

**BASTROP CITY COUNCIL
FEBRUARY 26, 2019**

The Bastrop City Council met in a Work Session Meeting at 5:00 p.m. followed by a Regular Meeting at 6:30 p.m. on Tuesday, February 26, 2018 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, Peterson, Rogers, Ennis and Jones. Officers present were City Manager Lynda Humble, Deputy City Secretary Traci Chavez and City Attorney Alan Bojorquez.

CALL TO ORDER – WORK SESSION

At 5:00 p.m. Mayor Schroeder called the work session to order with a quorum being present.

Receive presentation by Chris Eckrut with NewGen Strategies and Solutions. Council discussed the creation of rates and standardized contracts for future wholesale water and wastewater customers.

Mayor Schroeder called for recess at 6:16 p.m.

CALL TO ORDER – REGULAR SESSION

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

PLEDGE OF ALLEGIANCE

ASL Club and Bastrop Regional Day School Program for the Deaf, accompanied by their teacher, Leanna Hodges. The students recited and signed the pledges.

INVOCATION

Reverend Bob Long, Police Chaplain gave the invocation.

PRESENTATIONS

- 5A. Mayor's Report
- 5B. Councilmembers' Report
- 5C. City Manager's Report
- 5D. Receive Annual Racial Profiling Report from the Bastrop Police Department.
Presentation was made by Director of Public Safety/Chief of Police James Altgelt.

WORK SESSION/BRIEFINGS**STAFF AND BOARD REPORTS**

- 6A. Receive presentation from Verdunity, Inc. regarding the fiscal analysis model being developed as part of the fiscal sustainability requirement of the new proposed code revisions.
Presentation was made by Kevin Shepard.

Mayor Schroeder called for recess at 7:25 p.m.

Mayor Schroeder called the meeting to order at 7:30 p.m.

- 6B. Receive update from Strand and Associates regarding the drainage design standards of the new proposed code revisions.
Presentation was made by Mark Shubak.
- 6C. Discuss possible oversize/overweight restrictions (curfew hours) for commercial vehicles.
Presentation was made by Chief James Altgelt.
- 6D. Update and discussion of current Legislative Session and its impact on local municipalities.
Update was provided by Mayor Schroeder.

STAFF AND BOARD REPORTS

- 7A. Receive Monthly Report from Visit Bastrop.
Presentation made by President/CEO, Susan Smith; Director of Sales, Kathryn Lang; and Senior Administrator, April Lewandowski; and Marketing Director, Ashton LaFuente.
- 7B. Receive presentation on the unaudited Monthly Financial Report for the period ending January 31, 2019.
Presentation was made by Chief Financial Officer, Tracy Waldron.
- 7C. Receive Monthly Development Update.
Item Pulled
- 7D. Receive the Comprehensive Annual Financial Report and Single Audit Report for the period ending September 30, 2018, which includes the independent auditor's report presented by the independent audit firm of Pattillo, Brown & Hill, L.L.P.
Presentation was made by Auditor, Paula Lowe.
- 7E. Receive report from Bastrop Economic Development Corporation.
Presentation was made by BEDC Executive Director, Mike Kamerlander.

CITIZEN COMMENTS

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Item 9A, with corrections, 9B and 9C after being read into the record by Deputy City Secretary, Traci Chavez. Seconded by Council Member Peterson, motion was approved 5-0.

- 9A. Consider action to approve minutes from the February 12, 2019 meeting.
- 9B. Consider action to approve second reading of Ordinance 2019-01 amending Chapter 15, Fairview Cemetery, Section 15.01.016 - Monument, Memorial or Tombstones, to the code of ordinances of the City of Bastrop, Texas; in accordance with existing statutory requirements; repealing conflicting provisions; providing for severability; and establishing an effective date.
- 9C. Consider action to approve the second reading of Ordinance 2019-03 amending the budget for the Fiscal Year 2019 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date
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INDIVIDUAL CONSIDERATION

- 10A. Consider action and approve Resolution No. R-2019-23 of the City Council of the City of Bastrop, Texas, making determinations regarding certain project-specific Exceptions and/or Exemptions as provided by Emergency Ordinance 2018-1, Section 8 (Temporary Moratorium); and Emergency Ordinance 2018-2, Section 7 (Emergency Drainage Application Rules).

Presentation was made by Assistant Director of Planning, Jennifer Bills.

A motion was made by Council Member Jones to approve Resolution No. 2019-23 for 169 Hwy 21, Cedar Creek, Tx, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

A motion was made by Council Member Jones to approve Resolution No. 2019-23 for 248 Union Chapel Road, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

A motion was made by Council Member Jones to approve Resolution No. 2019-23 for 304 Industrial Blvd. seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

A motion was made by Council Member Jones to approve Resolution No. 2019-23 for 751 Caylor Cove, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

A motion was made by Council Member Jones to approve Resolution No. 2019-23 for Proposed Family Dollar on Hwy 95, seconded by Council Member Peterson, motion was approved on a 5-0 vote.

- 10B. Consider action and approve Resolution No. R-2019-24 of the City Council of the City of Bastrop, Texas approving Building Bastrop Policy Statement: A Purpose Statement and Explanation for all development related code revisions and rulemaking procedures to ensure clarity and consistency; and establishing an effective date.

This item was presented by City Manager, Lynda Humble.

A motion was made by Council Member Peterson to approve Resolution No. R-2019-24, after removing "Locally Made" from the Building Bastrop Policy Statement, seconded by Council Member Jones, motion was approved on a 5-0 vote.

- 10C. Consider action to approve Resolution R-2019-22 of the City Council of the City of Bastrop, Texas approving a task order for additional design, bidding, and construction phase services for the Main Street Field Engineering Project to MWM DesignGroup in the amount of Seventy-eight Thousand Ten Dollars and Seventy-five Cents (\$78,010.75) as attached in Exhibit A , authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date.

Item pulled.

- 10D. Consider action to approve first reading of Ordinance 2019-02 of the City Council of the City of Bastrop, Texas amending the Bastrop City Code of Ordinances Chapter 13, Article 13.02, Section 13.02.002 "Wastewater Service Charge"; repealing conflicting provisions; providing for severability; proper notice and meeting; establishing for an effective date; and move to include on the March 12, 2019 consent agenda for second reading.

A motion was made by Mayor Pro Tem Nelson to approve the first reading of Ordinance No. 2019-02 and to place on the consent agenda for the next meeting, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 10E. Consider action to approve the first reading of Ordinance No. 2019-04 of the City Council of the City of Bastrop, Texas amending the Bylaws of the Youth Advisory Council; repealing all prior ordinances and actions in conflict herewith; establishing an effective date and move to include on the March 12, 2019, City Council Consent Agenda for second reading.

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

A motion was made by Council Member Jones to approve the first reading of Ordinance No. 2019-04 and to place on the consent agenda for the next meeting, seconded by Council Member Ennis, motion was approved on a 5-0 vote.

- 10F. Consider action to approve Resolution R-2019-25 of the City Council of the City of Bastrop, Texas ratifying the Mayor's appointment to the Parks Board; and establishing an effective date.

Mayor Schroeder addressed the Council regarding her appointment of Margaret Robinson to fill the vacant seat on the Parks Board.

A motion was made by Council Member Jones to approve Mayor Schroeder's board appointment of Ms. Robinson, seconded by Council Member Rogers, motion was approved on a 5-0 vote.

EXECUTIVE SESSION

The City Council met at 10:13 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 551.071 of the Texas Government Code to discuss and deliberate litigation matters with the City Attorney regarding Vandiver Settlement Agreement.

The Bastrop City Council reconvened at 11:00 p.m. into open (pubic) session.

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

A motion was made by Mayor Pro Tem Nelson to amend the settlement agreement (the Agreement) of April 25, 2017 between the City of Bastrop and Rhonda and Scottie Vandiver (the Vandiver's) to include the following terms:

- 1. The expiration of the contract will be extended to allow a Buyer, who currently has the property under contract, until on or before June 24, 2019 to perform due diligence.**
- 2. If the property is sold to a Buyer on or before June 24, 2019, then all terms of the Agreement with the following exceptions and/or modifications will be transferred to the Buyer.**
 - a. Carriage doors may be implemented as described in Paragraph 5a in lieu of all other options described in Paragraphs 5, 6, and 7.**

