

RESOLUTION NO. _____

WHEREAS, the City of Austin was founded in 1839, and in the same year the City also established a 40-acre plot as City Cemetery, a municipally owned burial ground; and

WHEREAS, City Cemetery, renamed Oakwood Cemetery in 1907, is the final resting place for many of the early and prominent families of Austin; and

WHEREAS, due to racial customs prevailing at the time, Oakwood had “colored grounds” which were in a separate and undivided area, and Mexicans and paupers were buried along the fence line, usually in unmarked graves; and

WHEREAS, Oakwood cemetery filled quickly, and in 1914 the Oakwood Annex was established with an additional 18 acres of burial sites, but did not include a “colored” section, and burials were denied to African Americans; and

WHEREAS, by 1893, in response to the need for a dignified burial ground, members of the East Austin community, including John M. Holland, William M. Tears, Henderson Rollins and Allen Bradley, had started to form the beginnings of the Bethany Cemetery Company, a private entity on 6 acres on the 1300 block of Springdale Road, to serve the African American population of Austin; and

WHEREAS, in 1933 the last of the officers of the original Bethany Cemetery Company passed away and the entity ceased to function; and

WHEREAS, members of the community continued to volunteer services, but in 1971 the Bethany Cemetery Association was formed and by 1976 had filed with the County for possession of the property; and

WHEREAS, over time, members of the Bethany Cemetery Association, including its founder, Eva Ross, passed away and the land again entered into neglect; and

WHEREAS, Texas counties may use public funds and county employees to maintain certain private cemeteries, but the same permission has not been extended to municipalities; and

WHEREAS, Texas municipalities may take possession and control of a cemetery on behalf of the public if the cemetery threatens or endangers public health, safety, comfort or welfare ; and

WHEREAS, the City of Austin is currently pursuing a master plan to take the necessary steps to protect and enhance the five municipally owned cemeteries; and

WHEREAS, current City cemeteries are in need of additional maintenance and care and no additional responsibilities should be taken on without appropriate funding; and

WHEREAS, representatives of Travis County have indicated a willingness to explore a phased in or shared maintenance responsibility with the City of Austin; and

WHEREAS, the City of Austin finds the circumstances of Bethany Cemetery to be unique and represents a historical divide in the community that seeks to be mended; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to explore with Travis County a transition of maintenance responsibility and ownership of Bethany Cemetery to the City of Austin.

BE IT FURTHER RESOLVED:

The City Manager is directed to identify the costs and possible funding sources that could allow the transition of maintenance responsibility and ownership of Bethany Cemetery to the City of Austin and to identify the cost of adding Bethany Cemetery into the City's Cemetery Master Plan as a part of the FY2014-15 budget process. The City Manager is directed to report back within 90 days.

ADOPTED: _____

ATTEST: _____

Jannette S. Goodall
City Clerk