

JUNE 28, 2022

The Bastrop City Council met in a regular meeting on Tuesday, June 28, 2022, at 4:30 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, Paul A. Hofmann; City Secretary, Ann Franklin; and City Attorney, Alan Borjorquez.

CALL TO ORDER – EXECUTIVE SESSION

Mayor Schroeder called the meeting to order at 4:30 p.m. with a quorum present.

EXECUTIVE SESSION

The City Council met at 4:31 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 section 551.071 to seek the advice of legal counsel regarding litigation matters related to MC Bastrop 71, LP, and 71 Retail Partners, LP (Bastrop County courts matters 1842-21, 423-7941, 1916-335, and 1936-335).
Submitted by: Paul A. Hofmann, City Manager
- 2B. 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 regarding potential real estate transaction with Bastrop County Emergency Services District #2.
Submitted by: Paul A. Hofmann, City Manager
- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding possible mediated dispute resolution of the pending Ethics Complaint against Robert James Crouch (filed March 25, 2022).
Submitted by: Paul A. Hofmann, City Manager

Mayor Schroeder recessed the Executive Session at 6:16 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 section 551.071 to seek the advice of legal counsel regarding litigation matters related to MC Bastrop 71, LP, and 71 Retail Partners, LP (Bastrop County courts matters 1842-21, 423-7941, 1916-335, and 1936-335).
Submitted by: Paul A. Hofmann, City Manager
A motion was made by Council Member Kirkland to approve Resolution No. R-2022-57, approving a mediator's proposal on pending litigation and authorizing the City Manager to execute a settlement agreement, seconded by Council Member Crouch, motion was approved on a 5-0 vote.
- 2B. 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 regarding potential real estate transaction with Bastrop County Emergency Services District #2.
Submitted by: Paul A. Hofmann, City Manager

A motion was made by Mayor Pro Tem Rogers to authorize the City Manager to execute the nonbinding Letter of Intent with Emergency Services District #2 regarding Fire Station #2, 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 section 551.071 to seek the advice of legal counsel regarding possible mediated dispute resolution of the pending Ethics Complaint against Robert James Crouch (filed March 25, 2022).

Submitted by: Paul A. Hofmann, City Manager

A motion was made by Council Member Lee to approve Resolution No. R-2022-58, expressing support for a mediated settlement of a pending Ethics complaint, seconded by Mayor Pro Tem Rogers, motion was approved on a 4-0 vote. Council Member Crouch was off the dais.

CALL TO ORDER – REGULAR SESSION

Mayor Schroeder called the Regular Council Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

Evan Odom and Kate Bray, Mina Elementary Harry Potter Club, led the pledges.

INVOCATION

Pastor Dustin Bartee, gave the invocation.

PRESENTATIONS

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

WORK SESSION/BRIEFINGS- NONE

STAFF AND BOARD REPORTS

- 9A. Receive presentation on the unaudited Monthly Financial Report for the period ending May 31, 2022.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made Tracy Waldron, Chief Financial Officer.

CITIZEN COMMENTS

SPEAKERS

**Susan Smith
1408 B Chestnut Street
Bastrop, TX 78602
512-332-8990**

**Amanda Ashcroft - (not present)
1335 Regents Park Dr., Suite 260**

512-970-0807

APPROVAL OF THE MINUTES

11A. Consider action to approve City Council minutes from the June 14, 2022, Regular meeting.

Submitted by: Ann Franklin, City Secretary

A motion was made by Council Member Kirkland to approve the City Council minutes from the June 14, 2022, Regular meeting as amended below, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

AMENDMENT

12D. Discussion and potential action on mobile food truck vendor permitting fees.

Submitted by: Council Members Kirkland and Lee

A motion was made by Council Member Kirkland to take this topic up again with the budget, in the meantime extend existing permits through the budget and when reading the budget Council would like to know the bottom-line cost with options for three, six, and twelve month permits, seconded by Council Member Plunkett.

A friendly amendment was made by the maker of the motion Council Member Kirkland to suspend invoicing until new fees are adopted. The friendly amendment was accepted by the second of the motion.

The final motion was to take the mobile food truck vendor permitting fees topic up again with the budget, in the meantime suspend invoicing until new fees are adopted and when reading the budget Council would like to know the bottom-line cost with options for three, six, and twelve month permits, motion was approved on a 5-0 vote.

ITEMS FOR INDIVIDUAL CONSIDERATION

12A. Consider directing the City Manager to add Juneteenth to the City Holiday Schedule, and to amend the Employee Handbook, accordingly, as requested by Council Member Cheryl Lee.

Submitted by: Tanya Cantrell, Director of Human Resources

Presentation was made by Tanya Cantrell, Director of Human Resources.

SPEAKERS

Michael & Linda Moorcock – In favor (not present)

1703 Wilson St

Bastrop, TX 78602

512-303-5819

Karen Sterling – In favor (not present)

127 McLeod Place

512-581-5680

Sarah Rooney – In favor (not present)
805 Spring St.
512-577-6002

Doris Jean Williams – In favor (not present)
18603 Mammoth Cave Boulevard
512-973-3299

Steve Chamberlain
230 Oak Forest Dr
Cedar Creek, TX 78612
817-360-0678

Cynthia Meyer
110 Briar Forest Dr.
Bastrop, TX 78602
512-332-6882

Johnny Sanders
156 Spring Branch
Bastrop, TX

Robin Rieck
131 Live Oak Dr.
512-581-2335

A motion was made by Council Member Lee giving direction to the City Manager to add Juneteenth to the City Holiday Schedule and to amend the Employee Handbook, accordingly, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 12H. Consider action to approve a recommendation to increase salaries for staff in the Streets & Drainage, Parks, and Building Maintenance Divisions of Public Works.
Submitted by: Tanya Cantrell, Director of Human Resources
Presentation was made by Tanya Cantrell, Director of Human Resources.

A motion was made by Mayor Pro Tem Rogers to approve recommendation to increase salaries for staff in the Streets & Drainage, Parks, and Building Maintenance Divisions of Public Works, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 12B. Hold a public hearing on the Hunters Crossing Public Improvement District ongoing service plan and proposed assessment levy, consider any objections to the proposed assessments and, consider action to approve the first reading of Ordinance No. 2022-17 of the City Council of the City of Bastrop, Texas approving the 2022 Service Plan Update, including provisions related to assessments for the Hunters Crossing Public Improvement District; approving a fiscal year 2023 assessment roll for the District; and containing other provisions related to the Hunters Crossing Public Improvement District and the Hunter's Crossing Local Government Corporation; providing for an

effective date and move to include on the July 12, 2022, City Council Meeting for a second reading.

Submitted by: Tracy Waldron, Chief Financial Officer

Presentation was made by Tracy Waldron, Chief Financial Officer and Jon Snyder, P3Works, LLC.

Public hearing was opened.

SPEAKERS

Lyle Nelson

209 N. Hunting Lodge Ln

Bastrop, TX 78602

512-850-8123

Public hearing was closed.

A motion was made by Mayor Pro Tem Rogers to approve the first reading of Ordinance No. 2022-17, seconded by Council Member Plunkett, motion was approved on a 5-0 vote.

- 12C. Consider action to approve the second reading of Ordinance No. 2022-15 of the City Council of the City of Bastrop, Texas, approving the Burleson Crossing East Zoning Concept Scheme, changing the zoning for 12.95 acres out of the Nancy Blakey Survey Abstract 98, from P2 Rural to P5 Core and establishing warrants on 19.81 acres, located east of Edward Burleson Lane and north of State Highway 71, within the city limits of Bastrop, Texas, as shown in Exhibits A, B, and C, providing for findings of fact, adoption, repealer, severability and enforcement, proper notice and meeting; and establishing an effective date.

Jennifer Bills, Director of Planning & Development

Presentation was made by Jennifer Bills, Director of Planning & Development.

SPEAKERS

Debbie Moore

1306 Church Street

Bastrop, TX

225-892-4702

A motion was made by Council Member Crouch to approve Ordinance No. 2022-15 with his notes. The motion died for lack of a second.

A motion was made by Council Member Lee to table Ordinance No. 2022-15, implement changes and recommendations that were made during the meeting tonight and bring back to Council with a consolidated recommendation, seconded by Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

Mayor Schroeder recessed the Council Meeting at 8:37 p.m.

Mayor Schroeder called the Council Meeting back to order at 8:44 p.m.

- 12D. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2022-04 of the City Council of the City of Bastrop, Texas, annexing Bastrop Colorado Bend phase 1, for 312.61 acres of land out of the Stephen F. Austin Survey, Abstract No.

2, located west of Lovers Lane and southeast of the Colorado River, 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, and move to include on the July 12, 2022, Regular Agenda for the second reading.

Submitted by: Jennifer Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

Public hearing was opened.

Public hearing was closed.

A motion was made by Mayor Pro Tem Rogers to approve the first reading of Ordinance No. 2022-04 and include on the July 12, 2022, Regular Agenda for the second reading, seconded by Council Member Kirkland, motion was approved on a 5-0 vote.

- 12E. Consider action to approve the first reading of Ordinance No. 2022-07 of the City Council of the City of Bastrop, Texas, approving the Bastrop Colorado Bend Zoning Concept Scheme, changing the zoning for 312.591 acres out of the Stephen F. Austin Survey Abstract 2, from P2 Rural to PEC Employment Center and establishing a plan on 312.591 acres, located west of Lovers Lane, within the city limits of the City of Bastrop, as shown in Exhibit A, providing for findings of fact, adoption, repealer, severability and enforcement, proper notice and meeting; and establishing an effective date and move to include on the July 12, 2022, Regular Agenda for the second reading.

Submitted by: Jennifer Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

A motion was made by Council Member Kirkland to approve the first reading of Ordinance No. 2022-07 and include on the July 12, 2022, Regular Agenda for the second reading, seconded by Council Member Lee, motion was approved on a 5-0 vote.

- 12F. Consider action to approve the first reading of Ordinance No. 2022-05 of the City Council of the City of Bastrop, amending the Comprehensive Plan by changing the Future Land Use designation from Rural Residential to Industry for Bastrop Colorado Bend, LLP for 312.591 +/- acres of land out of the Stephen F. Austin Survey Abstract 2, to the west of Lovers Lane, located within the city limits of the City of Bastrop, as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting and move to include on the July 12, 2022, Regular Agenda for the second reading.

Submitted by: Jennifer C. Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

A motion was made by Council Member Kirkland to approve the first reading of Ordinance No. 2022-05 and include on the July 12, 2022, Consent Agenda for the second reading, seconded by Council Member Mayor Pro Tem Rogers, motion was approved on a 5-0 vote.

- 12G. Consider action to approve the first reading of Ordinance No. 2022-06 of the City Council of the City of Bastrop amending the Transportation Master Plan - Master Thoroughfare Plan and Street Grid for Bastrop Colorado Bend, LLP for 546.364 +/- acres of land out of

the Stephen F. Austin Survey, Abstract 2, to the west of Lovers Lane, located within the city limits of the City of Bastrop and the City of Bastrop Extraterritorial Jurisdiction; as attached in Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting and move to include on the July 12, 2022, Regular Agenda for the second reading.

Submitted by: Jennifer C. Bills, Director of Planning & Development

Presentation was made by Jennifer C. Bills, Director of Planning & Development.

A motion was made by Council Member Kirkland to approve the first reading of Ordinance No. 2022-06 and include on the July 12, 2022, Consent Agenda for the second reading, seconded by Council Member Lee, motion was approved on a 5-0 vote.

Adjourned at 9:09 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on June 28, 2022, by Council Member motion, Council Member second. The motion was approved on a vote.