

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



January 25, 2022

Executive Session at 5:00 P.M.

Mayor's State of the City Address at 6:00 P.M.

Regular Meeting 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.

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 IN ATTENDANCE 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. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT WWW.CITYOFBASTROP.ORG/CITIZENCOMMENTFORM BEFORE 5:00 P.M. ON JANUARY 25, 2022. COMMENTS SUBMITTED BY THIS TIME WILL BE DISTRIBUTED TO THE CITY COUNCIL PRIOR TO MEETING COMMENCEMENT, REFERENCED AT THE MEETING, AND INCLUDED WITH THE MEETING MINUTES. COMMENTS FROM EACH INDIVIDUAL WILL BE LIMITED TO THREE (3) MINUTES WHEN READ ALOUD.

1. CALL TO ORDER

2. EXECUTIVE SESSION

- 2A. City Council shall convene into closed executive session pursuant to Texas Government Code Sections 551.071 and 551.072, to seek the advice of legal counsel, and to deliberate upon the acquisition of real property interests associated with the construction of Wastewater Treatment Plant #3 at 385 SH 304, Unit B, Bastrop, TX 78602, and its collections systems, including all related agreements, authorizations, easements, resolutions, and associated legal actions.
- 2B. City Council shall convene into closed executive session pursuant to Texas Government Code section 551.071 to seek the advice of legal counsel regarding *State of Texas v. James Robert Crouch*, Cause No. 20211193, Notice of Ordinance Violation for *Working without a Permit* at 602 Martin Luther King, Jr. Drive, Bastrop, Texas, including a briefing on the assignment of a visiting judge, appointment of an outside prosecutor, upcoming jury trial, and related expenses.
- 2C. City Council shall convene into closed executive session pursuant to Texas Government Code sections 551.071 and 551.072 to seek the advice of legal counsel regarding the purchase, exchange, lease, or value of real property in the City Limits for possible parkland, drainage, or open space purposes.

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

4. MAYOR'S STATE OF THE CITY ADDRESS – 6:00 P.M.

5. CALL TO ORDER – REGULAR SESSION – 6:30 P.M.

- 6. **PLEDGE OF ALLEGIANCE** – Jacie Green, Charlotte Percox, and Charlee Torres, Bastrop Intermediate School Debate/Government Club

TEXAS PLEDGE OF ALLEGIANCE

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

- 7. **INVOCATION** – Pastor Douglas DeShay, Mount Rose Missionary Baptist Church

8. PRESENTATIONS

- 8A. Mayor's Report
- 8B. Council Members' Report
- 8C. City Manager's Report
- 8D. Receive Annual Racial Profiling Report from the Bastrop Police Department. (Submitted by: Clint Nagy, Chief of Police)

9. WORK SESSION/BRIEFINGS - NONE

10. STAFF AND BOARD REPORTS

- 10A. Receive presentation on the unaudited Monthly Financial Report for the period ending December 31, 2021. (Submitted by: Tracy Waldron, Chief Financial Officer)

11. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance 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. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on January 25, 2022. Comments submitted by this time will be distributed to the city council prior to meeting commencement, referenced at the meeting, and included with the meeting minutes. Comments from each individual will be limited to three (3) minutes when read aloud. 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 Manager for research and possible future action.

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.

12. CONSENT AGENDA

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

- 12A. Consider action to approve City Council minutes from the January 11, 2022, Regular meeting. (Submitted by: Ann Franklin, City Secretary)
- 12B. Consider action to approve the second reading of Ordinance No. 2022-02 to approve a change in the zoning for 78.128 acres out of land out of Bastrop Business and Industrial Park, Phase 1, Block A, Lot 1 from P2 Rural to P-EC Employment Center, and establish the Bastrop Business and Industrial Park Zoning Concept Scheme on 146.213 acres in the Bastrop Business and Industrial Park Subdivision, with the condition of adding a 75-foot greenbelt buffer along the south and east sides of the park in which trees cannot be removed, located south of SH 71, within the city limits of Bastrop, Texas, , as shown in Exhibit A, providing for findings of fact, adoption, repealer, severability, and enforcement; establishing and effective date; and proper notice and meeting. (Submitted by: Jennifer C. Bills, Director of Planning & Development)

- 12C. Consider action to approve Resolution No. R-2022-16 of the City Council of the City of Bastrop, Texas to approve the Bastrop Police Department to apply for a grant from the Office of the Governor - Criminal Justice Division (OG-DOJ) Grant for a crime scene vehicle, with no matching funds from the City of Bastrop; at a total cost of seventy-four thousand seven hundred forty-five dollars and forty-five cents (\$74,745.45); authorizing the Chief of Police as the Grantee's Authorized Official; providing for a severability clause and establishing an effective date. (Submitted by: Clint Nagy, Chief of Police)
- 12D. Consider action to approve Resolution No. R-2022-16 of the City Council of the City of Bastrop, Texas to approve a Standard Contract with Arch Technical Services, LLC (ATS) for thirty-party building review and inspection services in an amount not to exceed Eight Hundred Thousand Dollars and 00/100 Cents (\$800,000.00); authorizing the City Manager to execute all necessary documents, providing for a repealing clause; and establishing an effective date. (Submitted by: Jennifer C. Bills, Director of Planning & Development)
- 12E. Consider action to approve Resolution No. R-2022-18 of the City Council of the City of Bastrop, Texas to approve a Standard Contract with SAFEbuilt, LLC for third-party building review and inspection services in an amount not to exceed Six Hundred Fifty Thousand Dollars and 00/100 Cents (\$650,000.00); authorizing the City Manager to execute all necessary documents, providing for a repealing clause; and establishing an effective date. (Submitted by: Jennifer C. Bills, Director of Planning & Development)
- 12F. Consider action to approve Resolution No. R-2022-19 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with JOT Holdings LLC for Legends Cove, Section Two, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date. (Submitted by: Jennifer C. Bills, Director of Planning & Development)

13. ITEMS FOR INDIVIDUAL CONSIDERATION

- 13A. Consider action to approve Resolution No. R-2022-22 of the City Council of the City of Bastrop, Texas confirming the Youth Advisory Council appointments of the Mayor, as required in Section 3.08 of the City Charter; providing for a repealing clause; and establishing an effective date. (Submitted by: Rebecca Gleason, Assistant City Manager)
- 13B. Consider action to approve Resolution No. R-2022-23 of the City Council of the city of Bastrop, to approve the City of Bastrop to receive a grant from the St. David's Foundation for a two-hundred and fifty thousand dollars and no cents (\$250,000) in contribution to the City of Bastrop Parks & Recreation Master Plan; authorizing the City Manager to sign a Grant Agreement on behalf of the City; providing for a severability clause and establishing an effective date. (Submitted by: Rebecca Gleason, Assistant City Manager)
- 13C. Consider action to approve Resolution No. R-2022-15 of the City of Bastrop, Texas approving the Bastrop Police Department to apply for a grant from the U.S. Department of Justice's 2022 General Victims Assistance Grant Program for a Victim's Assistance Specialist at a total cost of sixty-two thousand three hundred and seventy-six dollars and eighty-seven cents (\$62,376.87) with no matching funds from the City of Bastrop; authorizing the Chief of Police as a the grantee's authorized official; providing for a severability clause; and establishing an effective date. (Submitted by: Clint Nagy, Chief of Police)

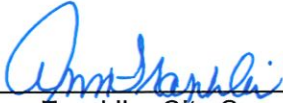
- 13D. Consider action to approve Resolution No. R-2022-09 of the City Council of the City of Bastrop, Texas, calling for and establishing the procedures for a May 7, 2022, General Election for Bastrop, Texas; and providing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 13E. Consider action to approve Ordinance No. 2022-03 of the City Council of the City of Bastrop, Texas, calling for and establishing the procedures for a May 7, 2022, Special Election for the purpose of amending the Home Rule Charter; and providing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 13F. Consider action to approve Resolution No. R-2022-10 of the City Council of the City of Bastrop, Texas, approving a Joint Agreement between the City of Bastrop (City) and Bastrop County, Bastrop Independent School District (BISD), Bastrop-Travis Counties Emergency Services District No. 1, City of Elgin, City of Smithville, Elgin Independent School District (EISD), Bastrop County Emergency Services District No. 2, Smithville Independent School District (SISD), and Bastrop County Water Control and Improvement District #2 for the May 7, 2022 Special and General Election for Bastrop, Texas, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 13G. Consider action to approve Resolution No. R-2022-11 of the City Council of the City of Bastrop, Texas, approving a contract for election services between the Elections Administrator of Bastrop County and the City of Bastrop for the May 7, 2022, Special and General Election for Bastrop, Texas, attached as Exhibit A; authorizing the City Manager to execute all necessary documents; and providing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 13H. Consider action to approve Resolution No. R-2022-21 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Eva Ballard to Place 1 of the Bastrop Housing Authority, as required in Section 3.08 of the City's Charter, and establishing an effective date. (Submitted by: Ann Franklin, City Secretary)
- 13I. Consider action to approve Resolution No. R-2022-12 of the City Council of the City of Bastrop, Texas, appointing Mayor Connie Schroeder as the City of Bastrop's Clean Air Coalition representative, as required in Article II of the Clean Air Coalition of the Capital Area Council of Governments by-laws; and establishing an effective date. (Submitted by: Paul A. Hofmann, City Manager)

14. ADJOURNMENT

All items on the agenda are eligible for discussion and action unless specifically stated otherwise.

The Bastrop City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development), and §551.086 (Competitive Matters regarding Electric Utility).

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: Thursday, January 20, 2022 at 3:30 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary

