

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
October 10, 2017**

The Bastrop City Council met in a Regular Meeting on Tuesday, October 10, 2017 at 6:30 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 Schiff and Council Members Jones, Ennis, Nelson and Peterson. Officers present were City Manager Lynda Humble and City Secretary Ann Franklin.

CALL TO ORDER

At 6:30 p.m. Mayor Schroeder called the meeting to order with a quorum being present.

PLEDGE OF ALLEGIANCE

Briana Teal, Teacher; Christopher Spooner, Senior; and Michael Hunking, Senior, Bastrop ISD FFA led the Pledge of Allegiance.

Command Senior Chief Jake Burchett, Lieutenant Junior Grade Reno Richard, and Petty Officer First Class Ensign Abegail Henrikson, Cadets from the Bastrop High School NJROTC led the Texas Pledge of Allegiance.

INVOCATION

Pastor Bernie Jackson, Trinity Zion Ministries gave the invocation.

PRESENTATIONS – PART 1 OF 2

- 4A. A proclamation of the City Council of the City of Bastrop, Texas, recognizing October 10, 2017, as City of Bastrop Custodial Workers Recognition Day.
Council Member Nelson read the proclamation into record and presented it to the City of Bastrop Custodial team.
- 4B. A proclamation of the City Council of the City of Bastrop, Texas, recognizing the week of October 8-14 as Fire Prevention Week for the City of Bastrop.
Council Member Ennis read the proclamation into record and presented it to Fire Chief Wobus.
- 4C. Receive Presentation from Pastor Bernice Jackson regarding Go Purple Days - Domestic Violence Awareness Month.
Presentation was made by Pastor Bernice Jackson.
- 4D. A proclamation of the City Council of the City of Bastrop, Texas, recognizing Domestic Violence Awareness Month.
Council Member Jones read the proclamation into record and presented it to Pastor Bernice Jackson.
- 4E. A proclamation of the City Council of the City of Bastrop, Texas recognizing October as National Community Planning Month.
Mayor Schroeder read the proclamation into record and presented it to the Planning & Zoning staff and Planning & Zoning Commission members.

- 4F. Receive Presentation thanking the volunteers that helped make FY17 Tennis Program a success for our community.
Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job and presented to the recipients.

INDIVIDUAL CONSIDERATION – PART 1 OF 2

(This item was moved to the beginning of the agenda to provide an opportunity for the community to meet and welcome Alan Bojorquez as the City's Attorney.)

- 10A. Consider action to approve Resolution R-2017-83 of the City Council of the City of Bastrop, Texas, approving terms of engagement with Bojorquez Law Firm, PC; authorizing the Mayor to execute all necessary documents; repealing any resolutions in conflict; and establishing an effective date.
A motion was made by Mayor Pro Tem Schiff to approve Resolution No. R-2017-81, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

OATH OF OFFICE

- 5A. Incoming City Attorney Alan Bojorquez
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
 - Signature of official documents, Ann Franklin, City Secretary
 - Welcome by Council
 - Comments by Mayor Schroeder

Mayor Schroeder recessed the meeting at 7:06 p.m.

RECEPTION FOR NEW CITY ATTORNEY

Mayor Schroeder called the meeting back to order at 7:21 p.m.

PRESENTATIONS – PART 2 OF 2

- 4G. Mayor's Report

A Minute With The Mayor The topic is "Safety", specifically traffic safety. A pedestrian was struck on the sidewalk of Chestnut at Pecan on Saturday, October 7, 2017, thankfully this pedestrian survived. On Monday night, October 9, 2017, there was a fatality, someone was walking along Highway 95 and was struck by a car. The point of this is, "Please Pay Attention, Please Be Safe", texting and answering your phone is not that important. Please reiterate to the kids the importance of being safe.

ACTIVITIES OF MAYOR SCHROEDER SINCE THE LAST COUNCIL MEETING:

- **September 28**
 - Retail Visit
 - Ribbon Cutting – Cell Phone Repair (CPR)
- **September 29**
 - BEST Breakfast
- **October 3**
 - National Night Out – (Rescheduled for October 17th.)

- **October 3-6**
 - **TML Annual Conference in Houston**
- **October 6**
 - **First Friday Art Walk**
- **October 7**
 - **Home Depot Annual Safety Event**

Upcoming events:

- **October 11**
 - **Imagine the Possibilities Broker Tour**
- **October 12**
 - **Ribbon Cutting**
 - **12th Annual Blue Bonnet Scholarship Golf Tournament and Dinner**
 - **Tx DOT Open House for FM 812**
- **October 16**
 - **Monthly BEDC meeting**
- **October 19**
 - **State Park Public Meeting**
- **October 20**
 - **Teen Night at Fisherman's Park**
- **October 23**
 - **Early Voting begins for November 7th Election**

4H. Councilmembers' Report**Council Member Peterson**

- **Met with the City Fire Marshall. Stated appreciation for the City Fire Marshall and State Fire Marshall program to provide the elderly and people in need with fire alarms and smoke detectors.**

Council Member Nelson

- **September 27th attended the TML Region 10 quarterly meeting in Leander.**
- **September 30th attended the "Big Truck" event at the Bob Bryant Park.**
- **October 4th-6th attended the TML Annual Conference in Houston.**

Council Member Jones

- **Took a humanitarian trip to Cuba with a thirteen member team. Was very proud to represent the City of Bastrop and to be able to take some relief to this island that has been hit very hard by the hurricane.**

4I. City Manager's Report

Nothing to report.

WORK SESSION/BRIEFINGS

- 6A. Discuss Partnership between City & Senior Center regarding the FEMA Building scheduled for completion in February 2018. Presentation was made by City Manager, Lynda Humble.**

STAFF AND BOARD REPORTS

- 7A. Receive presentation and brief overview from Justin Bragiel, General Counsel with Texas Hotel & Lodging Association (TH&LA), regarding the legal uses of Hotel Occupancy Tax in the State of Texas.
Presentation and overview was given by Brian Sullivan, Associate General Counsel with Texas Hotel & Lodging Association.

WORK SESSION/BRIEFINGS - CONTINUED

- 6B. Discuss proposed organizational work plan for FY 2018 - 2022.
Presentation was made by City Manager, Lynda Humble.

STAFF AND BOARD REPORTS - CONTINUED

- 7B. Receive staff presentation on the 2017 Lost Pines Christmas Festival Season.
Presentation was made by Main Street Director, Sarah O'Brien.
- 7C. Receive staff presentation regarding the results of the recent smoke testing performed in the Riverside Grove Subdivision.
Presentation was made by Managing Director of Public Works & Leisure Services, Trey Job.
- 7D. Receive staff presentation on the City's application for funding through the FEMA Hazard Mitigation Grant Program.
Presentation was made by City Engineer, Wesley Brandon.

CITIZEN COMMENTS - NONE

CONSENT AGENDA

A motion was made by Council Member Nelson to approve Item 9A listed on the Consent Agenda after being read into the record by City Secretary Ann Franklin. Seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9A. Consider action to approve minutes from the September 19, 26 and 28, 2017 meetings.

ITEMS FOR INDIVIDUAL CONSIDERATION – PART 2 OF 2

- 10B. Hold a public hearing and consider action to approve the first reading of Ordinance No. 2017-27 of the City Council of the City of Bastrop, Texas, Granting a Conditional Use Permit to allow an Indoor Commercial Amusement Use, for Lot 2 of Hunter's Crossing Subdivision, Section 2-A, located at 201 Hunter's Crossing Boulevard, Suite 14, within the city limits of Bastrop, Texas; providing a severability clause, setting out conditions, and establishing an effective date, and move to include the second reading on the October 24, 2017, City Council agenda.
Presentation was made by Planning and Zoning Assistant Director, Jennifer Bills

The Public Hearing was opened.

The Public Hearing was closed.

A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance No. 2017-27, seconded by Council Member Nelson, motion was approved on a 5-0 vote.

- 10C. Consider action to approve the first reading of Ordinance 2017-24 of the City Council of the City of Bastrop, Texas, changing the names of three roads in Tahitian Village due to emergency response concerns, being "Haweia Ct" to "Ori Ct", "Koko Ln" to "Nani Ln", and "Lae Ct" to "Reva Ct", within the city limits of Bastrop, Texas, providing a severability clause, establishing an effective date and move to include the second reading on the October 24, 2017 City Council agenda.
Presentation was made by Planner and GIS Coordinator, Allison Land.

A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance No. 2017-24, seconded by Council Member Jones, motion was approved on a 5-0 vote. Direction was given to the City Attorney to research what can be done to make it as simple and inexpensive as possible for the citizens regarding changing the names of three roads in Tahitian Village.

- 10D. Item removed prior to posting.

- 10E. Consider action to approve Resolution R-2017-81 of the City Council of the City of Bastrop, Texas approving revised City Council Rules of Procedure; establishing a repealing clause; and establishing an effective date.
Presentation was made by City Manager, Lynda Humble.

A motion was made by Council Member Ennis to approve Resolution No. R-2017-81, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 10F. Consider action to approve the first reading of Resolution No. R-2017-79 of the City Council of the City of Bastrop, Texas, approving an agreement for the provision of Main Street Program support between the City of Bastrop and the Bastrop Economic Development Corporation; authorizing the City Manager to execute the agreement; repealing all resolutions in conflict; providing an effective date; and move to include on the October 24, 2017 agenda for second reading.
Presentation was made by Main Street Director, Sarah O'Brien.

A motion was made by Mayor Pro Tem Schiff to approve the first reading of Resolution No. R-2017-79, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 8:58 p.m. in a closed/executive session pursuant to the Texas Government Code, Chapter 551, et seq, to discuss the following:

- 11A. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss positions affiliated with Municipal Court

including reviewing submittals for the Request for Qualifications for an Associate Judge(s) and the position of Prosecutor.

- 11B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with Special Counsel to the City of Bastrop regarding XS Ranch Fund VI, LP Case No. 16-31367 Case pending in United States Bankruptcy Court, Northern District of California and the purchase of additional water rights as outlined in the agreement.
- 11C. City Council shall convene into closed executive session pursuant to Section 551.074 to conduct a semi-annual performance evaluation of the City Manager as required by her employment agreement.

The Bastrop City Council reconvened at 10:27 p.m. into open (public) session.

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

- 11A. City Council shall convene into closed executive session pursuant to Section 551.074 of the Texas Government Code to discuss positions affiliated with Municipal Court including reviewing submittals for the Request for Qualifications for an Associate Judge(s) and the position of Prosecutor.
A motion was made by Council Member Ennis to interview two candidates on October 24, 2017, for the Associate Judge(s) position, seconded by Mayor Pro Tem Schiff, motion was approved on a 5-0 vote.
- 11B. City Council shall convene into closed executive session pursuant to Section 551.071 of the Texas Government Code to discuss and deliberate litigation matters with Special Counsel to the City of Bastrop regarding XS Ranch Fund VI, LP Case No. 16-31367 Case pending in United States Bankruptcy Court, Northern District of California and the purchase of additional water rights as outlined in the agreement.
A motion was made by Mayor Pro Tem Schiff for the City to exercise their option to acquire additional water rights and instruct legal counsel and city staff to take the necessary steps, seconded by Council Member Jones, motion was approved on a 5-0 vote.
- A motion was made by Council Member Peterson to direct legal counsel and staff to acquire the deed for 10,000 square feet and access to the well upon completion of the well, seconded by Council Member Jones, motion was approved on a 5-0 vote.**
- A motion was made by Council Member Nelson to direct legal counsel to take the necessary steps to dismiss the McCall case, seconded by Mayor Pro Tem Schiff, motion was approved on a 5-0 vote.**

ADJOURNMENT

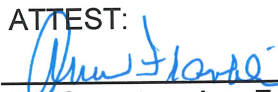
Adjourned at 10:30 p.m. without objection.

APPROVED:



Mayor Connie B. Schroeder

ATTEST:



City Secretary Ann Franklin

The Minutes were approved on October 24, 2017, by Mayor Pro Tem Schiff's motion, Council Member Ennis' second. The motion was approved on a 5-0 vote.