

## BASTROP CITY COUNCIL

**November 12, 2019**

The Bastrop City Council met in a Regular Meeting on Tuesday, November 12, 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**

**The City Council met at 5:32 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 property located on MLK Drive.
- 10B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to confer with City Attorney regarding fire inspections of childcare facilities and schools.
- 10D. City Council shall convene into closed executive session pursuant to Section 551.072 of the Texas Government Code to deliberate the acquisition of property and easements associated with the construction of Wastewater Treatment Plant #3
- 10E. City Council shall convene into closed executive session pursuant to Section 551.086 of the Texas Government Code to discuss competitive matters related to Bastrop Power & Light (BP&L).
- 10F. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss with City Attorney pending litigation styled as Carolyn Smith, The Village at Hunters Crossing LLC and Lirtex Properties, LLC v. the City of Bastrop, et. al.

**The Bastrop City Council reconvened at 6:43 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 6:43 p.m. Mayor Schroeder called the meeting to order with a quorum being present.**

**PLEDGE OF ALLEGIANCE**

Zonai Cook, Jacob Almendarez, Sophia Zhao, And Kaden Simpson, Student Leaders of the Mina Physical Education Possee led the pledges

**INVOCATION**

Mayor Connie Schroeder gave the invocation.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

- 9B. 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.  
**This item was pulled from the agenda.**
- 9C. 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.  
**This item was pulled from the agenda.**

**PRESENTATIONS**

- 4A. Mayor's Report
- 4B. Councilmembers' Report
- 4D. Proclamation celebrating the life and contributions of Anne Beck.  
**The proclamation was read into record by Mayor Schroeder and received by Anne Beck's Husband, Marvin Beck and Daughter, Deandra Beck.**

**WORK SESSION/BRIEFINGS**

- 5A. Receive presentation and hold discussion with NewGen Strategies and Solutions regarding the City's Water and Wastewater Rate Ordinance and established rates.  
**Presentation was made by Chris Ekrut, Chief Financial Officer, NewGen Strategies and Solutions.**

**SPEAKER**

**Larry Dickens  
47 Loop 150 W.  
Bastrop TX. 78602  
512.304.006**

**ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED**

- 9H. Consider action to approve the first reading of Ordinance No. 2019-58 of the City Council of the City of Bastrop, Texas, amending the Bastrop Code of Ordinances, Article 13.02 "Water and Wastewater Rates and Charges", Sections 13.02.002 Wastewater Service Charge, 13.02.004 Water Service Charges, and 13.02.008 Billing, Discontinuance of Service; Amending Appendix A, Fee Schedule, Article A13.02 "Water and Wastewater Rates and Charges", Sections A13.02.002

Wastewater Service Charge, and A13.02.004 Water Service Charge, as attached in Exhibit A; providing for: findings of fact, enactment, repealer, severability, providing for an effective date, codification, proper notice and meeting, and move to include on the November 26, 2019 agenda for a second reading.

**This item was pulled from the agenda.**

- 9AA. Consider action to approve Resolution No. R-2019-117 of the City Council of the City of Bastrop, Texas authorizing a contract with SevenArrows Land Staff, LLC for land acquisition services and approving Task Order #1 in the amount of Forty-Six Thousand and 00/100 Dollars (\$46,000.00); as attached as 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 Rogers to approve Resolution No. R-2019-117, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 9J. Consider action to approve Resolution No. R-2019-111 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 Obligation, Series 2020.

**Presentation was made by Bart Fowler, McCall Parkhurst & Horton.**

**A motion was made by Council Member Jackson to approve Resolution No. R-2019-111, seconded by Council Member Peterson motion was approved on a 5-0 vote.**

- 9I. Consider action to approve the first 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; providing an effective date, proper notice and meeting; and move to include on the November 26, 2019 agenda for a second reading.

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

**SPEAKER**

**Debbie Moore  
1306 Church St.  
Bastrop, TX 79602**

**225.802.4702**

**A motion was made by Council Member Rogers to approve the first reading of Ordinance No. 2019-44 and move to include on the November 26, 2019 agenda for a second reading with the copy of Council proposed changes, seconded by Council Member Jackson, motion was approved on a 5-0 vote.**

- 9K. Consider action to approve Resolution No. R-2019-116 of the City Council of the City of Bastrop, Texas approving the Bastrop Public Library to accept up to Ten Thousand Three and 20/100 Dollars (\$10,003.20) in rebates from the Universal Services Administrative Co. for internet service provided by FiberLight to the Bastrop Public Library from July 1, 2019, through June 30, 2020.

**Presentation was made by Director, Bastrop Public Library, Becca Sexton.**

**A motion was made by Council Member Rogers to approve Resolution No. R-2019-116, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 9N. Conduct a public hearing and consider action to approve the first reading of Ordinance 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, and move to include on the November 26, 2019 Consent Agenda.

**Presentation was made by City Manager, Lynda Humble and Peter Verdicchio, SEC Planning.**

**Public hearing was opened.**

**Public hearing was closed.**

**A motion was made by Council Member Peterson to approve the first reading of Ordinance No. 2019-59 and move to include on the November 26, 2019 agenda for a second reading, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

**Mayor Schroeder recessed the Council Meeting at 8:38 p.m.**

**Mayor Schroeder called the meeting back to order at 8:45 p.m.**

- 9G. Consider action to approve Resolution No. R-2019-114 of the City Council of the City of Bastrop, Texas approving the Third Amendment to Consent Agreement for the Colony Municipal Utility District No. 1 and Successor Districts to be Created by Division of the Colony Municipal Utility District No. 1 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 Peterson to approve Resolution No. R-2019-114, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

- 9Y. Consider action to approve Ordinance 2019-62 of the City Council of the City of Bastrop, Texas abandoning, vacating, and closing a 0.211 acre portion of Adams Street roadway being out of Building Block 12 (west of water street) in the City of Bastrop, Bastrop County, Texas, and which is more particularly described and depicted in Exhibit A, which is attached hereto and incorporated herein for all purposes; authorizing the City Manager to execute a deed to convey said right-of-way to adjacent owners; and providing for findings of fact, repealer, and severability; establishing an effective date; and proper notice and meeting.

**Presentation was made by City Manager, Lynda Humble.**

**A motion was made by Council Member Ennis to approve the first reading of Ordinance No. 2019-62 and move to include on the November 26, 2019 agenda for a second reading, seconded by Council Member Peterson, motion was approved on a 4-0 vote. Mayor Schroeder recused herself.**

- 9Z. Consider action to approved Resolution No. R-2019-118 of the City Council of the City of Bastrop authorizing a contract to purchase of 0.211 acres, a portion of Building Block 12, West of Water Street, in the amount of One and 00/100 Dollar (\$1.00) from the Bastrop Christian Church, attached as Exhibit A, and approving a License Agreement for Parking during Special Events with Bastrop Christian Church, as attached as Exhibit B; 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 Jackson to approve Resolution No. R-2019-118 with clarification from City Attorney, seconded by Council Member Peterson, motion was approved on a 4-0 vote. Mayor Schroeder recused herself.**

- 9W. Consider action to approve the first reading of Ordinance No. 2019-62 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances, Chapter 4, "Business Regulations," adding Article 4.13 "Mobile Food Trucks," and providing for findings of fact, enactment, enforcement, a repealer, and severability; establishing an effective date; and proper notice and meeting, and place on the November 24, 2019 agenda for a second reading.

**Presentation was made by City Manager, Lynda Humble.**

**SPEAKER**

**Henry Conner  
315 Cedar Street  
Bastrop, TX 78602  
512.718.8770**

**A motion was made by Mayor Pro Tem Nelson to pull this item for a workshop, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 9D. Consider action to approve Resolution No. R-2019-115 of the City Council of the City of Bastrop, Texas awarding a contract for Preliminary Engineering Design of the Gills Branch Drainage Mitigation Project to Halff Associates, Inc. in the amount of Two Hundred Ten Thousand Seven Hundred Ten Dollars and 00/100 cents (\$210,710.00) as attached in Exhibit A; Authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.  
**This item was pulled from the agenda.**
- 9E. Consider action to approve Resolution No. R-2019-112 of the City Council of the City of Bastrop, Texas awarding a contract for design of a Drainage Master Plan to Halff Associates, Inc. in the amount of Two Hundred Twenty-six Thousand Dollars and 00/100 cents (\$226,000.00) as attached in Exhibit A; Authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date  
**This item was pulled from the agenda.**
- 9O. Consider action to approve the second reading of Ordinance No. 2019-50 of the City Council of the City of Bastrop, Texas amending the 2036 Comprehensive Plan by amending Chapter 5, of the Transportation Master Plan, as attached in Exhibit A; and providing for findings of fact, adoption, 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. 2019-50, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**
- 9P. Consider action to approve the second reading of Ordinance No. 2019-51 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block (B3) Code, as attached in Exhibit A; providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting.  
**Presentation was made by City Manager, Lynda Humble.**  
  
**A motion was made by Council Member Ennis to approve the second reading of Ordinance No. 2019-51, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**
- 9Q. Consider action to approve the second reading of Ordinance No. 2019-52 of the City Council of the City of Bastrop, Texas adopting the Authentic Bastrop Pattern Book, as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date; proper notice and meeting.  
**A motion was made by Council Member Jackson to approve the second reading of Ordinance No. 2019-52, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**
- 9R. Consider action to approve the second reading of Ordinance No. 2019-53 of the City Council of the City of Bastrop, Texas adopting the Bastrop Building Block Technical Manual("B3TM"), as attached in Exhibit A; providing for findings of fact, adoption and amendments, a repealer, severability, and enforcement; establishing an effective date.  
**Presentation was made by City Manager, Lynda Humble.**

**A motion was made by Council Member Jackson to approve the second reading of Ordinance No. 2019-53, seconded by Council Member Ennis, motion was approved on a 5-0 vote.**

- 9S. Consider action to approve the second reading of Ordinance No. 2019-54 of the City Council of the City of Bastrop, Texas adopting a development manual in compliance with Bastrop Building Block (B3) Code – enacting purpose, authority and jurisdiction, as attached in Exhibit A; establishing a repealing clause; providing severability; providing an effective date.

**A motion was made by Council Member Peterson to approve the second reading of Ordinance No. 2019-54, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

- 9T. Consider action to approve the second reading of Ordinance No. 2019-55 of the City Council of the City of Bastrop, Texas adopting the 2036 Comprehensive Plan as attached in Exhibit A; providing for findings of fact, adoption, 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. 2019-55, seconded by Council Member Rogers, motion was approved on a 5-0 vote.**

- 9U. Consider action to approve the second reading of Ordinance 2019-57 of the City Council of the City of Bastrop, Texas adopting Schedules of Uniform Submittal Dates for 2019/2020 for Neighborhood Regulating Plans as shown as Exhibit A, in order to comply with Texas Local Government Code Chapter 212, which requires Neighborhood Regulating 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 Council Member Ennis to approve the second reading of Ordinance No. 2019-57, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 9V. Consider action to approve the second reading of Ordinance No. 2019-49 of the City Council of the City of Bastrop, Texas amending Construction Standards Technical Manual dated January 2012, amending Chapter 1 – Section II References, Abbreviations and Definitions and adding Street Typical Street Cross-Sections, as attached in Exhibit A; providing for findings of fact, adoption, enforcement, a repealer and severability; establishing an effective date; proper notice and meeting.

**Presentation was made by City Manager, Lynda Humble and Assistant City Manager of Development Services, Trey Job.**

**A motion was made by Mayor Pro Tem Nelson to approve the second reading of Ordinance No. 2019-49, seconded by Council Member Peterson, motion was approved on a 5-0 vote.**

- 9BB. Consider action to approve Resolution No. R-2019-119 of the City Council of the City of Bastrop, Texas authorizing a contract with SimpleCity Design for on-call consulting

services, as attached in Exhibit A; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.  
**Presentation was made by City Manager, Lynda Humble.**

**EXECUTIVE SESSION CONTINUED**

**The City Council met at 10:21 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:**

10C. 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.

**The Bastrop City Council reconvened at 11:08 p.m. into open (public) session.**

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

No action taken.

**ITEMS FOR INDIVIDUAL CONSIDERATION CONTINUED**

**9BB Continued**

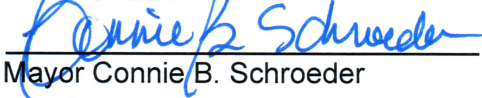
9BB. Consider action to approve Resolution No. R-2019-119 of the City Council of the City of Bastrop, Texas authorizing a contract with SimpleCity Design for on-call consulting services, as attached in Exhibit A; authorizing the City Manager to execute necessary documents; providing for a repealing clause; and establishing an effective date.  
**This item was pulled from the agenda.**

**STAFF AND BOARD REPORTS**

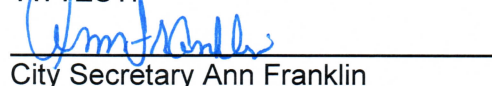
**ADJOURNMENT**

**Adjourned at 11:09 p.m. without objection.**

APPROVED:

  
\_\_\_\_\_  
Mayor Connie B. Schroeder

ATTEST:

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

**The Minutes were approved on November 26, 2019, by Council Member Peterson's motion, Council Member Rogers' second. The motion was approved on a 5-0 vote.**