

Bastrop, TX City Council Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



November 13, 2019 at 6:30 P.M.

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purposes of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING.

1. **CALL TO ORDER – REGULAR SESSION – 6:30 P.M.**
2. **PLEDGE OF ALLEGIANCE** – Zonai Cook, Jacob Almendarez, Sophia Zhao, And Kaden Simpson, Student Leaders of the Mina Physical Education Possee

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. **INVOCATION** – Robert Oliver, Police Chaplain
 4. **PRESENTATIONS**
 - 4A. Mayor's Report
 - 4B. Councilmembers' Report
 - 4C. City Manager's Report
 - 4D. Proclamation celebrating the life and contributions of Anne Beck.
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5. 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.

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation on the Quarterly Investment Report for the period ending September 30, 2019.

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. To address the Council, please submit a fully completed request card to the City Secretary prior to the beginning of the Council meeting. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Staff for research and possible future action.

To address the Council concerning any item on the agenda, please submit a fully completed request card to the City Secretary prior to the start of the meeting.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. CONSENT AGENDA

The following may be acted upon in one motion. A Councilmember or a citizen may request items be removed from the Consent Agenda for individual consideration.

- 8A. Consider action to approve City Council minutes from October 22, 2019, Joint Council and Planning and Zoning; October 22, 2019, Regular meeting; October 24, 2019, Board and Commission Orientation; and November 5, 2019, Joint City Council and Construction Standards Board.
- 8B. Consider action to approve the second reading of Ordinance No. 2019-48 of the City Council of the City of Bastrop, Texas, 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.

9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider action to approve Resolution No. R-2019-110 of the City Council of the City of Bastrop, Texas regarding the Bastrop Central Appraisal District (CAD) election voting for the 2020-2021 Board of Directors; establishing a repealing clause; and providing an effective date.

- 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.
- 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.
- 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.
- 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
- 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.
- 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.
- 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.
- 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.

- 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.
- 9K. Consider action to approve Resolution No. R-2020-116 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.
- 9L. Consider action to approve the first 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, and move to include on the November 26, 2019 agenda for a second reading.
- 9M. Consider action to approve the first 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, and move to include on the November 26, 2019 agenda for a second reading.

- 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 an effective date, and move to include on the November 26, 2019 Consent 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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- 9W. Consider action to approve 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.
- 9X. Consider action to approve the first 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.
- 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.
- 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
- 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.
- 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.

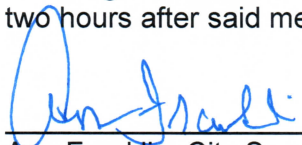
10. EXECUTIVE SESSION

- 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.
- 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.
- 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.

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

12. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Friday, November 8, 2019 at 6:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary