

November 26, 2019

The Bastrop City Council met in a Regular Meeting on Tuesday, November 26, 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 Assistant City Attorney, Erin Higginbotham.

EXECUTIVE SESSION

The City Council met at 5:31 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 Section 551.072 of the Texas Government Code to deliberate the acquisition of outstanding easements on Main Street.
- 10C. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the acquisition of property located on MLK Drive.

The Bastrop City Council reconvened at 6:32 p.m. into open (public) session.

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

No action taken.

CALL TO ORDER

At 6:32 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE**INVOCATION**

Pastor Travis Fitzgold, Good Shepherd Lutheran Church gave the invocation.

PRESENTATIONS

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

WORK SESSION/BRIEFINGS

- 5A. Discuss City of Bastrop's proposed submittal to the CAMPO Transportation Plan.
Presentation was made by City Engineer, Tony Buonodono.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9C Conduct public hearing and consider action to deny the first reading of Ordinance No. 2019-73 of the City Council of the City of Bastrop, Texas, rezoning 1.866 acres of Bradford Subdivision, Lot 2 Fraction from P-3 Neighborhood, to P-4 Mix, located at 1903 Main Street, within the city limits of Bastrop, Texas, as shown in Exhibit A; including a severability clause; and establishing an effective date.

Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.

Public hearing was opened.

SPEAKERS

**Alice Traugott
1902 Main St.
Bastrop, TX 78602
(512) 636-2447**

**Ardas Khalsa
102 Bush Cove
Bastrop, TX 78602
(512) 415-1444**

**Siri Khalsa
102 Bush Cove
Bastrop, TX 78602
(512) 415-1444**

**Brittney Benton
1905 Main Street
Bastrop, TX 78602
(512) 786-2531**

**Ellen Tanner
1911 Main St.
Bastrop, TX 78602
(512) 985-7209**

**Joshua Gordon
1911 Main St.
Bastrop, TX 78602
(512) 636-8259**

Public hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-73, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9N. Conduct public hearing and consider action to deny the first reading of Ordinance No. 2019-74 of the City Council of the City of Bastrop, Texas, rezoning 0.760 acres of Farm Lot 5, West of Main Street, located at 1910 Main Street and 2.467 acres of

Farm Lot 5 West of Main Street, to located to the west of 1910 Main Street from P-3 Neighborhood, to P-4 Mix, within the city limits of Bastrop, Texas; as shown in Exhibit A; including a severability clause; and establishing an effective date.

Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.

Public hearing was opened.

SPEAKERS

**Alice Traugott
1902 Main St.
Bastrop, TX 78602
(512) 636-2447**

**Brittney Benton
1905 Main Street
Bastrop, TX 78602
(512) 786-2531**

**Ardas Khalsa
102 Bush Cove
Bastrop, TX 78602
(512) 415-1444**

**Siri Khalsa
102 Bush Cove
Bastrop, TX 78602
(512) 415-1444**

**Joshua Gordon
1911 Main St.
Bastrop, TX 78602
(512) 636-8259**

**David Barrow
1910 Main St.
Bastrop, Tx 78602
(512) 501-5505**

Public hearing was closed.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-74, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

- 9B. Consider action to approve Resolution No. R-2019-119 of the City Council of the City of Bastrop, Texas approving an Amendment to Task Order No. BAS.006A with KSA Engineering for supplemental engineering services associated with the acquisition of 350 feet of Wastewater Treatment Plant Land in the amount of Twenty-four Thousand Five Hundred Dollars and Zero cents (\$24,500.00) as attached in Exhibit A,

authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Council Member Rogers to approve Resolution No. R 2019-119, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9W. Public hearing and consider action to approve the first reading of Ordinance No. 2019-63 of the City Council of the City of Bastrop, Texas, rezoning Farms End Estates Lot 3 from P-5, Core, to P-4, Mix, located at 1706 Farm Street, within the City Limits of Bastrop, Texas; as shown in Exhibit A, including a severability clause; and establishing an effective date, and move to include on the December 10, 2019 Consent Agenda for second reading.

Presentation was made by Planner and GIS Coordinator, Allison Land.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Jackson to approve the first reading of Ordinance No. 2019-63, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

Mayor Schroeder recessed the Council Meeting at 7:49 p.m.

Mayor Schroeder called the meeting back to order at 7:54 p.m.

ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED

- 9T. Conduct public hearing and consider action to deny the first reading of No. Ordinance 2019-71 of the City Council of the City of Bastrop, Texas, rezoning 0.2067 acres of Farm Lot 3 West of Main Street from P-3 Neighborhood, to P-4 Mix, located at 606 Cedar Street, within the city limits of Bastrop, Texas; as shown in Exhibit A, including a severability clause; and establishing an effective date.

Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.

Public hearing was opened.

SPEAKERS

**Kerry Fossler
1903 Main St.
Bastrop, TX 78602
(713)882-7218**

Public hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-71, seconded by Council Member Jackson, motion failed on a

2-3 vote. Those voting aye were: Council Members Ennis and Jackson. Those voting nay were: Mayor Pro Tem Nelson and Council Members Rogers and Peterson.

- 9A. Consider action to approve Resolution No. R-2019-118 of the City Council of the City of Bastrop, Texas supporting the Bastrop County 2020 Census Complete Count Committee; and establishing an effective date.
Presentation was made by Director, Bastrop Public Library, Becca Sexton.

A motion was made by Council Member Rogers to approve Resolution No. R-2019-118, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9F. Consider action to approve Resolution No. R-2019-113 of the City Council of the City of Bastrop, Texas awarding a contract for the City of Bastrop Streets, Pavement and Preventative Maintenance Project to Angel Brothers Enterprises, Ltd. in the amount of One Million One Hundred Eighty-nine Thousand One Hundred Thirty-nine Dollars and Eighty Cents (\$1,189,139.80) as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Council Member Ennis to approve Resolution No. R 2019-113, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9I. Consider action to approve Resolution No. R-2019-115 of the City Council of the City of Bastrop, Texas awarding a task order to Halff Associates, Inc. for engineering design services related to the Gills Branch Drainage Flood Mitigation Project. in the amount of Five hundred fifteen thousand Ninety dollars and zero cents (\$515,090.00) as attached in Exhibit A; Authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by Paul Morales, Halff Associates.

A motion was made by Council Member Rogers to approve Resolution No. R 2019-115, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9D. Consider action to approve Resolution No. R-2019-100 of the City Council of the City of Bastrop, Texas, adopting a wholesale wastewater agreement with West Bastrop Village Municipal Utility District of Bastrop County and West Bastrop Village, Ltd.; attached as Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.
Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Rogers to approve Resolution No. R 2019-100, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9E. Consider action to approve Resolution No. R-2019-99 of the City Council of the City of Bastrop, Texas, adopting a wholesale water agreement with West Bastrop Village Municipal Utility District of Bastrop County and West Bastrop Village Ltd.; attached in

Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

A motion was made by Council Member Peterson to approve Resolution No. R-2019-99, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9G. Consider action to approve the first reading of Ordinance No. 2019-75 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 2, titled "Zoning Procedures", Article 2.4, titled "Administration," Sections 2.4.002(b) and 2.4.003(b); allowing Zoning Board of Adjustment members to be alternates to the Planning and Zoning Commission, attached as Exhibit A; providing for findings of fact; enactment; dissolution; repealer; severability; and providing an effective date, proper notice and meeting and move to include on the December 10, 2019 Consent agenda for a second reading.

Presentation was made by Chief Financial Officer, Tracy Waldron.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-75, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9H. Consider action to approve Resolution No. R-2019-122 of the City Council of the City of Bastrop, Texas authorizing a License to Encroach with TDS Solutions, LLC to erect a sign for Stem & Stone Restaurant in a public utility easement, as attached as Exhibit A; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.

Presentation was made by Assistant City Manager of Development Services, Trey Job.

A motion was made by Council Member Rogers to approve Resolution No. R 2019-122, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9J. Consider action to approve Resolution No. R-2019-128 of the City Council of the City of Bastrop, Texas supporting the extension of Jessica Place to Blakey Lane for inclusion in Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan 2045 Call for Projects; authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R 2019-128, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9K. Consider action to approve Resolution No. R-2019-125 of the City Council of the City of Bastrop, Texas supporting the submission of State Highway 95 in the city limits of Bastrop for inclusion in Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan 2045 Call for Projects as a co-sponsor with Texas Department of Transportation (TxDOT); authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-125, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9L. Consider action to approve Resolution No. R-2019-126 of the City Council of the City of Bastrop, Texas supporting the submission of Farm-to-Market Road 969 in the city limits of Bastrop for inclusion in Capital Area Metropolitan Planning Organization

(CAMPO) Regional Transportation Plan 2045 Call for Projects as a co-sponsor with Texas Department of Transportation (TxDOT); authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-126, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9M. Consider action to approve Resolution No. R-2019-130 of the City Council of the City of Bastrop, Texas supporting Bastrop County's submission of a new bridge across the Colorado River connecting SH 304/Shiloh Rd. to S.H.71 through Tahitian Village connecting with Margie's Way with an additional segment within the City of Bastrop at Lover's Lane connecting to SH 71 for inclusion in Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan 2045 Call for Projects; authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Jackson to approve Resolution No. R-2019-130, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9O. Consider action to approve Resolution No. R-2019-129 of the City Council of the City of Bastrop, Texas supporting the rehabilitation of the Old Iron Bridge for inclusion in Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan 2045 Call for Projects; authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-129, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 9P. Public hearing and consider action to approve the first reading of Ordinance No. 2019-67 of the City Council of the City of Bastrop, Texas, rezoning 0.683 acres of Farm Lot 37 East of Main Street from P-3 Neighborhood to P-5 Core, located 1302 SH 95, within the City Limits of Bastrop, Texas; as shown in Exhibit A, including a severability clause; and establishing an effective date, and move to include on the December 10, 2019 Consent Agenda for second reading.

Presentation was made by Planner, Allison Long.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-67, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9Q. Public hearing and consider action to approve the first reading of Ordinance No. 2019-68, of the City Council of the City of Bastrop, Texas, rezoning 0.193 acres of Building Block 6 West of Water Street, from P-5 Core to P-4 Mix, located 1110 Water Street within the City Limits of Bastrop, Texas; as showing in Exhibits A, including a severability clause; and establishing an effective date, and move to include on the December 10, 2019 Consent Agenda for second reading.

Presentation was made by Planner, Allison Long.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-68, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9R. Public hearing and consider action to approve the first reading of Ordinance No. 2019-69 of the City Council of the City of Bastrop, Texas, rezoning 0.129 acres of Building Block 6, West of Water Street, from P-5 Core to P-4 Mix, located 703 Farm Street, within the City Limits of Bastrop, Texas; as shown in Exhibit A, including a severability clause; and establishing an effective date, and move to include on the December 10, 2019 Consent Agenda for second reading.
Presentation was made by Planner, Allison Long.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-69, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9S. Conduct public hearing and consider action to approve the first reading of Ordinance No. 2019-70 of the City Council of the City of Bastrop, Texas, rezoning 0.353 acres of Building Block 8, West of Water Street, from P-CS Civic Space to P-5 Core, Located 1028 Main Street, within the City Limits of Bastrop, Texas; as showing in Exhibit A, including a severability clause; and establishing an effective date, and move to include on the December 10, 2019 Consent Agenda for second reading.
Presentation was made by Planner, Allison Long.

Public hearing was opened.

Public hearing was closed.

A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-70, seconded by Mayor Pro Tem Nelson, motion was approved on a 4-0-1 vote. Council Member Ennis recused himself.

- 9U. Conduct public hearing and consider action to approve the first reading of Ordinance No. 2019-72 of the City Council of the City of Bastrop, Texas, rezoning 0.214 acres of Building Block 1 West of Water Street from P-3 Neighborhood, to P-4 Mix, located at 701 Austin Street, within the city limits of Bastrop, Texas; as shown in Exhibit A; including a severability clause; and establishing an effective date; and move to include on the December 10, 2019 Consent Agenda for second reading.
Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills.

Public hearing was opened.

Public hearing was closed.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-72, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 9V. Consider action to approve Resolution No. R-2019-127 of the City Council of the City of Bastrop, Texas supporting the completion of Agnes Street for inclusion in Capital Area Metropolitan Planning Organization (CAMPO) Regional Transportation Plan 2045 Call for Projects; authorizing the City Manager to execute all necessary documentation; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-127, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

- 9X. Consider action to approve Resolution No. R-2019-124 of the City Council of the City of Bastrop, Texas ratifying the Mayor's Board Appointments; providing for a repealing clause; and establishing an effective date.

A motion was made by Council Member Ennis to approve Resolution No. R-2019-124, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

CITIZEN COMMENTS - NONE

CONSENT AGENDA

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

- 8A. Consider action to approve City Council minutes from November 12, 2019, Regular Meeting and November 13, 2019 Special Meeting.

- 8B. Consider action to approve the second reading of Ordinance No 2019-59 of the City Council of the City of Bastrop, Texas, Rezoning 65.926 acres out of the Nancy Blakey Survey, Abstract 98, from GR, General Retail to Bastrop Grove Planned Development District with a base residential use, located south of Agnes Street and east of State Highway 304, within the City Limits of Bastrop, Texas; as shown in Exhibits A, B, & C; including a severability clause; and establishing and effective date.

- 8C. Consider action to approve the second reading of Ordinance No. 2019-44 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 1, titled "General Provisions", Article 1.02, titled "Administration," Section 1.02.002, Article 1.04, titled "Boards, Committees and Commissions," Sections 1.04.001, 1.04.002, and adding 1.04.003; Article 1.05, titled "Housing Authority," Section 1.05.002, Article 1.10, titled "Parks," Section 1.10.001, Article 1.12, titled "Libraries," Division 2, titled "Library Board," Section 1.12.062, Article 1.15, titled "Code of Ethics," Division 3, titled "Implementation," Section 1.15.013, Article 1.16, titled "Art in Public Places," Section 1.16.002 and 1.16.003, Article 1.17, titled "Main Street Advisory Board", Section 1.17.001; Chapter 3, titled "Building Regulations,"

Article 3.02, titled "Construction Standards Board of Adjustments and Appeals," Sections 3.02.001, 3.02.002, and 3.02.003; Chapter 15, titled "Cemeteries," Article 15.01, titled, "Fairview Cemetery," Section. 15.01.002; unifying appointments, terms, number of members, residency requirements, and the filling of vacancies for city boards and commissions attached as Exhibit A; providing for findings of fact; enactment; dissolution; repealer; severability; and providing an effective date, proper notice and meeting.

- 8D. Consider action to approve the second reading of Ordinance No. 2019-61 of the City Council of the City of Bastrop, Texas adopting the International Building Code (2018), amending Chapter 3, "Building Regulations", Section 3.04.001, Building Code Adopted; adopting the National Electric Code (2017), amending Section 3.05.031, Electrical Code Adopted; adopting International Plumbing Code (2018), amending Section 3.06.031, Plumbing Code Adopted; adopting International Mechanical Code (2018), amending Section 3.07.001, Mechanical Code Adopted; adopting International Fuel Gas Code (2018), amending Section 3.08.001, Fuel Gas Code; adopting International Residential Code (2018), amending Section 3.09.001, Residential Code; adopting International Energy Conservation Code (2018), amending Section 3.10.001, Energy Conservation Code; adopting International Green Construction Code (2018), amending Section 3.14.001, International Green Construction Code; adopting the International Swimming Pool and Spa Code (2018), amending Section 3.15.001, Swimming Pool Code Adopted; repealing Section 3.15.002, Screening and fencing, adopting International Existing Building Code (2018), amending Section 3.13.001, Existing Building Code Adopted; and adopting the International Fire Code (2018), amending Chapter 5, "Fire Prevention and Protection", Section 5.02.001, Fire Code Adopted, repealing Article 5.03, Life Safety Code, repealing Article 5.04-5.06 Reserved, repealing Article 5.07 Fire Lanes, repealing Article 5.08 Reserved, as attached in Exhibit A; and providing for findings of fact, adoption and amendment, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting.
- 8E. Consider action to approve the second reading of Ordinance No. 2019-56 of the City Council of the City of Bastrop, Texas repealing and replacing Chapter Six, Health and Sanitation, as attached in Exhibit A; and repealing and replacing Chapter Eight Offenses and Nuisances, as attached in Exhibit B; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; and proper notice and meeting.
- 8F. Consider action to approve the second reading of Ordinance No. 2019-60 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 13, "Utilities," adding Article 13.12 "Impact Fees," and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting.

STAFF AND BOARD REPORTS

- 6A. Receive Monthly Development Update.
Presentation was made by City Manager, Lynda Humble.

WORK SESSION/BRIEFINGS CONTINUED

- 5C. Receive presentation of the FY 2019 Workplan and Accomplishments.
Presentation was made by City Manager, Lynda Humble.
- 5B. Discuss Live Streaming Challenges in City Council Chambers.
Presentation was made by Chief Storyteller, Colin Guerra.

EXECUTIVE SESSION

The City Council met at 9:54 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 10B. City Council shall convene into closed executive session pursuant to Section 551.074 to conduct an annual performance evaluation of the City Manager as required by her employment agreement.

The Bastrop City Council reconvened at 11:04 p.m. into open (public) session.

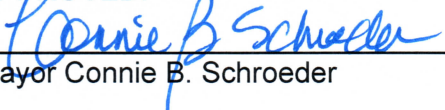
TAKE ANY NECESSARY OR APPROPRIATE ACTION ON MATTERS POSTED FOR CONSIDERATION IN CLOSED/EXECUTIVE SESSION

No action taken.

ADJOURNMENT


Adjourned at 11:04 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on December 10, 2019, by Mayor Pro Tem Nelson's motion, Council Member Roger's second. The motion was approved on a 4-0 vote. Council Member Peterson was absent.