

RESOLUTION NO. R-2026-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE PARTIAL WAIVER AND REFUND OF CEMETERY FEES ASSOCIATED WITH THE OPENING/CLOSING FEE FOR THE GRAVE OF HETTIE LEE WILSON AT FAIRVIEW CEMETERY; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE FEE WAIVER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in February 2026, City staff inadvertently placed a monument headstone on an unmarked grave rather than the grave of Hettie Lee Wilson at Fairview Cemetery; and

WHEREAS, the City of Bastrop, Texas (the "City") is a home-rule municipality organized and existing under the laws of the State of Texas; and

WHEREAS, the City owns and operates Fairview Cemetery (the "Cemetery") as a municipal cemetery pursuant to Chapter 713 of the Texas Health and Safety Code and applicable provisions of the City's Charter and Code of Ordinances; and

WHEREAS, in the course of its operation of the Cemetery, the City placed an incorrect headstone at the grave of Hettie Lee Wilson (the "Error"); and

WHEREAS, the City Council has considered the request and finds that the waiver of the Fees serves a predominantly public purpose, is subject to adequate public control, and provides a return benefit to the City, for the reasons set forth herein; and

WHEREAS, the City has a direct and substantial public interest in correcting errors made by City personnel in the operation of municipal cemeteries, including ensuring that grave markers accurately identify the persons interred, maintaining the integrity and accuracy of the City's cemetery records, and preserving public confidence in the City's stewardship of its municipal cemeteries; and

WHEREAS, the City receives a return benefit from the waiver in the form of accurate cemetery records, a properly marked grave consistent with the City's legal and operational obligations, the discharge of the City's duties under Chapter 711 and Chapter 713 of the Texas Health and Safety Code and applicable City ordinances, preservation of public confidence in the City's stewardship of its municipal cemeteries, and avoidance of reputational harm associated with the Error; and

WHEREAS, the City Council finds that the waiver of the Fees is in the best interest of the City and its residents.

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

SECTION 1. The City Council hereby authorizes the waiver and refund of One Thousand Dollars (\$1,000.00) of the Opening/Closing Fee previously paid in the amount of One Thousand Five Hundred Twenty Dollars (\$1,520.00) for the grave of Hettie Lee Wilson at Fairview Cemetery.

SECTION 2. The City Manager is hereby authorized to take all actions necessary to implement the fee waiver and process the refund.


SECTION 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED this 26th day of May, 2026.

APPROVED:

by: 
Ishmael Harris, Mayor

ATTEST:


Michael Muscarello, TRMC, CMC, CPM
City Secretary

APPROVED AS TO FORM:


City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

