

CITY OF BASTROP

RESOLUTION NO. R-2023-162

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING AND DIRECTING THE CITY MANAGER, IN CONSULTATION WITH THE CITY ATTORNEY'S OFFICE, TO DEVELOP AND IMPLEMENT INTERNAL POLICIES, PROCEDURES, AND PRACTICES RELATED TO THE ACQUISITION OF REAL PROPERTY INTERESTS FOR PUBLIC INFRASTRUCTURE PROJECTS; PROVIDING FOR PROPER NOTICE & MEETING AND AN EFFECTIVE DATE.

WHEREAS, the City Council from time to time determines that there is a public necessity for the welfare of the City of Bastrop, Texas ("City") and the public-at-large to construct for public purposes and public use certain public infrastructure projects, including but not limited to transportation system improvements, water and wastewater utility system improvements, drainage improvements, and other public projects ("Public Projects"), which may require that the City acquire certain real property interests, including but not limited to fee simple title, right-of-way, permanent easements, access easements, and temporary construction easements ("Real Property Interests"), to facilitate such Public Projects; and

WHEREAS, the City has the authority to acquire such Real Property Interests for Public Projects by dedication, donation, voluntary purchases, and, if necessary, eminent domain, in accordance with applicable federal and state laws, including but not limited to Texas Local Government Code Chapters 251 and 252, Texas Property Code Chapter 21, Texas Government Code Chapter 2206, and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act ("Applicable Laws"); and

WHEREAS, the City Council desires for the City Manager, in consultation with the City Attorney's Office, to develop and implement internal policies, procedures, and practices related to the acquisition of Real Property Interests for Public Projects to provide for effective and expeditious acquisitions that comply with all Applicable Laws, to ensure continued progress and timely completion of necessary Public Projects so that the City can continue to serve its growing population and the increased development in the region.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

SECTION 1: The findings of fact and recitations of provisions set in the preamble of this Resolution are adopted and made a part of the body of this Resolution, as fully as if the same were set forth herein.

SECTION 2: The City Council hereby authorizes and directs the City Manager, in consultation with the City Attorney's Office, to develop and implement internal policies, procedures, and practices related to the acquisition of Real Property Interests for Public Projects to provide for effective and expeditious acquisitions that comply with all Applicable Laws, to ensure continued progress and timely completion of necessary Public Projects so that the City can continue to serve its growing population and the increased development in the region.

SECTION 3: This Resolution shall take effect upon passage and in accordance with the laws of the State of Texas.

SECTION 4: The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, TX, this 24th day of October 2023.

APPROVED:



Lyle Nelson, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney