

RESOLUTION R-2023-128

A RESOLUTION OF THE CITY COUNCIL OF BASTROP APPROVING AMENDMENT NUMBER 1 TO CAPITAL AREA COUNCIL OF GOVERNMENTS (COPCOG) LEASE OF SITE FOR AIR QUALITY MONITORING FOR A PORTION OF PROPERTY IN THE CITY'S MAYFEST PARK, LOCATED AT 25 AMERICAN LEGION DRIVE, FOR A TERM OF THREE (3) YEARS FOR A TOTAL RENT OF \$1.00 (ONE DOLLAR); AS ATTACHED IN EXHIBIT A; AUTHORIZING CITY MANAGER TO EXECUTE ALL APPROPRIATE DOCUMENTATION; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Central Texas Clean Air Coalition (CAC), of which the City of Bastrop is a member, is charged with the development and implementation of a clean air plan to maintain compliance with federal air quality standards and the development of policies and strategies to guide CAC members about actions that will achieve clean air in Texas; and

WHEREAS, the CAC has requested that the City of Bastrop take action to formally participate in a regional air quality plan for 2023-2026; and

WHEREAS, the Capital Area Council of Governments (CAPCOG) approached the City of Bastrop and Bastrop County in 2018 to relocate an air quality monitor near a center of population; and

WHEREAS, the City and Bastrop County researched several locations in conjunction with CAPCOG, and Mayfest Park was selected due to its location, accessibility, and readily available utilities; and

WHEREAS, CAPCOG relocated an air quality monitor from McKinney Roughs that needed to be closer to a more populated area and away from trees, which can interfere with ozone measurements to Mayfest Park; and

WHEREAS, controlling and reducing emissions of nitrogen oxides (NO_x) and improving public awareness about air quality are critical to supporting the goals of the regional air quality plan; and

WHEREAS, participating with CAPCOG on this project continues the policy, previously set by City Council, to assist other local governmental entities with projects that are mutually beneficial; and

WHEREAS, as of January 15, 2019, the City of Bastrop entered into a Capital Area Council of Governments Lease of Site for Air Quality Monitoring for a term ending on December 31, 2023.

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

Section 1: That the City Council authorizes the City Manager to enter into Amendment Number 1 to a Lease of Site Agreement with CAPCOG for a portion of property at Mayfest Park for a term of three (3) years at a total rent of \$1.00 (One Dollar).

SECTION 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or

inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 26th day of September 2023.

ATTEST:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney