

RESOLUTION NO. R-2022-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING AN AMENDMENT TO THE 2013 MEMORANDUM OF UNDERSTANDING BETWEEN DM PECAN PARK ASSOCIATES, LTD., AND THE CITY OF BASTROP SHOWN HEREIN AS EXHIBIT A, AUTHORIZING, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas ("City") and DM Pecan Park Ltd; ("Owner") previous agreed to a Memorandum of Understanding for Development of Land for Pecan Park on December 12, 2013; and

WHEREAS, the City of Bastrop City Council understands the importance of public safety provided by performing infrastructure improvements; and

WHEREAS, the City of Bastrop City Council understands providing an addition east/westbound multimodal throughfare provides for better response time for police and fire; and

WHEREAS, the City of Bastrop understands the importance of focusing on transportation in the City of Bastrop provides less congestion resulting in improved air quality; and

WHEREAS, the City of Bastrop has agreed to changes within this memorandum of understanding that benefits all parties; and

WHEREAS, DM Pecan Park Ltd., has agreed to the dedication right of way for the Agnes Street Hazardous Mitigation Project in exchange for release of the monetary obligation of approximately two hundred fifty thousand dollars and zero cents (\$250,000.00) related to off-site traffic mitigation required by the development.

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

Section 1: That the City Manager will execute the Amended Memorandum of Understanding, attached as Exhibit A once the dedication of right-of-way for Agnes Street is provided and the Amended Preliminary Plat is approved.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of July, 2022

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney