

**MINUTES OF REGULAR COUNCIL MEETING
BASTROP CITY COUNCIL
April 10, 2018**

The Bastrop City Council met in a Regular Meeting on Tuesday, April 10, 2018, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Schroeder, Mayor Pro Tem Schiff and Council Members Ennis, Nelson and Peterson. Officers present were City Manager Lynda Humble, Deputy City Secretary Traci Chavez and City Attorney Alan Bojorquez.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Sinclair, Dovie and Olivia Guerra, the children of Bastrop's Chief Story Teller Colin Guerra, led the Pledge of Allegiance.

INVOCATION

Reverend Steve Newman gave the invocation.

Council Member Jones arrived at 6:40 p.m.

PRESENTATIONS

- 4A. A proclamation of the City Council of the City of Bastrop, Texas recognizing the month of April as Fair Housing Month.
The proclamation was read into record by Mayor Schroeder. Executive Director for the Bastrop Housing Authority, Ms. Brandy Spencer, received the proclamation.
- 4B. A proclamation of the City Council of the City of Bastrop, Texas recognizing April 8th-14th, 2018 as National Public Safety Telecommunicators Week for the City of Bastrop.
The proclamation was read into record by Mayor Schroeder. Bastrop County Telecommunicators, Dawn Adams and Desirae' Walters-Breare, received the proclamation.
- 4C. A proclamation of the City Council of the City of Bastrop, Texas recognizing April 18, 2018 as National Lineman Appreciation Day.
The proclamation was read into record by Mayor Schroeder. Bastrop Power & Light employees Tim Goetz, Bubba Townsend, Jimmie Shumake, Jeff Bartsch, James Holder, Lucas Hernandez, Gunnar Schwartz and Cheryl Renfro received the proclamation.
- 4D. Receive presentation on availability of electricity in Downtown Bastrop.
Presentation was made by Director of Public Works, Utilities and Leisure Services, Trey Job.

4E. Mayor's Report

ACTIVITIES OF MAYOR SCHROEDER PLANNED EVENTS

- March 29
 - Guest Speaker for FCI National Women's History Month
 - Ribbon Cutting – Supreme Lending
- March 30
 - Good Friday (City Offices Closed)
- April 1
 - Easter Sunrise Service (Bastrop State Park)
- April 3
 - Ribbon Cutting – RC's Playhouse
- April 4
 - Monthly Chamber Luncheon
 - BAIPP Meeting
- April 5
 - Farm Street Opry
- April 6
 - First Friday Art Walk
- April 10
 - Bastrop City Council Meeting

UPCOMING EVENTS & CITY MEETINGS

- April 11
 - Welcome Texas Electric Power Conference (3 days in Bastrop)
- April 12-14
 - Cultivating Strong Towns Conference (San Marcos)
- April 15
 - Annual Lost Pines Art Center Gala
- April 16
 - BEDC Monthly
- April 19
 - Mid-Year Budget City Council Work Session

4F. Councilmembers' Report

Mayor Pro Tem Schiff

- **The Bastrop Public Library held its annual book and plant sale. This raised \$13,000.00. Mayor Pro Tem Schiff thanked the Friends of the Library and all the people who made this great event possible.**

Council Member Nelson

- **A public meeting was held for citizens to ask questions or make comments regarding the proposed Bastrop Wheeled Sports Plaza. He informed the Council that they had a good turnout and it was very interactive.**

Council Member Ennis

- **Recognized Mr. Paul Alexander who was born in Cedar Creek Texas. He attended Bastrop schools and served three tours of duty in Vietnam. He also served as a police officer in Bastrop. He passed away last month but is one of the many folks that helped make Bastrop a place we know and love.**

Council Member Jones

- **Attended a Planning & Zoning Workshop and would like to give a shout out to the Planning & Zoning Commission and Debbie Moore who is an excellent chair.**

WORK SESSION/BRIEFINGS

- 5A. Receive presentation on the "Service Agreement for Water Customers". **Managing Director Trey Job addressed the Council and presented a power point regarding a service agreement form with respect to back flow prevention.**
- 5B. Receive presentation from Tim Sanders with BEFCO Engineering about the updated cost estimate to include bank stabilization between 104 and 106 Bush Cove. **Mr. Sanders addressed the Council and gave an overview and proposed 3 phase solution of the Bush Cove/Riverside Drive drainage issues. Council and Mr. Sanders had discussion. Ms. Glenda Dayton addressed the Council. Ms. Dayton stated that when in the process of building her home she obtained all necessary permits and inspections per the City and does not feel like the responses she is getting from the City are satisfactory. Mr. Harley Davenport addressed the Council. He feels that the drainage pipe is a primary source of erosion and needs to be addressed by the City. He would like to see future conversations about this problem. Mayor Schroeder addressed Council and stated that City Manager Humble is looking for some direction on this matter and asked the Council for comments. Mayor Pro Tem Schiff addressed BEFCO and requested that they look at encapsulating the existing drain line so that it would stay in place (i.e. concrete it in place) perhaps a concrete shaft. Council member Peterson suggested possibly using boulders to stabilize the area similar to the train trusses. Council Member Jones asked BEFCO about just going straight to phase III. Discussion continued. City Manager Humble informed the Council that there is no money for this project. HALFF Associates identified 20.2 million dollars' worth of drainage problems. Since that report there have been 7-8 additional projects added to it. Ms. Humble would like to add the additional projects to the CIP Plan and let them all be scored. Council Member Jones agreed with City Manager Humble.**

At 8:08 p.m. Mayor Schroeder called for a 5-minute break. Mayor Schroeder called meeting to order at 8:14 p.m.

- 5C. Discuss changes to the HOT Grant Process to better align with the purpose and values established with HOT Funding through the establishment of Visit Bastrop. **City Manager Humble addressed the Council to provide background on item. Ms. Humble would like direction from the Council as this will impact the budget. Mayor Schroeder recognized Herb Goldsmith who addressed the Council. Mayor Schroeder recognized Connor McAnally who addressed the Council. Mayor Schroeder recognized Bonnie Coffey who addressed the Council. CFO Waldron stated the next step was to bring a policy to Council.**
- 5D. Discuss the Proposed Ethics Ordinance and receive public comment. **City Attorney Alan Bojorquez made a presentation of Draft C to the Ethics Ordinance. Mayor Schroeder recognized Mr. Glenn Johnson, Ms. Linda Curtis and Mr. Connor McAnally who addressed the Council.**

- 5E. Discuss painting the trees as a part of the Bastrop story on the TxDOT Tahitian Overpass to make them more visible.
Mayor Pro Tem Schiff presented this item to Council. City Manager Humble requested that Mr. Trey Job provide additional information on this item. Mayor Schroeder recognized Ms. Deborah Johnson who requested to speak.

STAFF AND BOARD REPORTS

- 6A. Receive a Presentation from Melissa Middlebrooks, President, Keep Bastrop County Beautiful (KBCB), about the "Adopt a Street Program."
Ms. Middlebrooks presented to the Council.
- 6B. Receive an update regarding the closure of the pool at Bastrop State Park for repairs beginning on April 2, 2018.
Mr. Trey Job provided update to the Council.

CITIZEN COMMENTS

Connor McAnally addressed the Council regarding the Vandiver settlement. He requested answers as to whether the City had made any payments under the settlement and if the Vandiver's had upheld their end of the agreement. Mr. McAnally asked that those answers be brought back to the citizens at a later meeting.

CONSENT AGENDA

A motion was made by Mayor Pro Tem Schiff to approve Item 8A listed on the Consent Agenda after being read into the record by Mayor Schroeder. Seconded by Council Member Ennis, after correction of Patricia Rendulic's name, motion was approved on a 5-0 vote.

- 8A. Consider action to approve City Council minutes from the March 22, 2018 Joint Council and Bastrop Economic Development Corporation meeting and March 27, 2018 regular meeting.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2018-23 of the City Council of the City of Bastrop, Texas adopting the Community Support Funding Calendar for the Fiscal Year 2019, as shown in Exhibit A; repealing all resolutions in conflict; and providing an effective date.
Chief Financial Officer, Tracy Waldron, presented this item to Council.

A motion was made by Council Member Nelson to approve Resolution No. R-2018-23, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9B. Hold Public Hearing and consider action to approve Resolution R-2018-22 of the City Council of the City of Bastrop, Texas granting a variance to Bastrop Code of Ordinances Article 4.02.005 Sale of Alcoholic Beverages, Separation Requirements from Church, Public or Private School, or Public Hospital, on property located at 1800 Walnut Street within the city limits of Bastrop, Texas; and establishing an effective date.
City Planner Allison Land, presented item to Council.

A motion was made by Council Member Ennis to approve Resolution R-2018-22, seconded by Council Member Nelson, motion was approved on a 5-0 vote.

- 9C. Consider action to approve Resolution No. R-2018-24 of the City Council of the City of Bastrop, Texas approving a Settlement and Release Agreement regarding *Crump, et al. v. Lost Pines Groundwater Conservation District, et al.*, Cause No. 194-21, 21st Judicial District, Bastrop County, Texas; *Crump, et al. v. Lost Pines Groundwater Conservation District*, Cause No. 232-21, 21st Judicial District, Bastrop County, Texas; and *McCall Ranch, L.P., et al. v. Lost Pines Groundwater Conservation District and City of Bastrop*, Cause No. 423-4980, 423rd Judicial District, Bastrop County, Texas, attached as Exhibit A; delegating certain actions related thereto; authorizing the City Manager to execute all necessary documentation; providing for severability; and establishing an effective date. **Attorney Art Rodriquez, on behalf of Attorney George Hyde, presented item to Council.**

A motion was made by Mayor Pro Tem Schiff to approve Resolution R-2018-24, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 9D. Hold a Public Hearing and consider action to approve Ordinance 2018-03 of the City Council of the City of Bastrop, Texas amending the Code of Ordinances, Chapter 14 titled "Zoning," Article 14.03 titled "Historic Landmark Preservation"; and adding Appendix A titled "Fee Schedule," Section A14.01.003 titled "Fees for Historic Landmark Preservation," as attached in Exhibit A; providing for a penalty for the violation of this ordinance; providing a repealing clause; providing a severability clause; and providing an effective date and move to include on the April 22, 2018 agenda for a second reading. **Assistant Planning Director, Jennifer Bills, presented item to Council. Mr. Dan Hays-Clark addressed the Council on this item.**

A motion was made by Mayor Pro Tem Schiff to approve the first reading of Ordinance 2018-03 and place on April 24, 2018 agenda for second reading, seconded by Council Member Nelson, motion was approved on a 3-0 vote. Council Members Ennis and Jones recused themselves.

EXECUTIVE SESSION

The City Council met at 10:50 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 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Pine Forest 6, et al vs. City of Bastrop, et al.

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

A motion was made by Council Member Nelson to authorize the City Manager to make an Amendment to the January 2015 interlocal agreement as discussed in executive session with the condition of the city attorney approval on final draft, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

ADJOURNMENT

Adjourned at 11:07 p.m. without objection.

APPROVED:


Mayor Connie B. Schroeder

ATTEST:


Deputy City Secretary Traci Chavez

The Minutes were approved on April 24, 2018, by Mayor Pro Tem Schiff's motion, Council Member Jones's second. The motion was approved on a 5-0 vote.

