

**BASTROP CITY COUNCIL**  
**August 27, 2019**

The Bastrop City Council met in a Regular Meeting on Tuesday, August 27, 2019, at 5:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Jackson, Ennis, Rogers and Peterson. Officers present were City Manager Lynda Humble, City Secretary Ann Franklin and City Attorney Alan Bojorquez.

**EXECUTIVE SESSION - CALL TO ORDER**

At 5:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

**The City Council met at 5:32 p.m. in 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 Section 551.074 to discuss scope of authority of the Director of Public Safety with City Manager.
- 2B. City Council shall convene into closed executive session pursuant to Tex. Gov't Code 551.071 to confer with City Attorney to receive legal guidance on and provide direction regarding the drafting of a policy for future City Council consideration of proposed proclamations and resolutions.

**The City Council came out of closed/executive session at 6:33 p.m.**

**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 Tex. Gov't Code 551.071 to confer with City Attorney to receive legal guidance on and provide direction regarding the drafting of a policy for future City Council consideration of proposed proclamations and resolutions.  
**A motion was made by Council Member Ennis to approve the following amendment to the Council's Rules of Procedures, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

The following is the amendment to the Council's *Rules of Procedure*.

**Proclamations & Resolutions:**

Proposed proclamations and resolutions will not be placed on an agenda or brought before the City Council for discussion or action that:

- (a) Take a position on a matter of religious or spiritual values or principles, including ones that advance one religion, denomination or article of faith over another;
- (b) Promote political partisanship favoring one party over another;
- (c) Advocate outcomes in legal matters in which the City of Bastrop is not a party and are pending before a court or administrative law body (e.g., State Office of Hearings Examiners);

- (d) Is contrary to a policy position stated in an ordinance previously adopted by the Council (unless the Council is in the process of amending or repealing the prior ordinance).

**REGULAR SESSION - CALL TO ORDER**

**At 6:34 p.m. Mayor Schroeder called the meeting to order with a quorum being present.**

**PLEDGE OF ALLEGIANCE**

Sheila Lowe and Perrl Lowe led the pledges.

**INVOCATION**

The Rev. Matt Stone, Rector, Calvary Episcopal Church gave the invocation.

**PRESENTATIONS**

- 7A. Mayor's Report
- 7B. Councilmembers' Report
- 7C. City Manager's Report
- 7D. Proclamation of the City Council of the City of Bastrop, Texas recognizing the Month of September as National Preparedness Month.  
**The proclamation was read into record by Mayor Schroeder and received by Director of Public Safety/Chief of Police, James Altgelt and Sheila Lowe, Executive Director, Bastrop Long Term Recovery.**

**WORK SESSION/BRIEFINGS**

- 8A. Discuss development related fees, the recommended fee recovery policy of 75%-25%; and a hardship process for fee assistance.  
**Presentation was made by Director of Planning and Development, Matt Jones, discussion was held.**

**INDIVIDUAL CONSIDERATION**

- 12E. Consider action to approve the second reading of Ordinance No. 2019-25 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Appendix A – “Fee Schedule”, Sec. A3.01. – “General provisions”, Sec. A3.04. – “Building Code”, Sec. A3.05. – “Electricity—Electrical Code”, Sec. A3.06. – “Plumbing Code”, Sec. A3.07. – “Mechanical Code”, Sec. A3.15. – “Swimming Pools”, Sec. A3.16. – “Moving of Structures, Demolition and Site Work”, Sec. A3.20. – “Signs”, Sec. A3.21. – “Streets, Rights-of-Way and Public Property”, Sec. A10-03. – “Subdivision Ordinance”, Sec. A14.01. – “Zoning—General Provisions” and Adding Section A5.10 – “Fire Planning Review and Inspection Fees”; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.  
**A motion was made by Council Member Ennis to approve the second reading of Ordinance No. 2019-25, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

**WORK SESSION/BRIEFINGS CONTINUED**

- 8B. Discuss the Wastewater Treatment Plant #3 design and receive presentation from Bob Lane, KSA Engineering.  
**Presentation was made by Bob Lane, KSA Engineering, discussion was held.**
- 8C. Discuss the Street Maintenance Plan Strategy for FY 2020 and receive presentation from Walker Partners Engineering.  
**Presentation was made by Jed Walker, Walker Partners Engineering, discussion was held.**

**INDIVIDUAL CONSIDERATION CONTINUED**

- 12O. Consider action to approve Resolution No. R-2019-77 of the City Council of the City of Bastrop, Texas, rejecting all bids for the 2019 Streets Program Maintenance and Preventative Maintenance Project; repealing all resolutions in conflict; providing severability; and providing an effective date.  
**A motion was made by Council Member Jackson to approve Resolution No. R-2019-77, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.**
- 12R Hold a Public Hearing and consider action to approve Resolution No. R-2019-76 of the City Council of the City of Bastrop, Texas, approving the City of Bastrop Updated Drought Contingency Plan; repealing all resolutions in conflict; providing severability; and providing an effective date.  
**Presentation was made by Daniel Frazier, Walker Partners.**
- Public hearing was opened.**
- Public hearing was closed.**
- A motion was made by Mayor Pro Tem Nelson to approve Resolution No. R-2019-76, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

**WORK SESSION/BRIEFINGS CONTINUED**

- 8D. Discuss and provide policy direction regarding street standards in the City of Bastrop Extraterritorial Jurisdiction.  
**Presentation was made by Director of Planning and Development, Matt Jones, discussion was held.**

**Mayor Schroeder recessed the Council Meeting at 8:50 p.m.**

**Mayor Schroeder called the Council Meeting back to order at 8:57 p.m.**

**STAFF AND BOARD REPORTS**

- 9A. Receive Monthly Report from Visit Bastrop.



**Presentation was made by President and CEO, Susan Smith and Director of Sales, Ashton LaFuente of Visit Bastrop.**

9B. Receive Monthly Development Update.

**Presentation was made by Director of Planning and Development, Matt Jones.**

9C. Receive presentation on the unaudited monthly Financial Report for the period ending July 31, 2019.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

#### **CITIZEN COMMENTS – NONE**

#### **CONSENT AGENDA**

**A motion was made by Mayor Pro Tem Nelson to approve Items 11A, 11B, and 11C listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

11A. Consider action to approve City Council minutes from the August 13 and 14, 2019, Regular meetings.

11B. Consider action to approve the second reading of Resolution No. R-2019-66 of the City Council of the City of Bastrop, Texas, approving the 921 Main Street Project; repealing all resolutions in conflict; providing severability; and providing an effective date.

11C. Consider action to approve the second reading of Resolution No. R-2019-67 of the City Council of the City of Bastrop, Texas (“City”), approving (i) the Resolution of the Board of Directors of Bastrop Economic Development Corporation (“Corporation”) regarding a loan in the amount not to exceed \$1,420,000; (ii) a Sales Tax Remittance Agreement between the City and the Corporation (iii) resolving other matters incident and related to the loan; and (iv) the authority of the Mayor to execute, on behalf of the City, a General Certificate of the City and the Sales Tax Remittance Agreement.

#### **INDIVIDUAL CONSIDERATION CONTINUED**

12A. Consider action to approve the second reading of Ordinance No. 2019-24 of the City Council of the City of Bastrop, Texas updating and amending the Bastrop City Code of Ordinances, Chapter 10, Article 10.02, entitled “Impact Fees”, updating the land use assumptions, capital improvement plan and amending impact fees for water and wastewater utilities, as attached in Exhibits A-D, and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**A motion was made by Council Member Peterson to approve the second reading of Ordinance No. 2019-24, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**



- 12B. Consider action to approve the second reading of Ordinance No. 2019-29 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, Exhibit A – “Zoning Ordinance”, Article II – “Administration”, Section 8 – “Planning & Zoning Commission”, Subsection 8.4 – “Meetings”, to change the November & December Planning & Zoning Commission meeting dates to comply with Texas Local Government Code Chapter 212; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-29, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 12C. Consider action to approve the second reading of Ordinance 2019-32 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances Chapter 10 – “Subdivisions,” Article 10.03 – “Subdivision Ordinance,” Section 1 – “General,” by adding a new Section 1.1, “Annual Adoption of Schedule of Uniform Submittal Dates for Public Improvement Plans”, and Amending Chapter 14 – “Zoning,” Section I – “Enacting Provisions,” by adding a new Section 6.2, “Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, Zoning Changes, and Conditional Use Permit (CUP),”, and adopting Schedules of Uniform Submittal Dates for 2019/2020 for Site Plans, Plats, Zoning Change, CUP, and Public Improvement Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Plats, Site Plans, and Public Improvement Plans to be reviewed within thirty (30) days of submittal or deemed approved; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-32, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**

- 12D. Consider action to approve the second reading of Ordinance No. 2019-30 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances Chapter 16, “Stormwater Drainage,” Sections 16.01.002, 16.01.007, 16.01.009, 16.01.010, 16.01.013, and 16.01.015; by defining stormwater pollution prevention plans, and establishing requirements for maintenance plans, erosion control plans, and easements as part of construction process for stormwater control, giving the City Council the responsibility of approving or disapproving recommendations from the Development Review Committee (DRC) and the authority to hear appeals regarding the administration of this chapter, and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; proper notice and meeting.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-30, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 12F. Consider action to approve the second reading of Ordinance No. 2019-26 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 10, Article 10.03 – Subdivision Ordinance, Section 2 – General, Section 3 – Purpose, Authority & Jurisdiction, Section 4 – Platting Procedure and Section 5 –

Standard Division Design Requirements; approving a Standardized Public Improvement Plan Agreement, attached as Attachment A; and providing for findings of fact, enactment, enforcement, a repealer, and severability, establishing an effective date; and proper notice and meeting.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-26, seconded by Council Member Jackson, motion was approved on a 4-1 vote. Council Member Ennis voted nay.**

- 12G. Consider action to approve the second reading of Ordinance No. 2019-27 of the City Council of the City of Bastrop, Texas amending Ordinance No. 2019-16 - Enhanced Permit Process – Chapter 5 Definitions; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-27, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**

- 12H. Consider action to approve the second reading of Ordinance No. 2019-28 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, "Zoning," Exhibit A, "Zoning Ordinance," Section 42 – "Site Development Plan Review"; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Jackson to approve the second reading of Ordinance No. 2019-28 accepting the Site Development Plan recommended by the Planning and Zoning Commission, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

- 12I. Consider action to approve the second reading of Ordinance No. 2019-31 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, "Zoning," Exhibit A "Zoning Ordinance", Section 32 – "PD – Planned Development District"; repealing conflicting provisions, and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Ennis to approve the second reading of Ordinance No. 2019-31, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 12J. Consider action to approve the second reading of Ordinance No. 2019-37 of the City Council of the City of Bastrop, Texas amending the Bastrop Code of Ordinances, Chapter 14 "Zoning", Exhibit A, "Zoning Ordinance", Section 33 – "CUP or C – Conditional Use Permit"; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Jackson to approve the second reading of Ordinance No. 2019-37, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 12K. Consider action to approve the second reading of Ordinance No. 2019-33 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 14, "Zoning," Exhibit A, "Zoning Ordinance" Section 10 – "Changes and



Amendments to all Zoning Ordinances and Districts, and Administrative Procedures”; and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-33, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 12L. Consider action to approve the second reading of Ordinance No. 2019-34 of the City Council of the City of Bastrop, Texas adopting a Development Manual in compliance with Chapter 14, “Zoning”, Exhibit A, “Zoning Ordinance,” Section I – “Enacting Provisions”, Section 6.1 – “Development Manual” and Chapter 10 – “Subdivisions”, Article 10.03 – “Subdivision Ordinance,” Section 3 – “Purpose, Authority and Jurisdiction,” as shown as Exhibit A; and providing for findings of fact, adoption, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Peterson to approve the second reading of Ordinance No. 2019-34, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**

- 12M. Consider action to approve the second reading of Ordinance No. 2019-35 of the City Council of the City of Bastrop, Texas adopting Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations, and Definitions and adding Street Sign Standard, 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.

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-35, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 12N. Consider action to approve the second reading of Ordinance No. 2019-36 of the City Council of the City of Bastrop, Texas amending the City of Bastrop Stormwater Drainage Design Manual, Section 2 – “Stormwater Drainage Policy”, B – “Stormwater Drainage Design Process”; and providing for findings of fact, amendment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

**A motion was made by Council Member Rogers to approve the second reading of Ordinance No. 2019-36, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**

- 12P. Conduct a Public Hearing (1st) on the Proposed Ad Valorem Tax Rate for Fiscal Year 2019-2020.

**Presentation was made by Chief Financial Officer, Tracy Waldron.**

**Public hearing was opened.**

**Public hearing was closed.**

- 12Q. Consider action to approve Resolution No. R-2019-75 of the City Council of the City of Bastrop, Texas, consenting to the creation of Bastrop County Municipal Utility



District No. 2.; repealing all resolutions in conflict; providing severability; and providing an effective date.

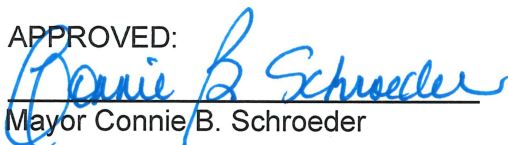
**Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job.**

**A motion was made by Council Member Jackson to approve Resolution No. R-2019-75, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

**ADJOURNMENT**

**Adjourned at 10:03 p.m. without objection.**

APPROVED:

  
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Mayor Connie B. Schroeder

ATTEST:

  
\_\_\_\_\_  
City Secretary Ann Franklin

**The Minutes were approved on September 10, 2019, by Council Member Peterson's motion, Mayor Pro Tem Nelson's second. The motion was approved on a 5-0 vote.**