

JULY 9, 2024

The Bastrop City Council met in a regular meeting on Tuesday, July 9, 2024, at 5:00 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 O

Mayor Nelson called the regular City Council meeting to order at 5:00 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

The Mayor and Council led the pledges.

INVOCATION

Mayor Pro Tem Kirkland, gave the invocation

PRESENTATIONS

- 4A. Mayor's Report
- 4B. Council Members' Report
- 4C. City Manager's Report

WORK SESSIONS/BRIEFINGS

- 5A. Receive a presentation on SB 1154 allowing a minimum of a 50% property tax exemption for licensed childcare facilities.

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

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

- 5B. Review requests and provide direction to staff for funding requests by outside agencies seeking funding from:

- A. Hotel Occupancy Funds – Community Assets

Nicole DeGuzman – Bastrop County Historical Society (Visitors Center)

Nicole DeGuzman - Bastrop County Historical Society (Museum)

Lisa Holcomb – Bastrop Opera House

Chloe Breville - Lost Pines Art Center

- B. General Fund – Community Partners

Ashley Rebel - Bastrop Cats Anonymous TNR Society

Tresha Silva – Bastrop County Emergency Food Pantry

Stewart Green – Bastrop County First Responders

Sheila Lowe – Bastrop County Long Term Recovery Team

Kathy Hensen - Bastrop County Women Shelter

Jennifer Bezner - Bastrop Pregnancy Resource Center

Meagan Webb - Children's Advocacy Center of Bastrop County

Karen Walpole - Combined Community Action, Inc.
Kristi Bauer - Court Appointed Special Advocate (CASA)
Jonah Beyer - Feed the Need
Terry Stringer - Hands Up Ministry
Laurie Mason - Pines and Prairies Land Trust

STAFF AND BOARD REPORTS

- 6A. Receive a presentation regarding Economic Development Tools Commonly Utilized by Texas Cities.
Submitted by: Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager
Presentation was made by Sylvia Carrillo-Trevino, ICMA-CM, CPM, City Manager.
- 6B. Receive presentation on the unaudited monthly Financial Report for the period ending May 31, 2024.
Submitted by: Edi McIlwain, Chief Financial Officer
Presentation was made by Edi McIlwain, Chief Financial Officer.

CITIZE COMMENTS

SPEAKERS

Ann-Marie McDaniel
111 Spring Br.
Bastrop, TX 78602

Teresa Gonzalez
620 Barbara Way
Bastrop, TX 78602
(512)629-5752

Mayor Nelson recessed the Council Meeting at 7:17 p.m.

Mayor Nelson called the Council Meeting back to order at 7:25 p.m.

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 Plunkett, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the June 25, 2024, Regular meeting and July 2, 2024, Pre-Budget Planning Workshop.
Submitted by: Ann Franklin, City Secretary

- 8B. Consider Action to approve the second reading of Ordinance No. 2024-19 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," amending section 12.05.007 titled "SH 21 speed limits." zoning for traffic and rate of speed therein, on SH 21 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. 2024-20 of the City Council of the City of Bastrop, Texas adopting certain restrictions on the participation of registered sex offenders in programs or events involving minors and certain restrictions on where registered sex offenders may go or reside, within a specified distance of premises where children commonly gather. As attached in Attachment A; and provide for findings of fact, repealer, severability, codification, effective date, proper notice, and meeting.
Submitted by: Vicky Steffanic, Chief of Police

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution R-2024-79 of the City of Bastrop, Texas amending the City Council Rules of Procedure; establishing 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 Lee to approve the first reading of Resolution No. R-2024-79 with changes as discussed and direction to staff to bring back clean copy for final reading on July 23, 2024, seconded by Council Member Plunkett, motion was approved on a 4-1 vote. Council Member Fossler voted nay. Those voting aye were: Mayor Pro Tem Kirkland and Council Members Lee, Meyer, and Plunkett.

The following items are being brought back for final reading.

Section 4.7 – Citizen Comments

- When citizens can speak regarding an agenda item
Citizen Comments - Citizens are allowed to sign up to speak up until the start of Citizen Comments. (remove City Council and replace with Citizen Comments)

Section 2.2 Meetings Shall be in Compliance

- Add language related to a series of communications that create a quorum
Changes accepted.

Section 3.5 – Discussion and Debate

- Change council discussion time from 10 minutes to 5 minutes
This change was accepted.

Article 4 – Agenda Order

- Add draft agenda to Council on Monday before the Thursday posting
Accepted.

The following items were not accepted.**Section 2.10 Quorum**

- Change 4 to 3 match the Charter
No changes.

Section 3.2 – Model Format for Agenda Discussion

- Add allowing council discussion before a motion
Changes Removed

Section 3.22

Not accepted, no language change.

Section 1.24 being taken out**Article 4 – Agenda Order**

- Add draft agenda to Council on Monday before the Thursday posting
No action needed, repetitious language on presentation.

Section 4.4 – Presentations

- Presentations can be read by the Mayor, Staff, or Council
Not accepted.

Section 3.12 – Council May Discipline its Own Members

- Create/Clarify Council's ability to override an ethics commission decision
Withdrew changes

Article 4 – Agenda Order

- Council shall receive a draft agenda on Monday
No action needed, repetitious language on presentation.

Section and 5.3 – Rules Governing Citizen Comments

- Limits time/Amount/Ceding of time
Changes not accepted.

- 9B. Consider action to approve Resolution No. R-2024-86 of the City Council of the City Bastrop, Texas accepting a donation from the Lost Pines Art League in the amount of \$7,600.00 (Seven Thousand Six Hundred Dollars) for the creation of a sculpture within the boundaries of the Cultural Arts Commission District Project approved area; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Submitted by: Edi McIlwain, Chief Financial Officer

Presentation was made by Edi McIlwain, Chief Financial Officer.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-86, seconded by Council Member Fossler, motion was approved on a 4-0 vote. Council Member Lee was off the dais.

- 9C. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2024-22 of the City Council of the City of Bastrop, Texas, annexing FM 969 Retail Center (R30094), for 10.559 acres of land out of the Nancy Blakey Survey, Abstract No. 98, located north of SH 71 W and west of FM 969, as shown in Exhibit A, providing for findings of fact, adoption, establishing zoning and character district, repealer, severability, filing and enforcement; establishing an effective date; and proper notice and meeting.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

Public hearing opened.

Public hearing closed.

A motion was made by Council Member Plunkett to approve the first reading of Ordinance No. 2024-22, seconded by Mayor Pro Tem Kirkland, motion was approved on a 4-0 vote. Council Member Lee was off the dais.

- 9D. Hold a public hearing and consider action to approve Resolution No. R-2024-82 of the City Council of the City of Bastrop consenting to the inclusion of the City of Bastrop city limits or extraterritorial jurisdiction inside the boundaries of the proposed Bastrop County Emergency Services District Number 3.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

Public hearing opened.

Public hearing closed.

A motion was made by Mayor Pro Tem Kirkland to approve Resolution No. R-2024-82, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2024-83 of the City Council of the City of Bastrop, Texas, approving and acting upon a request by the Bastrop County Emergency Food Pantry to waive certain permitting fees in the amount of \$26,835.61 related to facilities at 1201 Pine Street and 806 Fayette Street, Bastrop, Texas.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

A motion was made by Council Member Meyer to approve Resolution No. R-2024-83, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution R-2024-80 of the City of Bastrop, Texas, authorizing the closure of the submission period for the Request for Proposal (RFP) for Solid Waste and Recycling Services, authorizing the City Manager to proceed with negotiations of the contract for Solid Waste and Recycling Services with the qualified respondent Texas Disposal Systems; providing for a repealing clause; and providing an effective date.

Submitted by: Andres Rosales, Assistant City Manager

Presentation was made by Andres Rosales, Assistant City Manager.

SPEAKER

Adam Gregory

11400 Hunters Grid Rd

Creedmoore, TX

A motion was made by Council Member Meyer to approve Resolution No. R-2024-80, seconded by Council Member Fossler, motion was approved on a 5-0 vote.

- 9G. Consider action to approve Resolution No. R-2024-81 of the City Council of the City of Bastrop, Texas approving the name change of the Diversity, Equity, & Inclusion Board to the Bridging Bastrop Board; providing for a severability and repealing clause; and establishing an effective date.

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 Meyer to approve Resolution No. R-2024-81, seconded by Council Member Plunkett, motion was approved on a 4-1 vote. Council Member Lee voting nay.

- 9H. Consider action to approve Resolution No. R-2024-84 of the City Council of the City of Bastrop, Texas, approving amendments to the Pearl River Master CCN Transfer Agreement; providing for a repealing clause; and establishing 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-2024-84, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 9I. Consider action to approve Resolution No. R-2024-85 of the City Council of the City of Bastrop, Texas approving an agreement between the City of Bastrop and Mike's Bikes providing for a one-year lease of a 400 square feet portion of Farm Lot 18 W M ST, acres 2.904 (48028), as shown in Exhibit A, located in Fisherman's Park with an option to renew for three additional one-year term upon mutual agreement; authorizing the city manager to execute said lease agreement on behalf of the city; and declaring an effective date.

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

A motion was made by Council Member Plunkett to approve Resolution No. R-2024-85, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 9J. Discussion and possible action relative to Ordinance Number 2024-18 regarding the threshold for action by the Home Rule Charter Commission.
Submitted by: Mayor Nelson and Councilmember Lee
A motion was made by Council Member Plunkett to approve with amendment to Section 7 to include a three-quarter majority vote will determine whether a motion passes or fails, seconded by Mayor Pro Tem Kirkland, motion was approved on a 5-0 vote.

Section 7 shall read:

The Charter Commission shall comply with rules of the City Council and Boards and Commissions except that a three-quarter majority vote determines whether a motion passes or fails.

EXECUTIVE SESSION

The City Council met at 11:00 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 legal counsel and discuss the potential acquisition of real estate adjacent to Gills Branch within the City of Bastrop.
- 10B. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072 to seek legal counsel and discuss the potential acquisition of real estate north of Farm Street and east of the Union Pacific Railroad within the City of Bastrop.
- 10C. 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 a proposed development located at Highway 304 and south of Shiloh Road, Bastrop County.

Mayor Nelson recessed the Executive Session at 11:35 p.m.

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

Adjourned at 11:36 p.m. without objection.

APPROVED:

ATTEST:

Mayor Lyle Nelson

City Secretary Ann Franklin

The Minutes were approved on July 23, 2024, by Council Member **Name's motion, Council Member **Name**'s second. The motion was approved on a **5-0** vote.**