2) limitation on duration to maximum 6 years or maximum reimbursement amount, whichever is earlier, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

Adjourned at 9:47 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on June 25, 2024, by Council Member Name’s motion, Council Member Name’s second. The motion was approved on a 5-0 vote.