



STAFF REPORT

MEETING DATE: May 9, 2017

AGENDA ITEM: 9A

TITLE:

Consider action to approve Resolution No. R-2017-23 of the City Council of the City of Bastrop, TX authorizing the purchase of 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, in the amount of \$119,000 for purposes of establishing a park; authorizing the Mayor to execute all closing documents; and establishing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

Both the City Council and Parks Board have expressed the need to an additional park site in the northern portion of Bastrop. Recently, the Bastrop County Historical Commission was notified that the Mina Ward School will be acknowledged with an Undertold Stories Historical Marker for Delgado, et al vs. Bastrop Independent School District, et al on the original school site, which is approximately one block from the location of this site. Former Senator Barrientos, who attended first grade at the Mina Ward School, and Councilmember Kay Garcia McAnally were instrumental in securing this historical marker.

POLICY EXPLANATION:

Additional information will be provided in Agenda Item 9B.

FUNDING SOURCE:

Parkland Dedication Fund will fund the purchase of this 3.0610 acre parcel.

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-23 of the City Council of the City of Bastrop, TX authorizing the purchase of 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, in the amount of \$119,000 for purposes of establishing a park; authorizing the Mayor to execute all closing documents; and establishing an effective date.

ATTACHMENTS:

- Resolution
- Exhibit A

RESOLUTION NO. R-2017-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TX OF THE CITY COUNCIL OF THE CITY OF BASTROP, TX AUTHORIZING THE PURCHASE OF 3.0610 ACRES OF LAND DESCRIBED AS FARM LOT 5 E M STREET, BASTROP, TEXAS, IN THE AMOUNT OF \$119,000 FOR PURPOSES OF ESTABLISHING A PARK; AUTHORIZING THE MAYOR TO EXECUTE ALL CLOSING DOCUMENTS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council and Park Board of the City of Bastrop, Texas have expressed interest in the purchase of an additional park site in the northern portion of Bastrop; and

WHEREAS, there is 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas available for purchase in the amount of \$119,000.

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

Section 1: The City Council approves the purchase of 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, TX in the amount of \$119,000 for purposes of establishing a park.

Section 2: The City Council authorizes the Mayor to execute all closing documents.

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

READ and ADOPTED on the 9TH day of May 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney

Exhibit A - 3.0610 Acres described as Farm Lot 5E M Street, Bastrop, TX





STAFF REPORT

MEETING DATE: May 9, 2017

AGENDA ITEM: 9B

TITLE:

Consider action to approve Resolution No. R-2017-24 of the City Council of the City of Bastrop, TX designating the 3.0610 acre property described as Farm Lot 5 E M Street, Bastrop, Texas, purchased for purposes of establishing a park, to be named in honor of Minerva Delgado; and providing an effective date.

STAFF REPRESENTATIVE:

Lynda Humble, City Manager

Trey Job, Managing Director of Public Works & Leisure Services

BACKGROUND/HISTORY:

Both the City Council and Parks Board have expressed the need to an additional park site in the northern portion of Bastrop. Recently, the Bastrop County Historical Commission was notified that the Mina Ward School will be acknowledged with an Undertold Stories Historical Marker for Delgado, et al vs. Bastrop Independent School District, et al on the original school site, which is approximately one block from the location of this site. Former Senator Barrientos, who attended first grade at the Mina Ward School, and Councilmember Kay Garcia McAnally were instrumental in securing this historical marker.

POLICY EXPLANATION:

The language, which will be included on the Undertold Stories Historical Marker as shown below, tells the significance of the lawsuit, filed on behalf of Minerva Delgado and 19 other students. This case ultimately resulted in the integration of school systems for Mexican-American children across the United States.

MINA WARD SCHOOL

BASTROP WAS ESTABLISHED AS A MEXICAN MUNICIPALITY (LATER NAMED MINA) IN 1832. AS IN MANY TEXAS TOWNS, EARLY 20TH CENTURY GRADE SCHOOLS HERE WERE DIVIDED INTO THREE CAMPUSES, WITH SEPARATE FACILITIES FOR MEXICAN AMERICAN, AFRICAN AMERICAN AND ANGLO AMERICAN STUDENTS. BASTROP ESTABLISHED A SCHOOL FOR MEXICAN AMERICANS IN THE 1910s, AND IN 1933 BUILT THE MINA WARD SCHOOL ON LAND EAST OF MAIN STREET AND NORTH OF THE MKT RAILROAD TRACKS. THE ONE-STORY YELLOW FRAME SCHOOLHOUSE HAD CLASSROOM SPACE AND A STAGE FOR ONE TEACHER EDUCATING EIGHT GRADES OF STUDENTS FROM BASTROP AND THE SURROUNDING RURAL AREA.

IN 1947, SAMUEL AND NANAMENSIA GARCÍA ASKED SCHOOL OFFICIALS TO LET THEIR GRANDDAUGHTER ATTEND THE ANGLO AMERICAN SCHOOL, BUT THE REQUEST WAS DENIED. ON NOV. 17, 1947, ON BEHALF OF TWENTY STUDENTS IN FOUR LOCAL SCHOOL DISTRICTS, UNIVERSITY OF TEXAS PROFESSOR GEORGE I. SANCHEZ, ATTORNEY GUSTAVO (GUS) GARCIA OF SAN ANTONIO AND THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC) FILED A CLASS ACTION LAWSUIT TITLED MINERVA DELGADO, ET AL. vs. BASTROP INDEPENDENT SCHOOL DISTRICT OF BASTROP COUNTY, ET AL. THE COMPLAINT ACCUSED THE SCHOOLS OF

DEPRIVING CHILDREN OF EQUAL EDUCATIONAL OPPORTUNITIES. AT THE TRIAL ON JUN. 15, 1948, FEDERAL JUDGE BEN H. RICE ISSUED A SUMMARY JUDGMENT, RULING THAT THE SEGREGATION OF CHILDREN OF "MEXICAN OR OTHER LATIN AMERICAN DESCENT" WAS "ARBITRARY AND DISCRIMINATORY AND IN VIOLATION OF PLAINTIFF'S CONSTITUTIONAL RIGHTS AS GUARANTEED BY THE FOURTEENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES." THE MINA WARD SCHOOL CLOSED, BUT STATEWIDE THE DECISION PRESERVED SEGREGATION OF AFRICAN AMERICAN STUDENTS AND ANY FIRST GRADERS WHO DID NOT EXHIBIT ENGLISH-LANGUAGE PROFICIENCY. THE SCHOOL AND THE DELGADO V. BASTROP CASE ARE REMEMBERED FOR THEIR SIGNIFICANT CONTRIBUTIONS TO THE CIVIL RIGHTS MOVEMENT AND FOR PROVIDING GREATER OPPORTUNITIES FOR GENERATIONS OF TEXANS.

(2015)

MARKER IS PROPERTY OF THE STATE OF TEXAS

As noted above, naming this park after Ms. Delgado will honor the contributions made by the Mexican-American community to the Civil Rights movement, which began in the City of Bastrop, providing for greater opportunities for generations to come.

FUNDING SOURCE:

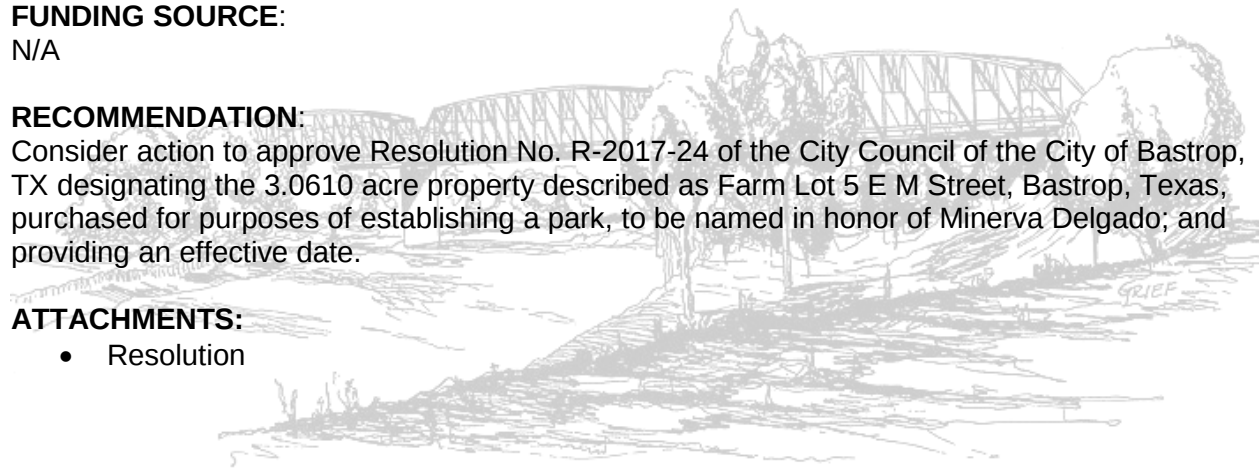
N/A

RECOMMENDATION:

Consider action to approve Resolution No. R-2017-24 of the City Council of the City of Bastrop, TX designating the 3.0610 acre property described as Farm Lot 5 E M Street, Bastrop, Texas, purchased for purposes of establishing a park, to be named in honor of Minerva Delgado; and providing an effective date.

ATTACHMENTS:

- Resolution



RESOLUTION NO. R-2017-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS DESIGNATING THE 3.0610 ACRE PROPERTY DESCRIBED AS FARM LOT 5 E M STREET, BASTROP, TEXAS, PURCHASED FOR PURPOSES OF ESTABLISHING A PARK, TO BE NAMED IN HONOR OF MINERVA DELGADO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, until the late 1940's, the public education system in Texas for Mexican Americans offered segregated campuses with often minimal facilities and a curriculum frequently limited to vocational training; and

WHEREAS, the 1950 census showed that the median educational attainment for persons over twenty-five was 3.5 years for those with Spanish surnames and, by comparison, 10.3 years for other white Americans; about 27 percent of persons over twenty-five with Spanish surnames had received no schooling at all; and

WHEREAS, in 1947 the Ninth Circuit Court in California found that separation "within one of the great races" without a specific state law requiring the separation was not permitted; therefore, segregation of Mexican-American children, who were considered Caucasian, was illegal; and

WHEREAS, the Texas Attorney General, following this ruling and in response to an inquiry by Gustavo C. (Gus) Garcia, a Mexican-American attorney, agreed that segregation of Mexican-American children in the public school system by national origin was unlawful and pedagogically justified only by scientific language tests applied to all students; and

WHEREAS, on June 15, 1948, League of United Latin American Citizens (LULAC) joined by the American G.I. Forum of Texas, successfully challenged these inequities of the Texas public school system by filing suit against the Bastrop Independent School District and three (3) other districts representing Minerva Delgado and twenty other Mexican-American parents claiming segregation of Mexican children from other white races without specific state law and in violation of the attorney general's opinion; and

WHEREAS, the suit accused these districts of depriving such children of equal facilities, services, and education instruction; and

WHEREAS, Judge Ben H. Rice of the United States District Court agreed and ordered the cessation of this separation by September 1949. However, the court did allow separate classes on the same campus, in the first grade only, for language-deficient or non-English-speaking students as identified by scientific and standardized tests applied to all; and

WHEREAS, the Delgado decision undermined the rigid segregation of Mexican Americans and began a ten-year struggle led by the American G.I. Forum and LULAC, which culminated in 1957 with the decision in *Herminca Hernandez et al. v. Driscoll Consolidated ISD*, which ended pedagogical and de jure segregation in the Texas public school system.

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

Section 1: That the City Council of the City of Bastrop, Texas does hereby authorize the 3.0610 acres of land described as Farm Lot 5 E M Street, Bastrop, Texas, purchased for purposes of establishing a park, to be named in honor of Minerva Delgado once the purchase of the land has been executed by the City of Bastrop, TX.

Section 2: That said resolution shall become effective immediately upon its passage, and is accordingly so resolved.

PASSED AND ADOPTED by the City Council of the City of Bastrop, Texas on the 9th day of May, 2017.

CITY OF BASTROP, TEXAS

Ken Kesselus, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

David Bragg, City Attorney