

RESOLUTION NO. R-2024-83

WAIVER OF CERTAIN FEES FOR THE BASTROP FOOD PANTRY

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING AND ACTING UPON A REQUEST BY THE BASTROP COUNTY EMERGENCY FOOD PANTRY TO WAIVE CERTAIN PERMITTING FEES IN THE AMOUNT OF \$26,825.61 RELATED TO FACILITIES AT 1201 PINE STREET AND 806 FAYETTE STREET, BASTROP, TEXAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Bastrop (“City”) has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the Bastrop County Emergency Food Pantry (“Bastrop Food Pantry”) is a non-profit organization that provides services, including emergency food assistance, to residents of the City of Bastrop and Bastrop County;

WHEREAS, the Bastrop Food Pantry intends to develop a new food pantry location at 1201 Pine Street, Bastrop, Texas, and to remodel its existing facility located at 806 Fayette Street, Bastrop, Texas, in order to ensure its operations are sustainable and scalable to meet the needs of residents experiencing food insecurity and poverty; and

WHEREAS, to reduce the financial barriers to completing these improvements to its facilities and operations, the Bastrop Food Pantry has requested that the City waive certain permitting fees related to the construction of the new facility; and

WHEREAS, the City Council finds there to be unique, unusual, and compelling circumstances creating a justification for a limited waiver of certain fees for the Bastrop Food Pantry in this situation, in order to serve the City’s interests in the public health, safety, and welfare of its residents.

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

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the

body of this Resolution as if copied in their entirety.

- Section 2.** The City Council approves the Bastrop Food Pantry’s request for the waiver of certain fees in the amount of \$26,825.61, as detailed in **Exhibit A** attached hereto. This waiver of fees is not assignable and shall only be applicable to the proposed new food pantry location at 1201 Pine Street, Bastrop, Texas, and to the proposed remodel of the existing facility located at 806 Fayette Street, Bastrop, Texas, on the condition that such facilities are used by the Bastrop Food Pantry to meet the needs of residents experiencing food insecurity and poverty. The City Council authorizes the City Manager to provide direction to staff and to execute any necessary documents granting the waiver of the fees.
- Section 3. Repealer:** To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that 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 regulated.
- Section 4. Severability:** Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.
- Section 5. Effective Date:** This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City’s Charter, its Code of Ordinances, and the laws of the State of Texas.
- Section 6. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, TX, on this, the 9th day of July, 2024.

[Signature Page Follows]

THE CITY OF BASTROP, TEXAS:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit A

The following permitting fees for the new Bastrop County Emergency Food Pantry facility to be located at 1201 Pine Street, Bastrop, Texas, and the remodel of the existing facility at 806 Fayette Street, Bastrop, Texas, shall be waived by the City of Bastrop, Texas:

<i>Facility Location</i>	<i>Fee</i>	<i>Amount to be Waived</i>
<i>Civil Site & Stormwater Permit Fees</i>		
1201 Pine St	Final Drainage Plan (Final Drainage Plan Review and Completeness Check Fees)	\$1,831.00
1201 Pine St	Site Development Plan (Site Development Plan, Completeness Check, and Administration Fees)	\$2,084.61
806 Fayette St	Commercial Demolition Permit Fee	\$536.00
806 Fayette St	Moving Permit Fee (Commercial)	\$174.00
		<hr/> <i>Subtotal</i>
		\$4,625.61
<i>Building Permit Fees</i>		
1201 Pine St	Building Commercial Permit (Commercial Fee, Inspection Fee, Commercial Electrical, Plumbing and Mechanical Attachment Permits (x2 stories))	\$19,679.00
806 Fayette St	Building Commercial Remodel Permit (Commercial Permit Fee, Technology Fee, Commercial Electrical, Plumbing and Mechanical Attachment Permits)	\$2,521.00
		<hr/> <i>Subtotal</i>
		\$22,200.00
<hr/> TOTAL		<hr/> \$26,825.61