



**AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 5, 2015
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

CALL TO ORDER

INVOCATION

Recess REGULAR MEETING and call to order PUBLIC HEARING

PUBLIC HEARING

1. Proposed zoning change request from Rosanna Abreo for property located at 509 MLK Blvd. from R-2 to S-P specific use permit for five (5) years.
Gary N. Cooke, Planning and Development Director (Pages 5-14)

Close PUBLIC HEARING and Reconvene REGULAR MEETING

PUBLIC COMMENT

Individuals may request to speak on items on the agenda, and items not on the agenda, by requesting to speak during the meeting and under "PUBLIC COMMENT" and will be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts or information for Council, to the City Secretary prior to commencement of the Council meeting. Speaker comments are limited to three (3) minutes.

No formal action can be taken by the City Council on items not posted on the agenda. Items requiring a Public Hearing will allow a member of the public an opportunity to speak during the Public Hearing and does not require submission of a "PUBLIC COMMENT FORM". Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or member of Staff. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Council Member, member of Staff, other individual or group.

PRESENTATIONS

1. Presentation of Employee of the Second Quarter 2015.
Sandy Ott, Library Director (Pages 15-16)
2. Proclamation recognizing National Preservation Month May 2015.
Amy Miller, Community Development Director (Pages 17-18)
3. Proclamation recognizing Municipal Clerks Week May 3-9, 2015.
Lucretia Alvarez, City Secretary (Pages 19-20)

4. Proclamation recognizing National Police Week May 10-16, 2015 and recognizing May 15, 2015 as National Police Memorial Day.

Chris Bratton, Chief of Police (Pages 21-22)

REPORTS

1. Monthly Department Reports for March 2015

Kerry Lacy, City Manager (Pages 23-48)

CONSENT AGENDA

All of the items on the consent agenda are considered to be self-explanatory by the Council and will be enacted with one motion, one second, and one vote. There will be no separate discussion of these items unless a council member removes an item from the Consent Agenda and places it on the New Business section for Discussion and action.

1. Approval of minutes of the regular council meeting and public hearing April 7, 2015.

Lucretia Alvarez, City Secretary (Pages 49-54)

2. Approval of a proposed Resolution extending the contract period with Republic Services an additional two (2) years.

Kerry Lacy, City Manager (Pages 55-56)

3. Approval of street closure for Juneteenth Festival Street Dance Friday, June 12, 2015 from 4 p.m. to midnight.

Amy Miller, Community Development Director (Page 57)

4. Approval of street closures for Juneteenth Festival Parade Saturday, June 13, 2015 from 9 a.m. to noon.

Amy Miller, Community Development Director (Pages 58-59)

5. Approval of waiving open container ordinance for the Juneteenth Festival Street Dance on Friday, June 12 from 8 p.m. to midnight and on Saturday, June 13 from 10 a.m. to 6 p.m. for the Juneteenth Festival on Depot Street and in Veterans Memorial Park.

Amy Miller, Community Development Director (Page 60)

6. Approval of waiving the open container ordinance for the Western Days Festival on Friday, June 26 from 4 p.m. to 12:15 a.m. and on Saturday, June 27 from 8 a.m. to 8 p.m. in Elgin Memorial Park.

Amy Miller, Community Development Director (Pages 61-62)

7. Approval of street closures for the Western Days Festival Parade on Saturday, June 27, 2015 from 9 a.m. to 1 p.m.

Amy Miller, Community Development Director (Page 63)

UNFINISHED BUSINESS

1. Discussion and action to consider the proposed 2015 involuntary annexation public hearings, June 10 and June 17, 2015, and directing the Planning and Development Department to prepare a service plan that provides for extension of full municipal services to the area to be annexed.

Gary N. Cooke, Planning and Development Director (Pages 64-65)

NEW BUSINESS

1. Discussion and action to consider an Ordinance for a zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd from R-2 residential to S-P specific use permit for five (5) years.

Gary N. Cooke, Planning and Development Director (Pages 66-68)

2. Discussion and action to consider an Ordinance adopting the 2006 International Building Code for the Historic District of Elgin, to apply to existing structures only.
Gary N. Cooke, Planning & Development Director (Pages 69-81)
Amy Miller, Community Development Director
3. Discussion and action to consider accepting Second Quarter Investment Report for Fiscal Year 2015.
Buck LaQuey, Finance Director (Pages 82-83)
Laura Schwartz, Purchasing Agent and Finance Assistant
4. Discussion and action to consider accepting the Second Quarter Financial Report for Fiscal Year 2015.
Buck LaQuey, Finance Director (Pages 84-89)
Laura Schwartz, Purchasing Agent and Finance Assistant
5. Discussion and action to consider Request for Proposal 2015-01 Vehicle and Equipment Repair and Maintenance Services.
Laura Schwartz, Purchasing Agent and Finance Assistant (Pages 90-117)
6. Discussion and action to consider Request for Qualifications 2015-02 Financial Audit Services.
Laura Schwartz, Purchasing Agent and Finance Assistant (Pages 118-136)
7. Discussion and action to consider Request for Proposal 2015-03 for Bank Depository Services.
Laura Schwartz, Purchasing Agent and Purchasing Agent (Pages 137-184)
8. Discussion and action to consider adoption of a Resolution that would suspend the proposed rate increase from CenterPoint Energy Entex, South Texas Division until after July 14, 2015.
Kerry Lacy, City Manager (Pages 185-187)
9. Discussion and action to consider authorizing the City Manager to apply for a grant from the USDA Agricultural Marketing Service under the Local Foods Promotion Program (LFPP) to begin implementation of the Elgin Local Food Business Center.
Sue Beckwith, Grants Administrator ((Pages 188-189)

EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.

None

RECONVENE

The City Council will return to open session for possible discussion and action as a result of the Executive Session.

ANNOUNCEMENTS

ADJOURNMENT

NOTICE

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide forty-eight hours notice when feasible.

I, Lucretia Alvarez, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before May 1, 2015 at 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Lucretia Alvarez
Lucretia Alvarez, City Secretary



COUNCIL MEETING: May 5, 2015

ITEM: 1. Proposed zoning change request from Rosanna Abreo for property located at 509 MLK Blvd. from R-2 to S-P specific use permit for five (5) years.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director (Pages 5-14)

SUMMARY: Zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd. from R-2 residential to S-P specific use permit (renewal) for a child care facility (A+ Fun Learning Center) for five (5) years.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval of an Ordinance for a zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd. from R-3 residential to S-P specific use permit (renewal) for a child care facility, A+ Fun Learning Center, for five (5) years.

ATTACHMENT:

- 1-Agenda**
- 2-Minutes**
- 3-200 ft letter**
- 4-Letter of request**
- 5-Map**
- 6-Address list**



AGENDA
ELGIN PLANNING AND ZONING COMMISSION
PUBLIC HEARING/REGULAR MEETING
MONDAY, APRIL 27, 2015, 6:30 P.M.
CITY HALL ANNEX COUNCIL CHAMBERS
310 NORTH MAIN STREET

CALL TO ORDER

PUBLIC COMMENT

Individuals may request to speak on items on the agenda, and items not on the agenda. Speaker comments are limited to three (3) minutes. No formal action can be taken on items not posted on the agenda. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Commission Member, member of Staff, other individual or group.

CONSENT

1. Approval of minutes, March 30, 2015.

UNFINISHED BUSINESS

NEW BUSINESS

1. REVIEW AND MAKE POSSIBLE RECOMMENDATIONS TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY ROSANA ABREO FOR THE PROPERTY LOCATED AT 509 MLK BLVD., J.S. SMITH ADDITION, LOT 13, CITY OF ELGIN, BASTROP COUNTY, TEXAS, FROM R-2 RESIDENTIAL TO S-P FOR A SPECIFIC USE PERMIT (RENEWAL) FOR FIVE (5) YEARS FOR USE AS A CHILD CARE FACILITY (A+ Fun Learning Center).
2. REVIEW AND MAKE POSSIBLE RECOMMENDATIONS TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY ERNEST BOGART, FOR THE OWNERS OF THE PROPERTY LOCATED AT 605 HWY 290, IN THE H.B. SMITH ADDITION, LOT 9, CITY OF ELGIN, BASTROP, COUNTY, TEXAS, FROM C-3 HIGHWAY COMMERCIAL TO S-P SPECIFIC USE PERMIT FOR FIVE (5) YEARS, FOR USE AS AN INDOOR FIRING RANGE.
3. REVIEW AND TAKE ACTION ON AN AMENDED PLAT IN THE ELGIN BUSINESS PARK SUBMITTED BY JOE NEWMAN, ELGIN ECONOMIC DEVELOPMENT, FOR APPROXIMATELY A 4.65 ACRE TRACT OUT OF LOT 1, IN THE ELGIN BUSINESS PARK TO BE KNOWN AS "AMENDED PLAT OF A PORTION OF LOT 1".
4. REVIEW AND TAKE ACTION ON A REVISED CONCEPTUAL PLAN REQUEST SUBMITTED BY RONNIE MOORE, CARLSON, BRIGANCE AND DOERING, INC. FOR THE PROPERTY LOCATED IN THE SARATOGA FARMS SUBDIVISION AND BEING APPROXIMATELY 85 ACRES OUT OF THE ELIZABETH STANDIFER A59 SURVEY AND APPROXIMATELY 4 ACRES OUT OF THE JONATHAN BURLESON A18 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO BE KNOWN AS "SARATOGA FARMS SUBDIVISION CONCEPT PLAN".
5. REVIEW AND TAKE ACTION ON A REVISED PRELIMINARY PLAT REQUEST SUBMITTED BY RONNIE MOORE, CARLSON, BRIGANCE AND DOERING, INC. FOR THE PROPERTY LOCATED IN THE SARATOGA FARMS SUBDIVISION AND BEING APPROXIMATELY 85 ACRES OUT OF THE ELIZABETH STANDIFER A59 SURVEY AND APPROXIMATELY 4 ACRES OUT OF THE JONATHAN BURLESON A18 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO BE KNOWN AS "SARATOGA FARMS SUBDIVISION PRELIMINARY PLAT REVISION #2".

April 27, 2015

EXECUTIVE SESSION

The board may adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.

RECONVENE

The board returns to open session for possible discussion and action as a result of the Executive Session.

ANNOUNCEMENTS

ADJOURNMENT

NOTICE

I, Gary N. Cooke, Director Planning & Development for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before the 13th of April, 2015 before 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code. The Elgin City Council will hold a public hearing on item 1&2 in the City Council Chambers, Elgin City Hall Annex. 310 N. Main Street, Elgin, Texas on May 5, 2015.



Gary N. Cooke, Director Planning & Development

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide forty-eight hours notice when feasible. Para informacion en espanol favor de llamar 512-281-0119. Servicios de traduccion disponible en la reunion.

MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING- REGULAR- SPECIAL MEETING
MONDAY APRIL 27, 2015 - 6:30 PM

1. **CALL TO ORDER:** 6:30pm

ABSENT: Tony Prete

GUEST: Eddie Shaw, Rosanna & Sal Abreo, Ronnie Moore, Joe Newman, Beau Perry, Lance Parrish, Lynn Cottle, Melisa Lipiec, Charlie Navejas, Annie Wooden, Rita Cooke, Mr. King

2. **MINUTES:** No corrections or additions to the minutes, March 30, 2015 minutes approved unanimously.

3.. REVIEW AND MAKE POSSIBLE RECOMMENDATIONS TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY ROSANA ABREO FOR THE PROPERTY LOCATED AT 509 MLK BLVD., J.S. SMITH ADDITION, LOT 13, CITY OF ELGIN, BASTROP COUNTY, TEXAS, FROM R-2 RESIDENTIAL TO S-P FOR A SPECIFIC USE PERMIT (RENEWAL) FOR FIVE (5) YEARS FOR USE AS A CHILD CARE FACILITY (A+ Fun Learning Center). After short discussion and noted that for 911 purposes the address for the Center is 511 MLK Blvd., Scott Mackay made a motion to recommend to council to renew the zoning change request for S-P, special use, for another five years, Dorothy McCarther seconds, motion passed unanimously.

4. REVIEW AND MAKE POSSIBLE RECOMMENDATIONS TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY ERNEST BOGART, FOR THE OWNERS OF THE PROPERTY LOCATED AT 605 HWY 290, IN THE H.B. SMITH ADDITION, LOT 9, CITY OF ELGIN, BASTROP, COUNTY, TEXAS, FROM C-3 HIGHWAY COMMERCIAL TO S-P SPECIFIC USE PERMIT FOR FIVE (5) YEARS, FOR USE AS AN INDOOR FIRING RANGE. **PULLED**

5. REVIEW AND TAKE ACTION ON AN AMENDED PLAT IN THE ELGIN BUSINESS PARK SUBMITTED BY JOE NEWMAN, ELGIN ECONOMIC DEVELOPMENT, FOR APPROXIMATELY A 4.65 ACRE TRACT OUT OF LOT 1, IN THE ELGIN BUSINESS PARK TO BE KNOWN AS "AMENDED PLAT OF A PORTION OF LOT 1". After a short discussion, Joe Cottle made a motion to approve the final plat as presented, Dorothy McCarther seconds, motion passed unanimously.

6. REVIEW AND TAKE ACTION ON A REVISED CONCEPTUAL PLAN REQUEST SUBMITTED BY RONNIE MOORE, CARLSON, BRIGANCE AND DOERING, INC. FOR THE PROPERTY LOCATED IN THE SARATOGA FARMS SUBDIVISION AND BEING APPROXIMATELY 85 ACRES OUT OF THE ELIZABETH STANDIFER A59 SURVEY AND APPROXIMATELY 4 ACRES OUT OF THE JONATHAN BURLESON A18 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO BE KNOWN AS "SARATOGA FARMS SUBDIVISION CONCEPT PLAN". Beau Perry, City engineer, reported that corrections had been made, Joe Cottle made a motion to approve the concept plan as presented, Rudy Ramirez seconds, motion passed unanimously.

7. REVIEW AND TAKE ACTION ON A REVISED PRELIMINARY PLAT REQUEST SUBMITTED BY RONNIE MOORE, CARLSON, BRIGANCE AND DOERING, INC. FOR THE PROPERTY LOCATED IN THE SARATOGA FARMS SUBDIVISION AND BEING APPROXIMATELY 85 ACRES OUT OF THE ELIZABETH STANDIFER A59 SURVEY AND APPROXIMATELY 4 ACRES OUT OF THE JONATHAN BURLESON A18 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO BE KNOWN AS "SARATOGA FARMS SUBDIVISION PRELIMINARY PLAT REVISION #2". Beau Perry, City engineer, reported that corrections had been made. It was also noted that when the final plat is presented, guidelines for the parks will be addressed. Joe Cottle made a motion to approve the preliminary plat as presented, Dorothy McCarther seconds, motion passed unanimously.

ANNOUNCEMENTS: Melissa and Charlie were introduced as new staff.

ADJOURN: 7:00 pm



April 7, 2015

NOTICE OF A ZONING CHANGE REQUEST RENEWAL

A REQUEST HAS BEEN SUBMITTED BY ROSANA ABREO FOR A RENEWAL OF THE SPECIFIC USE ZONING FOR THE PROPERTY LOCATED AT 509 MLK BLVD. J.S. SMITH ADDITION, LOT 13, CITY OF ELGIN, BASTROP COUNTY, TEXAS R-2 RESIDENTIAL TO S-P SPECIFIC USE FOR FIVE (5) YEARS AS A CHILD CARE FACILITY (A+ Fun Learning Center).

Notice is hereby given of a regular/special public hearing to be held in the City Council Chambers at the Elgin City Hall Annex, 310 N. Main St. in the City of Elgin, Texas on April 27, 2015 at 6:30 p.m. by the Planning and Zoning Commission.

You are being notified because your property is located within two-hundred feet (200) of the property requesting a subdivision and /or zoning change. This hearing is open to any interested person. Opinions, objections and or comments relative to this matter may be expressed in writing or in person at the hearings. You may also be represented by another person, neighbor, or attorney.

The attached map shows the area of the request. Property owners within two hundred (200') feet are required by law to be notified.

For more information please contact Gary N. Cooke at 512-281-0119

“This institution is an equal opportunity provider”

A+ Fun After School Learning Center, Inc.
511 MLK Blvd
Elgin, Texas 78621
(512) 281-0616

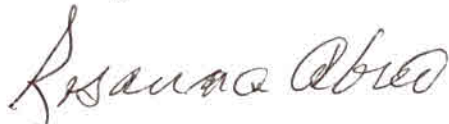
April 6, 2015

Mr. Cooke,

I am writing this letter to request a five year renewal of our specific use permit to operate A Plus Fun Learning Center, located at 509 Martin Luther King Blvd, Elgin, Texas.

Enclosed is the three hundred fifty dollar fee. Thank you for considering this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosanna Abreo".

Salvador and Rosanna Abreo

509 MLK



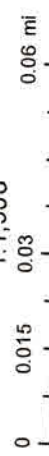
April 6, 2015

Parcels

Abstracts

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

1:1,908



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand).

first	last	address	city	state	zip	prop #	
Sal & Rosana	Abreo	192 Long Hollow	Elgin	Texas	78621		12830
La Morse	Madison	519 MLK	Elgin	Texas	78621		12698
Ricardo D & Sabina A	Sandoval	502 MLK	Elgin	Texas	78621		13046
Florencia & Zacarias H	Villegas	301 N Ave E	Elgin	Texas	78621		12752
Eddie C	Shaw	P.O. Box 995	Elgin	Texas	78621	12978 72399	
Mrs. Sirmester King	C/O Tryee King	383 Hwy 95 S	Elgin	Texas	78621		14920
Esequiel & Maribel	Palacios	501 MLK	Elgin	Texas	78621		12974
Herman	Gooden Jr.	212 Terrace Dr	Stafford	VA	22554		12828
Gary	Spikes	421 Madison	Elgin	Texas	78621		12738
Elgin	ISD	1002 N Ave C	Elgin	Texas	78602		
Roger Dell	King	410 W 37th St Apt. 203A	Austin	Texas	78705	14929 12976	
Lola Russell	C/O Lola Scroggins	1006 Canary Lane	Mansfield	Texas	76063		14926
Dana R	Jones	1654 E Red Town Road	Elgin	Texas	78621	98949 12972 98948	98950
City of	Elgin	310 N Main	Elgin	Texas	78621		14923



COUNCIL MEETING: May 5, 2015

ITEM: 1. Presentation of Employee of the Second Quarter 2015.

RESOURCE PERSON(S): Sandy Ott, Library Director (Pages 15-16)

SUMMARY: David Gerloff, Elgin Police Department, was chosen as Employee of the 2nd Quarter 2015 for January, February, and March 2015.

RECOMMENDATION(S): No action required, informational only.

ATTACHMENT: 1-Congrats letter EOQ 2nd2015.docx



April 27, 2015

Sgt. David Gerloff

Dear Officer Gerloff,

Congratulations! You have been selected as the Employee of the Quarter for the 2nd Quarter of 2015. The Employee Awards Committee selected you for the following reasons: Three fellow employees nominated Sgt. Gerloff.

1. Sgt. Gerloff gave a man CPR until EMS could arrive on scene. EMS supervisor commanded Gerloff for saving that man's life and doing a great job at CPR.
2. Performed CPR on a deceased person who lived and is in good condition.
3. Sgt. Gerloff observed a person who had stopped breathing and immediately started CPR which lead to the individual making a full recovery.

As Employee of the Quarter you may choose one day of paid leave, which needs to be taken within the next thirty days, or \$100 less payroll deductions. Please let your supervisor and Finance Department know if you select the day off or the cash option. Please plan to attend the City Council meeting on Tuesday, May 5th at 7 pm where Mayor Marc Holm will present a Certificate of Appreciation to you. Each Employee of the Quarter will be considered for Employee of the Year.

Thank you for your service to the City of Elgin.

Sincerely,

Kerry Lacy
City Manager

cc: Laura Schwartz, Assistant to Finance Director
Buck LaQuey, Finance Director

P.O. Box 591

310 North Main

Elgin, Texas 78621

Phone 512.281.5724



COUNCIL MEETING: May 5, 2015

ITEM: 2. Proclamation recognizing National Preservation Month May 2015.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Pages 17-18)

SUMMARY: May is National Preservation Awareness month. The City of Elgin and the Elgin Main Street Board will host in May an Elgin Local Landmark Dedication for the Washington School on Saturday May 2 with the Elgin Historical Association, Local Lore, a downtown family community event on Saturday, May 2 with the Historic Association and the River Valley Farmers Market, a State and Federal Tax credit seminar with the Texas Historical Commission on May 5, and will provide the program for the Chamber luncheon on Thursday May 7.

RECOMMENDATION(S): Present the proclamation to community preservation representatives and have a picture taken.

ATTACHMENT: 1-Preservation month proclamation

National Preservation Month Proclamation

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, the Elgin Main Street Board partners with organizations throughout the community to implement an award winning downtown revitalization program including Downtown 78621, the Hogeye Festival, Holiday by the Tracks, Local Lore, a Paint Reimbursement program, educational classes, networking events, Cash Mobs, new holiday lights on buildings, promotional events, and more; and

WHEREAS, downtown Elgin is home to the Union Depot Museum which is run entirely by volunteers through the leadership of the Elgin Historical Association, has a downtown district that is listed on the National Register of Historic Places, hosts the River Valley Farmers Market every Saturday from 10am to 2pm, and actively supports historic preservation and awareness throughout the community; and

WHEREAS, Elgin is celebrating 25 years as a Texas Main Street City in 2015 with more than \$13 million in public & private sector reinvestment and 10,000 volunteer hours since 2003 and has been recognized annually as a National Main Street Community by the Texas Historic Commission and the National Trust for Historic Preservation since 1997; and

WHEREAS, the Elgin Main Street Board was recognized in 2012 with the Brick of the Community award from the Greater Elgin Chamber of Commerce; and

WHEREAS, May is National Preservation Month, cosponsored by Elgin Main Street Board, the City of Elgin, and the National Trust for Historic Preservation

NOW, THEREFORE, I, Mayor of the City of Elgin, do proclaim May 2015 as Preservation Awareness Month, and call upon the people of Elgin to join their fellow citizens across the United States in recognizing and participating in this special observance.

Marc Holm, Mayor



COUNCIL MEETING: May 5, 2015

ITEM: 3. Proclamation recognizing Municipal Clerks Week May 3-9, 2015.

RESOURCE PERSON(S): Lucretia Alvarez, City Secretary (Pages 19-20)

SUMMARY: Municipal Clerks Week is recognized the first week of May each year as the oldest office among public service, and recognizes the pledge, education, professional liaison, and administrative accomplishments of the municipal clerk. This year we celebrate May 3-9 as Municipal Clerks Week.

RECOMMENDATION(S): Photo with Mayor and City Manager.

ATTACHMENT: 1-Municipal Clerks Week proclamation

Proclamation

Municipal Clerks Week

May 3 - 9, 2015

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

Whereas, The Municipal Clerk serves as the information center on functions of local government and community, and

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations, and

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Marc Holm, Mayor of Elgin, Texas, do recognize the week of May 3 through May 9, 2015, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Lucretia Alvarez and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 5th day of May, 2015.

Mayor Marc Holm



COUNCIL MEETING: May 5, 2015

ITEM: 4. Proclamation recognizing National Police Week May 10-16, 2015 and recognizing May 15, 2015 as National Police Memorial Day.

RESOURCE PERSON(S): Chris Bratton, Chief of Police (Pages 21-22)

SUMMARY: May 10-16, 2015 has been set aside as National Police Week and May 15, 2015 is recognized as National Police Memorial Day recognizing those officers who have been killed in the line of duty.

RECOMMENDATION(S): Issue Proclamation recognizing both National Police Week and National Police Memorial Day.

ATTACHMENT: 1-Proclamation for National Police Week

PROCLAMATION - NATIONAL POLICE WEEK

WHEREAS, Congress and the President of the United States designated May 15 as **Peace Officers' Memorial Day**, and the week in which it falls as **Police Week**; and

WHEREAS, it is well known and accepted that law enforcement is an inherently dangerous and demanding profession in which dedicated professionals knowingly place their lives in harm's way to protect others who are unable to protect themselves; and

WHEREAS, the dedicated members of the Elgin Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Elgin; and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries within the United States; and

WHEREAS, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including Chief James M. Mumford, a member of the Elgin Police Department; and

WHEREAS, it is imperative that all citizens understand the challenges, duties, and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting citizens against violence and disorder, and by protecting the innocent against deception and the weak against oppression and intimidation; and

WHEREAS, the City Council of the City of Elgin wishes to honor all peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of their duties;

NOW, THEREFORE, BE IT RESOLVED that the City of Elgin formally recognizes the members of the Elgin Police Department for their faithful and loyal devotion to their responsibilities and their dedication to our community. Accordingly the City Council hereby declares May 10 – May 16, 2015 as National Police Week and May 15, 2015 as Peace Officers' Memorial Day.

PASSED AND ADOPTED THIS _____ DAY OF MAY, 2015.

CITY OF ELGIN, TEXAS

Marc Holm, Mayor



COUNCIL MEETING: May 5, 2015

ITEM: 1. Monthly Department Reports for March 2015

RESOURCE PERSON(S): Kerry Lacy, City Manager (Pages 23-48)

SUMMARY: Monthly Department Reports for March 2015. Informational only and no action is required.

RECOMMENDATION(S): NA

ATTACHMENT:

- 1-Building, Development & Code Enforcement
- 2-Water & Wastewater
- 3-Utility Billing
- 4-Library
- 5-Parks & Recreation
- 6-Public Works
- 7-Main Street Program
- 8-Parks & Community Development
- 9-Elgin Economic Development Corporation
- 10-Elgin Police Department
- 11-Municipal Court

Monthly Report to Administrative Manager
Building Department
For the Month of MARCH 2015

Type of Inspections:	Mar 14	Mar 15	Fiscal Yr. To Date	Calendar Yr. To Date
Building	35	44	185	127
Electrical	23	57	203	156
Plumbing	20	44	235	125
Gas	19	28	98	89
Mechanical	18	21	85	61
TOTAL	115	194	806	558
Building Permits	14	23	110	47
Value	\$1,471,450	\$1,906,038.44	\$10,748,098.44	\$4,856,668.44
Fees	\$7,673.87	\$13,358.95	\$72,258.10	\$31,795.20
Electrical Permits	7	3	89	47
Fees	\$810	\$262.50	\$16,097.50	\$8,347.50
Plumbing Permits	5	22	99	50
Fees	\$892.50	\$4,307.50	\$18,662.50	\$9,520
Gas Permits	4	22	91	47
Fees	\$482.50	\$2,597.50	\$10,227.50	\$5,490
Mechanical Permits	2	10	80	39
Fees	\$282.50	\$1,627.50	\$13,530	\$6,460
Total All Fees	\$10,141.37	\$22,153.95	\$130,775.60	\$61,612.70

March 2015
Building Permits

Number of Permits			Type/Classification		Permit Fees		Valuation	
Mar 15					Mar 14	Mar 15	Mar 14	Mar 15
	10		New Single Family		\$2,061.37	\$8,323.95	\$309,087	\$1,150,765
			New Duplex					
			New Manufactured					
			New Multi-Family					
	1		New Commercial		\$5,179.25	\$2,551.90	\$1,150,000	\$461,091
			New Industrial					
			New Swimming Pools					
			Moving Permit					
			New Signs		\$170.50		\$1,680	
	5		Residential		\$108.25	\$847.50	\$3,033	\$80,340.44
	6		Non-Residential		\$104.50	\$1,635.60	\$7,650	\$213,842
	1		Demolitions		\$50	\$0	\$0	\$0
	23				\$7,673.87	\$13,358.90	\$1,471,450	\$1,906,038.44
BOA* Request			None					
Zoning Request			308 Harris S-P 5 yrs		1512 N Ave C S-P 5 yrs			
Code Enforcement			ACTIVE Mar 14		ACTIVE Mar 15		CLOSED Mar 14	CLOSED Mar 15
Abandoned/Junked Vehicles			2		1		5	5
Animal Control								2
Permits							5	
Environmental								1
Code							4	4
Health and Sanitation			1		2		1	1
Bill Signs			1				9	
Property Maintenance			1				3	10
Life Structures			4		2		4	
Water/Sewer					1		6	3
Licensing			1		1		5	
Total			10		7		42	26

*Zoning Board of Adjustments

Submitted By: Jim Cazares

Date: April 10, 2015

Monthly Reports March 2015

Department 023 Water Treatment

Well # 10	9,870,000 Gallons
Well # 11	0 Gallons
Well # 14	16,765,000 Gallons
Well # 15	0 Gallons
Water loss due to leaks or flushing	50,000 Gallons
Total Water Pumped	26,585,000 Gallons

Chemicals Used

Chlorine	482 Pounds
Sequest	300 Pounds

Distribution Samples

Bacteriological Samples Taken	11
Average Chlorine Residual	1.82 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	1
Service Line Breaks	2
Miscellaneous Repairs/Complaint Calls	15
New Connections/Taps	0
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	1
Service Lines	5
After Hours Call-Outs	12

Line Repairs/New Installations

Curb Side Cleanout Caps Replaced	2
Curb Side Cleanouts Installed	1
Main Line Repairs	1
New Main Line Installed	0
New Taps Installed	1
Lines TV'd	3

CC 5/5/15 - Page 27

Lift Station Maintenance/Repairs

Hour Meter Reads/Daily Site Checks	9 Daily
Pumps Pulled	1
Pumps Installed	1
Pumps De-raged	1
Motors Pulled	0
Motors Installed	0
Electrical Issues (Repair/Replace Parts)	1
Floats Cleaned/Replaced	1
Grass/Weed Maintenance	8
After Hours Call Outs	5

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	1
Pumps Installed	1
Motors Pulled	0
Motors Installed	0
Control System/Electrical Repairs	2
Cleaned Wet Well Floats	2
Miscellaneous Repairs	12
After Hours Call-Outs	2

Chemicals Used

Alum/Gallons	4,000
Bleach 10%/ Gallons	2,000
Polymer/ 55 gallon drums	2

Monthly Plant Flows and Test Results

Minimum Daily Flow	518,900 Gallons
Maximum Daily Flow	731,900 Gallons
Average Daily Flow	624,600 Gallons
Total Monthly Flow	18,112,100 Gallons

Effluent DO (Dissolved Oxygen) Average	7.45
Effluent Chlorine Residual Average	1.62 mg/l
Effluent pH Average	7.25
Total Phosphorus Average	0.11
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	2.5
TSS (Total Suspended Solids) Average	2
Ammonia/Nitrates Average	0.324

Remarks

UTILITY BILLING 2015**March**

Billed out	\$345,990.93	
Past due notices	596	\$63,285.64
Work orders-Cut offs	94	
Disconnected for non pmt	88	
Extension to pay 1st	58	
Extension due for disconnect	6	
Meter tamper fee	1	
After Hour turn on	none	
Accounts set to final	5	for non pmt

Submitted by:
Dodie Thomas
Utility Billing Supervisor
Customer Service/A/R Supervisor
512-285-5721 office

Library Report for March 2015

Circulation is down 3% in March 2015 compared to March 2014.

Collection size is 38,061 items

Continuing education for staff includes webinars such as “Library Technology Plans Made Easy”, “State Librarian Mark Smith: Update and discussion of legislative session”, “How to kill your book club ...or never be asked back again”, and “Won't You Be My Neighbor? Building Partnerships in Small Rural Communities”. One staff member will go to library conference in April 14-17th, director will walk the exhibit floor and go to Bluebonnet Books luncheon on Thursday.

Grants: The library has funding from the Keep Bastrop County/Lowes native garden project to put in mulch, edging, stepping stones and more plants in the Wildcat Garden. We will participate in the Bots and Books grant with CTLS in the fall.

Programs: Spring Break was a busy week at the library. The computers were filled early in the day as it is in summertime. We seemed to have less overall attendance at activities in the library than previous years. The cooking class was well liked.

Staff relay for life garage sale on March 14th made about \$450.

Volunteers: Our AARP Senior Employee Joyce Smith has found a full-time position. She is missed and we need to recruit another person for her position.

Categories	Units	Mar. '14	Mar. '15	Fiscal YTD '14	Fiscal YTD '15
Total Circulation		7,846	7,639	45,073	45,631
+ or - Same month previous year	Percent	7%+	3%-		
Additions					
Interlibrary Loans	Each	6	1	16	10
New Patrons	Each	71	55	472	476
Collection					
Items Added	Each	73	394	1,459	2,090
Items Withdrawn	Each	438	239	1,946	1,823
Total Collection	Each	37,805	38,061	37,805	38,061
General Statistics					
Gate Count	Each	4,780	4,383	27,164	24,768
Hours Open	Hours	160	169	961	952
Library Tours	Each	1	0	2	2
Program Visitors	Each	359	580	3,023	3,109
Public Computer Use	Hours	790	820	4,475	3,949
Patrons using computers	Each	708	696	3,964	3,656
Volunteer Hours	Each	468	386	2,181	2,213
Receipts					
		\$1,599	\$1,276	\$14,541	\$12,617
Civic Center Use					
City	Each	2	3	17	18
Library	Each	15	14	86	78
Public Rental	Each	3	2	18	13
Other - not for profit	Each	1	4	44	52
Total Civic Center Use		21	23	165	161

Michael Gonzalez
Parks and Recreation Program Manager
mgonzalez@ci.elgin.tx.us 512-285-6190



March Parks Summary 2015	
Facility	Number of uses
Park/ Pavilion Rental	5
Ball Field Rental	40
Fleming Community Center	56
Deposits	\$1,643.00

Projects:

Trail Construction at Shenandoah is nearing completion see photos below for more.

After our report about at the Fleming Community Center use we looked at use in the park system. The parks department has developed a method of tracking park usage over the course of a year and we are monitoring when peaks are and low times for use of the parks. This information will be helpful in the future for programing, budgeting and staffing needs.

The Juvenile Diabetes Research Foundation Super hero Fun Run was March 7th in downtown Elgin. The parks department coordinated with JDRF to make this run possible and we are looking at ways to better facilitate a fun run in the future.

For Spring break we saw many families out doing activities. See below for attendance at each event. I was able to coordinate with volunteers from Camp Peniel in Marble Falls and they sent 9 volunteers to work in our community. Camp Peniel participated in two community organizations, they helped the community cupboard organize food deliveries on the shelves and they also provided instruction at our Thomas Park Basketball event.

Goals for April 2015

- Monitor and report on Morris Park and Shenandoah Park construction projects
- Plan and develop programing for summer activities
- Start hiring process for summer lifeguards

Shenandoah Trail Pictures

Spring Break Free Activities

Activity	Attendance
Basketball Thomas Park (Mon)	16
Bike Safety Rodeo Elgin Memorial (Tues)	4
Community Bike Ride (Tues)	2
Disc Golf Thomas Park (Wed)	17
Community Bike Ride (Thurs)	4
Nature Walk Morris Park (Fri)	6

- Top left: The trail will need minor maintenance after heavy rain events
- Top middle: crew put down granite
- Top right: After compaction the trail is stable
- Bottom left: the entire trail is ADA compliant
- Bottom right: The trail connects to ACC Elgin Campus



Public Works- March- 2015

Lawn Maintenance – City Owned Buildings:

Elgin Public Library
City Hall
Elgin Police Department
Elgin Industrial Park
Greater Elgin Chamber of Commerce
Elgin Museum

Grounds Maintenance- Parks:

Elgin Memorial Park
Veterans Memorial Park
Thomas Memorial Park
Morris Memorial Park
Goins Picnic Area
Shenandoah Greenbelt / Soccer Fields

Miscellaneous:

Roy Rivers Road project is substantially complete. Contractor is working on punch list items.

Shenandoah Trail Project is ongoing, experiencing weather delays but will reach substantial completion in April.

Street and drainage work on the 2015 Street Paving Project is ongoing and experiencing weather delays. Storm sewer pipe installation and ditch work portion of project is targeted for a June completion.

Community Cupboard Building project is complete. Project consisted of replacing wood work, windows, door and repainting the front façade.

Constructed 3 each concrete pads and installed trash receptacles at Elgin Memorial Park

Cleared fence line for new fence at Elgin Memorial Park softball field

Special Events:

Fun Run – Assisted with Street closures and performed trash detail.

Farmers Market – Placed and removed advertisement signs.

Trees and Brush:

Trimmed brush/ trees on Central Avenue

Removed down tree on Kennedy Street

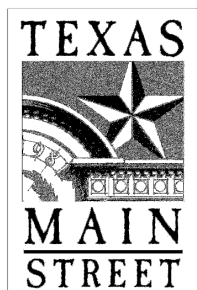
Joe Parten

Director, Public Works

City of Elgin

1137 Swenson Blvd

PO Box 591, Elgin, TX 78621
512-281-0119 ext 107
Fax 512-285-4267
www.elgintx.com



MONTHLY REPORT

The Monthly Report is **due no later than the 10th of each month**. Please use electronic version, type or print legibly. This report is designed to help you keep track of your program's incremental progress. Please share it with your board. The report also helps us keep up to date on the activities of the programs in the large Texas Main Street network. **The report should only take you 15 to 30 minutes to complete each month. Even if your program does not follow the traditional Four Point framework, you should still be achieving overall Main Street goals by completing projects in the Four Point focus areas so please include your activities within each area as appropriate.**

CITY: Elgin

MONTH: March 2015

DATE SUBMITTED: April 10, 2015

1. Please list **meeting dates** and **activities** for the following committees:

ORGANIZATION: *(After typing, TAB to the next cell)*

Meeting Dates:	Update on projects or activities
3-25-15	Spring issue of 78621 complete. Going to the printer for distribution April 3 Meet in early April to determine editorial for summer issue.

PROMOTION:

Meeting Dates:	Update on projects or activities
3-26-15	Sip Shop Stroll planning –artists from the Elgin Art Association will be available in May and June to demonstrate and sell their work at participating businesses. Balloons mark participating vendors. Taste the Town – planned for April 30 – Elgin Caregivers fundraising event held throughout downtown. Participating in Health Rodeo on April 11 for general promotion of events etc. Art Studio Tour and Pearls of Youth art show are organizing for April 18-19. Coordinating with Purple and White Jubilee committee. They have scheduled a street dance on Depot Street Saturday April 25 and activities during the afternoon at Railroad Ranch in downtown.

DESIGN:

Meeting Dates:	Update on projects or activities
3-25-15	Contacted Beaumont Main Street to discuss their open space park plan implementation and funding strategies. And talked with Tyler Main Street. Contacted THC design office for funding ideas and suggestions of communities to contact. Provided park plan to several individuals or groups for their input on funding options and implementation strategies. TXDOT will be doing work on ADA ramps this summer.

ECONOMIC RESTRUCTURING:

Meeting Dates:	Update on projects or activities
3-24-15	Tax credits seminar to be held May 5, 2015 at 8:30am at Fleming Community Center

	City Café is under contract. Would be Owner occupied with multiple small businesses. Franden Building at Main Street and 2nd Street has two contracts pending. Old Sweetie's is under contract Contacting Bastrop County Realtors Amy being a speaker addressing – the new park plan for downtown, tax credits, and new investment in downtown Discussing a Local First or shop local campaign with EDC and Chamber.
--	---

2. Program Commentary (*list critical issues, problems, and successes of the past month*):

Sip, Shop, Stroll is getting stores to be more creative and creating chances for new people to come downtown. Discussing extending this event to Friday nights for the music series in May and June.

3. Outlook (*list goals and challenges of the future*):

Planning to host a tax credit workshop in May. Now starting to meet with Realtors and Bank loan officers about the zoning options and tax credit programs. Working on improved window displays that engage and provide information about events and businesses. Continuing to grow Sip, Shop, Stroll attendance and participation.

4. Do you have any plans for upcoming public improvement projects (i.e. infrastructure, streetscapes)? If so, please describe the project and funding sources.

TXDOT will complete ADA Ramp improvements this summer at 2nd street, First Street, Depot Street, Central and Austin Streets. Elgin is approved for a Texas Capital Fund grant for sidewalks that will target work at Austin Street and Avenue C as well as a few ramps in other parts of downtown. Union Pacific Property – a master plan was approved by Council that would transform the area into a public park with areas for an arbor, water plaza, pavilion, public restrooms, and more.

5. Suggestions for Texas Main Street Center (*list suggestions on services or training topics; new resources; questions*):

6. If there is a newsworthy event or announcement that would be appropriate for the *Main Street Matters* e-newsletter, please email kimberly.klein@thc.state.tx.us with the information (with “For Main Street Matters” in the Subject line.)

Thursday, April 9 – Sip, Shop & Stroll

5pm-8pm, Historical Downtown Elgin

Saturday, April 18 – Art Studio Tour

Downtown Elgin

Saturday, April 18-Sunday, April 19 – Pearls of Youth Art Show

107 N. Main Street

Saturday April 25 - Purple and White Jubilee

Celebrating Wildcat Spirit and an alumni homecoming weekend - Street Dance on Depot Street, afternoon reception and activities at Railroad Ranch, downtown

Saturday, May 2 – Local Lore

10am-1pm, Downtown Elgin

Local Landmark Presentation of historical Booker T Washington School at the old site, followed by reception at the Depot Museum

Thursday, May 14 – Sip, Shop & Stroll

5pm-8pm, Historical Downtown Elgin

Friday, May 15 – Music in the Park, Sponsored by Friends of Elgin Parks

Beto y los Fairlaines

8:00pm, Veterans' Memorial Park, Friends of Elgin Parks
Friday, May 22 – Music in the Park, Sponsored by Friends of Elgin Parks
Chubby Knuckle Choir
8:00pm, Veterans' Memorial Park, Friends of Elgin Parks
Friday, May 29 – Music in the Park, Sponsored by Friends of Elgin Parks
Patty Finney and Friends
8:00pm, Veterans' Memorial Park, Friends of Elgin Parks
Friday, June 5 – Music in the Park, Sponsored by Friends of Elgin Parks
Weldon Henson
8:00pm, Veterans' Memorial Park, Friends of Elgin Parks
Thursday, June 11 – Sip, Shop & Stroll
5pm-8pm, Historical Downtown Elgin
Friday, June 12 – Juneteenth Street Dance
8pm-12am, Depot Street, Downtown
Saturday, June 13 – Juneteenth Parade & Celebration
10am-6pm Veterans' Memorial Park, Downtown
Friday, June 19 – Music in the Park, Sponsored by Friends of Elgin Parks
Damn Torpedoes
8:00pm, Veterans' Memorial Park, Friends of Elgin Parks
Monday, June 22-Saturday, June 27 – Western Days
Visit www.elgintxchamber.com to learn more
Elgin Memorial Park & Downtown



Memorandum

To: Kerry Lacy, City Manager
From: Amy Miller, Community Development Director
Date: April 10, 2015
Re: Parks & Community Development Department report March 2015

Projects

Preparation of sidewalk grant application with CAMPO for new sidewalk on County Line Road, FM 1100 and Hwy 95 North.
Coordinate Tax credit seminar in Elgin by the Texas Historic Commission.
Meet with property owners about the state and local tax credits available to historic district properties.
Website redesign, coordinate content, pictures, overall layout adjustments.
Launched community clean-up program, continuing to work with council and Republic Services on implementation.
Working with Bob Haisler to implement HHW public awareness grant.
Camp Swift Joint Land Use Study materials submittal and meeting.
Downtown 78621 articles for spring issue and final editing to go to print.
Hogeye Festival planning and layout adjustments for 2015.
Shenandoah Trail TPWD grant administration.
Art Studio Tour and Pearls of Youth Art Show with Lone Star Car club cruise-in April 18-19, planning, promotion, advertising.
Sip, Shop, Stroll - Businesses to stay open 'til 8pm and offer specials, samples, live music, every 2nd Thursday.
Coordination with Purple and White Jubilee planning team.
Planning for Local Lore event on Saturday, May 2 with Elgin Historical Association.
Coordination with JDRF Run for a Cure fun run planning team.
Certified Local Government annual report.
TDA Best Business in Downtown celebratory party with Main Street Board and The Owl
Coordinating public relations work to promote the Owl's award and downtown Elgin.
Working with the Sustainable Food Center, to offer the Happy Kitchen program in Elgin.
City of Elgin E-News, City of Elgin Facebook page, Hogeye Facebook Page, Visit Elgin Facebook page

Boards & Committees, Seminars

CAMPO public hearing
Dedication of CARTS Lee Dildy Operations facility
Texas Historic Commission, planning seminar on Main Street program data gathering
Clean Air Coalition Advisory committee
Tax Credit seminar in Georgetown by the Texas Historic Commission
CAMPO TAC meeting
Historic Review Board
Main Street Board
Parks & Recreation Advisory Board
Promotion Tourism committee
Organization Committee (Downtown 78621)
Design Committee
Business Retention & Recruitment Committee

Upcoming events

Sip, Shop & Stroll events 2nd Thursdays through June

Art Studio Tour Car Club Cruise-In and Pearls of Youth Art Show – April 18 and 19

Purple and White Jubilee - Saturday, April 25

Local Lore and dedication of an Elgin Local Landmark marker for the Washington School - May 2

Music in the Parks Series at Veteran's Memorial Park starting at 8pm

Friday, May 15...Beto y los Fairlanes

Friday, May 22....Chubby Knuckle Choir

Friday, May 29....Patty Finney and Friends

Friday, June 5..... Weldon Henson

Friday, June 19....Damn Torpedoes - Tom Petty Cover Band

Juneteenth Festival, Friday and Saturday June 12 and 13

Western Days Festival week of June 22-27

Saturday July 4 parade and program in Veterans' Memorial Park

TO: Elgin City Council and City Manager

RE: Economic Development Corp. Monthly Report by Joe Newman

Date: Tuesday, May 5, 2015 council meeting

- Jeff Carter, Sue Beckwith, Amy Miller, Gena Carter and I met with Rodney Holcomb, Ph.D., Professor of Agriculture Economics at Oklahoma State University and Rebekka Dudensing, Ph.D., Assistant Professor and Extension Economist, Community Economic Development, with Texas A&M to learn more about possibilities of creating a food hub (processing center) here in Elgin. The focus would be on fruits and vegetables and not meat products.
- Doug Prinz, Gary Cook and I met with Bastrop County GIS planners and discussed exactly what is being included in the new computerized mapping and infrastructure program. Elgin EDC contributed \$8,000 to the \$200,000+ project and should start seeing the results in the next couple of month. Final program will show every power line (and its voltage), water/waste water line (size & capacity), topography, wet lands, parcels, etc. all over Bastrop County and surrounding area. This will be of tremendous help when we get requests for proposals that are ready to be developed.
- Elgin sales tax allocations were up 2.71% over April 2014. Now that our Walmart Supercenter has been in business for over a year, I expect to see percentages get back to normal. Elgin sales tax receipts are up 20.37% for the calendar year.
- The B.E.S.T. (Bastrop, Elgin & Smithville Texas) group (County Judge, mayors, city managers, chamber executives, etc.) met recently at the Elgin Local Goods & Café to discuss various projects and get updates from the group.
- I'm on the LCRA Regional Council and we met in Lockhart to hear LCRA Meteorologist Bob Rose expound on his weather outlook. Interesting as always. Bob is predicting a wet summer; at least through July and about one-half the hurricanes we've seen in the past few years.
- CapMetro recently advertised for fiber optics infrastructure that would include their railroad right-of-way going through Elgin. This could be a big step in our quest to get higher, good-paying, quality jobs in Elgin.
- I attended the Bastrop County Realtor's luncheon and distributed flyers on the upcoming Historic Buildings State & Federal Tax Credit Seminar we have planned for May 5th. This could really be beneficial to potential investors.
- I spoke to the Cedar Creek Rotary Club (Hyatt Lost Pines) about the many great things happening in Elgin. The group seemed impressed when I mentioned various subdivisions that are being planned and additional retailers coming to Elgin.
- Dr. Jodi Duron, superintendent at Elgin ISD, invited me to attend the Education Progress Report Launch luncheon in Austin and we learned the status of a dozen school district's ratings. More info will be in the newspaper.

If anyone needs specific information or hear unfounded rumors, please don't hesitate to contact me.

Please let me know if I can be of any assistance whatsoever.

THANKS!

Joe Newman

Elgin Economic Development Corporation, Cell: 512-581-2332

Elgin Police Department

Monthly Report

CATEGORY	Mar-15	Mar-14	Mar-13	Mar-12	Mar-11
Calls for Service					
Total Calls for Service	960	865	965	584	776
Police calls	695	671	677	477	413
Fire calls	42	32	40	32	39
Animal calls	92	93	60	2	46
Activity logs	102	44	183	61	165
City calls	29	25	5	11	3
Pageouts					110
Offense Reports					
Total Offense Reports	70	71	88	70	64
Active (Open) cases	23	17	23	20	22
Cases Inactivated	15	11	20	11	16
Cases Closed	0	1	0	8	3
Documentation (no crime)	0	0	0	1	0
Other	0	2	0	2	0
Unfounded	0	0	1	2	1
Referred to other agency	6	1	0	2	0
Citations					
Total Citations	186	421	441	284	225
Citations for violations	123	177	205	144	116
Warnings	63	244	236	140	109
Collisions					
Total Accidents	26	24	26	34	18
Major accidents (with injury)	4	3	4	2	5
Minor accidents (no injury)	15	18	3	25	13
Leaving the scene accidents	7	3	9	7	0
Alarms					
Business alarms	12	16	13	5	6
Residential alarms	10	10	6	6	6
Fire alarms	9	2	1	1	0
Arrests					
Felony arrests	7	11	9	5	4
Misdemeanor arrests	18	26	36	19	12
Other arrests	5	5	8	0	0
Animal Control					
Total Animal Control calls	92	83	60	2	46
Animal Cruelty calls	0	0	0	0	0
Canine Impounds	12	16	9	0	16
Feline Impounds	5	0	6	0	1
Citations issued	9	2	9	0	1
Bite Cases	0	0	1	0	3
Dead animal calls	1	27	5	0	10
Wildlife calls	11	7	7	0	0
Rabies cases	0	0	0	0	0

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month March

Year 2015

Municipal Court for the City CITY OF ELGIN

Presiding Judge Larry Dunne

If new, date assumed office

Court Mailing Address P.O. BOX 591

City ELGIN

, TX Zip 7-8621

Phone Number (512) 281-0318

Fax Number

Courts Public Email

Court's Website

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT

Prepared by Lillie Griffin

Date Apr 29, 2015

Phone Number (512) 281-0318

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

CRIMINAL SECTION

City of CITY OF ELGIN

Month March Year 2015

	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	12,782	12	0	2	2,535	6
a. Active Cases	8,945	10	0	2	1,377	0
b. Inactive Cases	3,837	2	0	0	1,158	6
2. New Cases Filed	78	0	0	0	44	8
3. Cases Reactivated	52	0	0	0	21	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	9,075	10	0	2	1,442	8
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	93	0	0	0	25	1
b. Dismissed by Prosecution	3	0	0	0	24	0
7. Dispositions at Trial:						
a: Convictions						
1) Guilty Plea or Nolo Contendere	22	0	0	0	20	10
2) By the Court	0	0	0	0	0	1
3) By the Jury	0	0	0	0	0	0
b: Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	0	0
8. Compliance Dismissals:						
a: After Driver Safety Course	22					
b: After Deferred Disposition	1	0	0	0	6	0
c: After Teen Court	0	0	0	0	0	0
d: After Tobacco Awareness Course					0	
e: After Treatment for Chemical Dependency				0	0	
f: After Proof of Financial Responsibility	1					
g: All Other Transportation Code Dismissals	0	0	0	0	0	0
9. All Other Dispositions	9	0	0	0	10	0
10. Total Cases Disposed	151	0	0	0	85	12
11. Cases Placed On Inactive Status	26	0	0	0	19	0
12. Total Cases Pending End of Month:	12,709	12	0	2	2,494	2
a: Active Cases	8,898	10	0	2	1,338	-4
b: Inactive Cases	3,811	2	0	0	1,156	6
13. Show Cause Hearings Held	69	0	0	1	32	1
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court CITY OF ELGIN	TOTAL
Month March Year 2015	
1. Transportation Code Cases Filed	0
2. Non-Driving Alcoholic Beverage Code Cases Filed	0
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed	0
5. Tobacco Cases Filed	0
6. Failure to Attend School Cases Filed	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed	1
9. All Other Non-Traffic Fine-Only Filed	1
10. Transfer to Juvenile Court: a. Mandatory Transfer	0
b. Discretionary Transfer	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)	0
13. Juvenile Statement Magistrate Warning: a. Warnings Administered	0
b. Statements Certified	0
14. Detention Hearings Held	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed	0

ADDITIONAL ACTIVITY

Court CITY OF ELGIN		Number Given	Number Requests For Counsel
Month March	Year 2015		
1. Magistrate Warnings: a. Class C Misdemeanors		25	
b. Class A and B Misdemeanors		14	
c. Felonies		7	
			TOTAL
2. Arrest Warrants Issued: a. Class C Misdemeanors			45
b. Class A and B Misdemeanors			2
c. Felonies			8
3. Capiases Pro Fine Issued			69
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Filed			0
6. Examining Trials Conducted			0
7. Emergency Mental Health Hearings Held			0
8. Magistrate's Orders for Emergency Protection Issued			1
9. Magistrate's Orders for Ignition Interlock Device Issued			1
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond			0
11. Driver's License Denial, Revocation or Suspension Hearings Held			0
12. Disposition of Stolen Property Hearings Held			0
13. Peace Bond Hearings Held			0
14. Cases in Which Fine and Court Costs Satisfied by Community Service: a. Partial Satisfaction			0
b. Full Satisfaction			0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			23
16. Cases in Which Fine and Court Costs Waived for Indigency			4
17. Amount of Fines and Court Costs Waived for Indigency			\$1,070.69
18. Fines, Court Costs and Other Amounts Collected: a. Kept by City			\$26,757.47



COUNCIL MEETING: May 5, 2015

ITEM: 1. Approval of minutes of the regular council meeting and public hearing April 7, 2015.

RESOURCE PERSON(S): Lucretia Alvarez, City Secretary (Pages 49-54)

SUMMARY: Presented for review and approval are the minutes of the regular council meeting April 7, 2015.

RECOMMENDATION(S): Approve the minutes of the regular council meeting April 7, 2015.

ATTACHMENT: 1-Council Minutes 4-7-2015

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 7, 2015 AT 7:00 P.M.
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

Mayor Marc Holm called the meeting to order at 7:07 p.m. with all members present except Council Member Edward Maldonado.

Marc Holm, Mayor
Chris Cannon, Mayor Pro-Tem
Keith Joesel, Council Member
Sue Brashar, Council Member
Edward Maldonado, Council Member (absent)
Juan Gonzalez, Council Member
Mary Penson, Council Member
Jessica Bega, Council Member
Craig Fromme, Council Member
Kerry Lacy, City Manager
Lucretia Alvarez, City Secretary

INVOCATION

Council Member Mary Penson gave the invocation.

Regular meeting was recessed at 7:10 p.m. and the PUBLIC HEARING was called to order at 7:10 p.m.

PUBLIC HEARING

1. Proposed zoning change request from Sheryl Jones Wright for property located at 308 Harris Street from R-3 residential to S-P specific use permit for five (5) years.
Gary N. Cooke, Planning and Development Director
2. Proposed zoning change request from Jackie Mabry for the property located at 1512 North Avenue C from R-1 residential to S-P specific use permit for five (5) years.
Gary N. Cooke, Planning and Development Director

Mayor Marc Holm Closed the PUBLIC HEARING at 7:12 p.m. and reconvened the regular meeting at 7:12 p.m.

PUBLIC COMMENT

None.

PRESENTATIONS

1. Proclamation for Purple and White Jubilee Day
Amy Miller, Community Development Director

Mayor Marc Holm presented the proclamation to Donna Snowden.

2. Proclamation for Fair Housing Month in April
Amy Miller, Community Development Director
Lucretia Alvarez, City Secretary

Mayor Marc Holm read portions of the proclamation for those present.

REPORTS

1. Monthly Reports for February 2015
Kerry Lacy, City Manager

CONSENT AGENDA

Council Member Sue Brashar requested moving item 1, and Mayor Marc Holm requested moving item 2 to New Business.

1. Approval of minutes of the regular council meeting and public hearing March 3, 2015.
Lucretia Alvarez, City Secretary
2. Approval of Washington School Elgin Local Landmark Application.
Amy Miller, Community Development Director
3. Approval of a request to waive the open container ordinance for the 27th Annual Elgin Volunteer Fire Department Barbecue Cook-off from Thursday, April 16 12:00 noon to Saturday, April 18 12:00 midnight in Elgin Memorial Park.
Michael Gonzalez, Parks and Recreation Program Manager
Amy Miller, Community Development Director
Justin Gwinn, Elgin Volunteer Fire Department
4. Approval of a request to waive the open container ordinance for the 1st Annual Paint the Town Purple Softball Tournament held on Friday, April 24 from 5:00 p.m. to 11:59 p.m. and on Saturday, April 25 from 7:00 a.m. to 11:59 p.m. at the Highway 95 Baseball Field.
Michael Gonzalez, Parks and Recreation Program Manager

Mayor Pro-Tem Chris Cannon made a motion to approve the Consent Agenda items 3 and 4 as presented, Council Member Craig Fromme seconded, and motion approved unanimously.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Discussion and action to consider the acceptance of the audit report for the Fiscal Year ending September 30, 2014.
George Chester Draper III, CPA

Mayor Pro-Tem Chris Cannon made a motion to accept the audit report for the fiscal year ending September 30, 2014, Council Member Mary Penson seconded, and motion approved unanimously.

2. Discussion and action to consider an Ordinance 2015-04-07-18 for a zoning change request from Sheryl Jones Wright for the property located at 308 Harris Street from R-3 residential to S-P specific use permit for five (5) years.
Gary N. Cooke, Planning and Development Director

Council Member Craig Fromme made a motion to approve Ordinance 2015-04-07-18 as presented, Council Member Sue Brashar seconded, and motion approved unanimously.

ORDINANCE NO. 2015-04-07-18

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING LOT 75 & 76, IN THE J. S. SMITH ADDITION, LOCATED AT 308 HARRIS STREET, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-3 RESIDENTIAL TO S- P FOR A SPECIFIC USE FOR FIVE YEARS FOR ALCOHOLICS ANONYMOUS.

3. Discussion and action to consider an Ordinance 2015-04-07-19 for a zoning change request from Jackie Mabry for the property located at 1512 North Avenue C from R-1 residential to S-P specific use permit for five (5) years.
Gary N. Cooke, Planning and Development Director

Council Member Keith Joesel made a motion to approve Ordinance 2015-04-07-19 as presented, Mayor Pro-Tem Chris Cannon seconded, and motion approved unanimously.

ORDINANCE NO. 2015-04-07-19

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING LOT 11, IN THE ELGIN WEST COUNTRYSIDE SUBDIVISION, LOCATED AT 1512 NORTH AVENUE C, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-1 RESIDENTIAL TO S-P FOR A SPECIFIC USE FOR FIVE YEARS FOR A CHILD CARE CENTER.

4. Discussion and action to consider proposal from Days Inn Hotel, located in the J.S. Smith Addition, lot 56, PID R12722, in the 700 block of MLK Blvd.
Gary N. Cooke, Planning and Development Director

Michael Gonzales, Parks and Recreation Manager

Mayor Pro-Tem Chris Cannon made a motion to approve the proposal from Days Inn Hotel to include the maintenance of the Goins Park area on both sides of the driveway, Council Member Mary Penson seconded, and motion approved unanimously.

5. Discussion and action to consider adoption of an Ordinance by the City Council of the City of Elgin, Texas amending Chapter 28-129, Section 28-130, Section 28-133 of the Revised Code of Ordinances, City of Elgin, Texas, 2013 and providing that all Ordinances in conflict herewith are replaced to the extent that they are in conflict; providing a savings clause; providing an effective date.

Michael Gonzalez, Parks and Recreation Program Manager

Kerry Lacy, City Manager

Chris Cannon, City Council

Council Member Keith Joesel made a motion to approve Ordinance 2015-04-07-16 as presented, Mayor Pro-Tem Chris Cannon seconded and motion approved unanimously.

ORDINANCE NO. 2015-04-07-16

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AMENDING CHAPTER 28, ARTICLE V, SECTION 28-129, SECTION 28-130, SECTION 28-133 OF THE REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

6. Discussion and action to consider the extension of the existing solid waste contract with Republic Services, Inc. for the collection of solid waste for an additional two (2) years beginning September 18, 2015 or not grant the extension and authorize staff to proceed with bidding the collection services out to additional providers with a beginning date of September 18, 2015.

Kerry Lacy, City Manager

Mayor Pro-Tem Chris Cannon made a motion to approve the extension of the existing solid waste contract with Republic Services for an additional two years beginning September 18, 2015, and authorize the city manager to proceed in preparing documents, Council Member Jessica Bega seconded, and motion approved unanimously.

7. Discussion and action to consider an Ordinance 2015-04-07-17 on the Certificate of Unopposed Council Candidate status for May 9, 2015 City of Elgin General Election.

Lucretia Alvarez, City Secretary

Mayor Pro-Tem Chris Cannon made a motion to approve Ordinance 2015-04-07-17 as presented, Council Member Sue Brashar seconded, and motion approved unanimously.

ORDINANCE NO. 2015-04-07-17

AN ORDINANCE ACKNOWLEDGING RECEIPT OF "CERTIFICATE OF UNOPPOSED STATUS" PURSUANT TO SECTION 2.052 TEXAS ELECTION CODE; DECLARING UNOPPOSED CANDIDATES TO BE ELECTED TO THEIR RESPECTIVE OFFICES AND CANCELING THEIR RESPECTIVE ELECTIONS ON THE MAY 9, 2015 CITY COUNCIL ELECTION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES.

8. Discussion and action to consider the appointment of a representative to the CAPCOG Clean Air Coalition.

Amy Miller, Community Development Director

Council Member Sue Brashar made a motion to appoint Jessica Bega to the CAPCOG Council Member Mary Penson seconded, and motion approved unanimously.

EXECUTIVE SESSION

Mayor Marc Holm recessed the Regular Council meeting at 8:17 p.m. and called to order Executive Session in a closed session at 8:17 p.m.

1. The City Council will convene into Executive Session pursuant to Section 551.072 Deliberation Regarding Real Property for possible future expansion of facilities.

Mayor Marc Holm Adjourned Executive Session at 8:50 p.m. and called public back in to Reconvene Regular Council meeting.

RECONVENE

Mayor Marc Holm reconvened the open session at 8:50 p.m.

1. Discussion and action to consider authorizing the City Manager to negotiate with property owners on the possible purchase of real property by the City of Elgin.

Council Member Sue Brashar made a motion to authorize the City Manager to negotiate with property owners on the possible purchase of real property,
Mayor Pro-Tem Chris Cannon seconded, and motion approved unanimously.

ANNOUNCEMENTS

- Sip Shop Stroll Thursday night April 9
- New Trash cans at the parks and downtown
- Art Shows on Saturday April 18-19
- Firemen’s Barbecue Cook-off April 17-18

ADJOURNMENT

Mayor Marc Holm adjourned the meeting at 8:53 p.m.

MARC HOLM
Mayor of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ
City Secretary of Elgin, Texas



COUNCIL MEETING: May 5, 2015

ITEM: 2. Approval of a proposed Resolution extending the contract period with Republic Services an additional two (2) years.

RESOURCE PERSON(S): Kerry Lacy, City Manager (Pages 55-56)

SUMMARY: At the April 7, 2015 City Council meeting, Council authorized the extension of the existing solid waste contract with Republic Services for an additional two (2) year term beginning September 18, 2015 and ending September 17, 2017. The proposed Resolution is to confirm and provide legal authorization for the contract extension as Council instructed.

RECOMMENDATION(S): Approval of the proposed Resolution.

ATTACHMENT: 1-Proposed Resolution

RESOLUTION NO. 2015-05-05-03

A RESOLUTION BY THE CITY OF ELGIN, TEXAS, ("CITY") TO EXTEND THE EXISTING CONTRACT WITH REPUBLIC SERVICES FOR AN ADDITIONAL TWO (2) YEAR PERIOD ENDING SEPTEMBER 17, 2017 IN MUTUAL AGREEMENT AS STATED IN CONTRACT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on September 18, 2012 the City entered into a contractual agreement with Allied Waste, now known as Republic Services, for solid waste disposal and collection services; and

WHEREAS, the contractual agreement between the City and Republic Services has a mutual option to extend the contract for an additional two (2) year term; and

WHEREAS, on April 7, 2015 Elgin city council approved and passed a motion to extend the existing contract between the City and Republic Services; and

WHEREAS, the effective date of the extended term would begin on September 18, 2015 and end on September 17, 2017;

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

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City has chosen to extend the contract with Republic Services for an additional two (2) year period.

Section 3. The term of this extended contract will be for the period beginning on September 18, 2015 and ending on September 17, 2017.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This resolution shall be effective immediately upon passage.

PASSED and APPROVED this the 5th day of May, 2015.

ATTEST:

Marc Holm, Mayor

LUCRETIA ALVAREZ
City Secretary



COUNCIL MEETING: May 5, 2015

ITEM: 3. Approval of street closure for Juneteenth Festival Street Dance
Friday, June 12, 2015 from 4 p.m. to midnight.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Page 57)

SUMMARY: Juneteenth Festival Committee will host a street dance for the
community on Friday, June 12, 2015 on Depot Street from 4
p.m. to midnight.

RECOMMENDATION(S): Recommend approval for the street closure.

ATTACHMENT:



COUNCIL MEETING: May 5, 2015

ITEM: 4. Approval of street closures for Juneteenth Festival Parade Saturday, June 13, 2015 from 9 a.m. to noon.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Pages 58-59)

SUMMARY: The Annual Juneteenth Festival Parade will be held at 10 a.m. on Saturday, June 13, 2015. The Elgin police department provides the traffic control plan and the City of Elgin implements the street closure for the parade on Saturday. The parade line up occurs at Booker T Washington Elementary school on Martin Luther King Boulevard. The parade route travels north on Martin Luther King Boulevard to Alamo Street, turns east to Main Street and follows Main Street north to 2nd street where it turns left at the 2nd street traffic light, turns left on to Avenue C and disperses down Avenue C.

RECOMMENDATION(S): Recommend approval for the street closures on Saturday, June 13 for the Juneteenth Festival Parade, from 10 a.m. to noon.

ATTACHMENT: 1-Juneteenth

ELGIN JUNETEENTH ORGANIZATION

To: Mr. Kerry Lacy, City Manager - City of Elgin
From: Bettye Lofton, President - Elgin Juneteenth Organization
Re: Juneteenth Celebration (June 11 - 13) , 2015
Date: April 27, 2015
Cc: Chief Chris Bratton

The Elgin Juneteenth Organization has scheduled their 16th year celebration starting with a Pageant on Thursday night , June 11th, 7:00 pm at the Fleming Memorial Center. This year the Pageant will "showcase our babies" with the Royal Court ranging from ages 1 month to 6 years of age. This will be a new adventure and is destined to be very enjoyable. The annual street dance will be held on Friday, June 12th from 8:00 pm to 12:00 midnight and the grand parade which will be held on Saturday June 13th in downtown Elgin beginning at 10:00 am with line-up starting from Booker T. Washington Elementary school on M.L.K. Blvd. The Organization is requesting street closures and assistance in accordance with the parade route.

The Parade route will start from Booker T. Washington Elementary school on M.L.K Blvd, turning left on Alamo and continuing down Alamo to Main Street. At Main Street making a right and travel up North Main to traffic signal at West 2nd . Make a left at West 2nd and Main and travel to stop sign at West 2nd and North Ave. C. The parade will make a left onto North Ave. C and travel across the tracks to Alamo where the Parade will disperse.

The Veterans Memorial Park has been secured for all day activities following the Grand Parade. No alcoholic beverages will be sold, but the Organization requests that the open container permit be waived during the event from 6:00 pm until 12 mid-night on Friday, June 12^h and from 8:00 am until 6:00 pm on Saturday June 13th . No glass containers will be allowed in the area due to the danger of such usage. The Juneteenth Organization is also requesting that all fees be waived for this event.

A complete schedule of activities will be available at the council meeting. Please place this on the City Council agenda for May 5th.

I, Bettye Lofton, President of the Organization or a designee will attend the Council meeting to answer any questions or concerns. Thanks in advance for your consideration.



COUNCIL MEETING: May 5, 2015

ITEM: 5. Approval of waiving open container ordinance for the Juneteenth Festival Street Dance on Friday, June 12 from 8 p.m. to midnight and on Saturday, June 13 from 10 a.m. to 6 p.m. for the Juneteenth Festival on Depot Street and in Veterans Memorial Park.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Page 60)

SUMMARY: The Juneteenth Festival Committee will host a street dance and festival on Friday, June 12 and Saturday, June 13 in Veterans Memorial Park and on Depot Street.

RECOMMENDATION(S): Recommend approval of the waiver for the Open Container ordinance for the Juneteenth Festival.

ATTACHMENT:



COUNCIL MEETING: May 5, 2015

ITEM: 6. Approval of waiving the open container ordinance for the Western Days Festival on Friday, June 26 from 4 p.m. to 12:15 a.m. and on Saturday, June 27 from 8 a.m. to 8 p.m. in Elgin Memorial Park.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Pages 61-62)

SUMMARY: The Elgin Chamber of Commerce will host the Western Days Festival the week of June 22 to 27. This community homecoming celebration includes live music, arts and crafts, tournaments, and class reunions.

RECOMMENDATION(S): Recommend approval to waive the open container ordinance in Elgin Memorial Park on Friday June 26 from 4pm to 12:15am and on Saturday 27 from 8am to 8pm in Elgin Memorial Park.

ATTACHMENT: 1-Western Days



COUNCIL MEETING: May 5, 2015

ITEM: 7. Approval of street closures for the Western Days Festival Parade on Saturday, June 27, 2015 from 9 a.m. to 1 p.m.

RESOURCE PERSON(S): Amy Miller, Community Development Director (Page 63)

SUMMARY: The Annual Western Days Festival Parade will be held on Saturday, June 27, 2015. The Elgin police department provides the traffic control plan and the City of Elgin implements the street closure for the parade on Saturday. The parade line up occurs on 11th and 2nd streets. The parade commences at 11th and Main Street (Loop 109) it travels south to Brenham Street and disperses from that point.

RECOMMENDATION(S): Recommend approval for the parade street closures on Saturday, June 27 from 9am to 1pm for the Western Days Festival parade.

ATTACHMENT:



COUNCIL MEETING: May 5, 2015

ITEM: 1. Discussion and action to consider the proposed 2015 involuntary annexation public hearings, June 10 and June 17, 2015, and directing the Planning and Development Department to prepare a service plan that provides for extension of full municipal services to the area to be annexed.

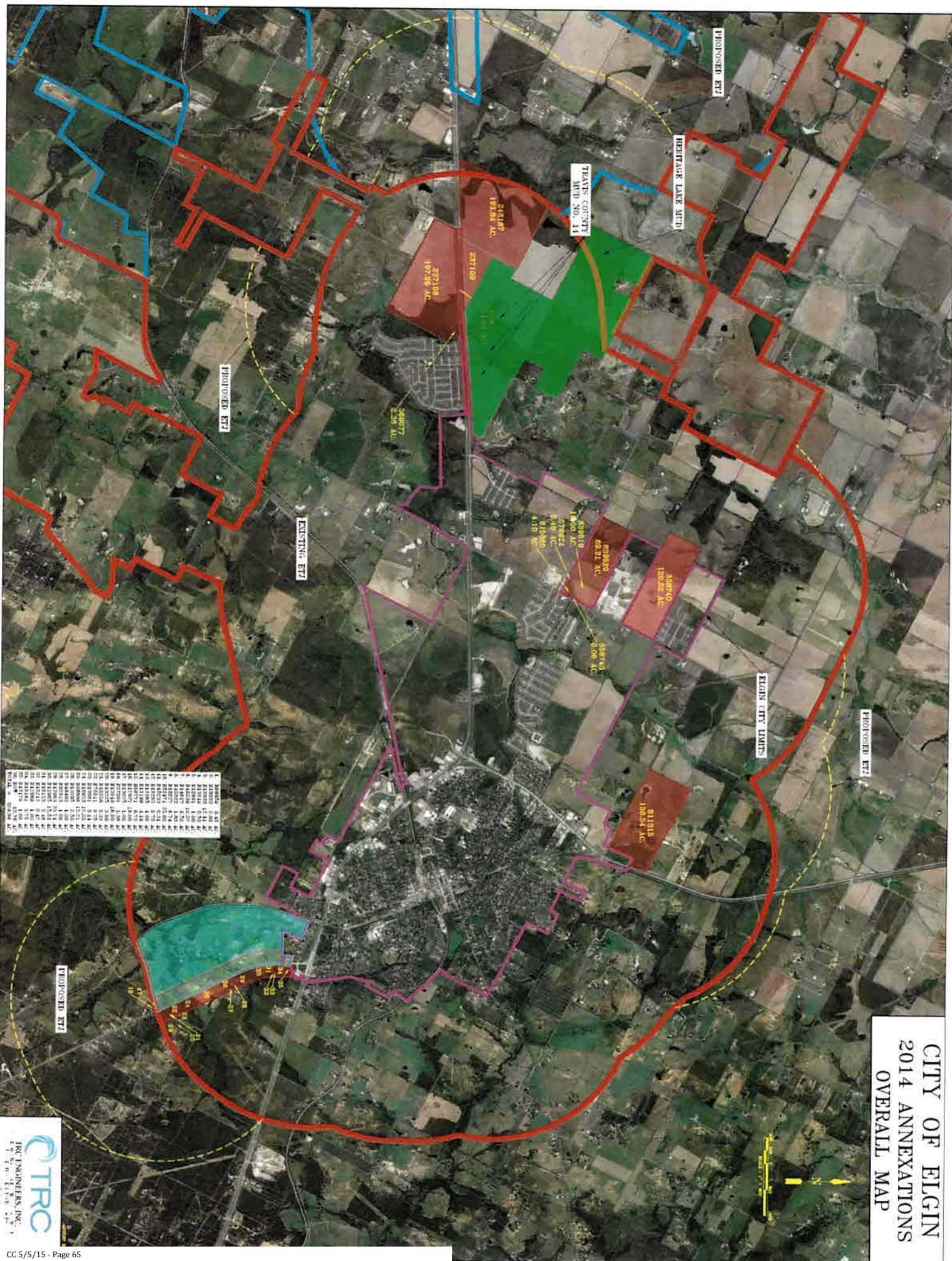
RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director (Pages 64-65)

SUMMARY: Approve two public hearings for June 9 and 10, 2015 involuntary annexation to extend the City limits, extraterritorial jurisdiction, and direct the Planning and Development Department to prepare a service plan that provides for extension of full municipal services to the area to be annexed.

RECOMMENDATION(S): Approval of item.

ATTACHMENT: 1-Proposed annexation map

TRC
ENGINEERS, INC.
CORPORATION

[illegible]



COUNCIL MEETING: May 5, 2015

ITEM: 1. Discussion and action to consider an Ordinance for a zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd from R-2 residential to S-P specific use permit for five (5) years.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director (Pages 66-68)

SUMMARY: Zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd. from R-2 residential to S-P specific use permit (renewal) for a child care facility (A+ Fun Learning Center) for five (5) years.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval of an Ordinance 2015-05-05-20 for a zoning change request from Rosanna Abreo for the property located at 509 MLK Blvd. from R-3 residential to S-P specific use permit (renewal) for a child care facility, A+ Fun Learning Center, for five (5) years.

ATTACHMENT: 1-Ordinance

ORDINANCE NO. 2015-05-05-20

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE PROPERTY BEING J. S. SMITH ADDITION, LOCATED AT 509 MARTIN LUTHER KING JR BLVD, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO S-P FOR A SPECIFIC USE PERMIT FOR A CHILD CARE FACILITY.

WHEREAS, an application has been made to the City Council of the City of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit “A”, attached hereto and incorporated herein, from R-2 Residential, to S-P, Specific Use and

WHEREAS, the City Council has submitted the request change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on the 27th day of April, 2015, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit “A” be changed from R-2 Residential Zoning to S-P Specific Use, for (5) five years.

WHEREAS, on the 5th day of May, 2015, after proper notification, the City Council held a public hearing on the requested amendment, and

WHEREAS, the City Council has determined that substantial changes in conditions have occurred which justify the zoning classification change provided for herein, and

WHEREAS, the City Council determines that the zoning provided for herein promotes the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, Section 46-3, City of Elgin, Texas concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:

I.

That the Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit (A) is hereby changed from R-2 Residential Zoning, to S-P Specific use for five (5) years for a child care facility.

II.

- A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- B. The invalidity of any section or provision of this ORDINANCE shall not invalidate other sections or provisions thereof.

READ, PASSED, and ADOPTED on first reading this the 5th day of May, 2015.

MARC HOLM, MAYOR

ATTEST:

LUCRETIA ALVAREZ, CITY SECRETARY



COUNCIL MEETING: May 5, 2015

ITEM: 2. Discussion and action to consider an Ordinance adopting the 2006 International Building Code for the Historic District of Elgin, to apply to existing structures only.

RESOURCE PERSON(S): Gary N. Cooke, Planning & Development Director (Pages 69-81)
Amy Miller, Community Development Director

SUMMARY: The 2006 International Building Code will offer flexibility to address renovations of existing structures that cannot be accommodated in the 2012 Code. Health, safety and welfare are and will continue to be top priority. Existing structures in the historic district date from the late 1800's through approximately 1940's. These structures need to be reviewed under the 2006 International Building Code in order to facilitate their renovation and place them in the highest and best possible uses for the community. Allowing the 2006 code to be applied to exiting structures will support renovation and reinvestment in the district that will allow for improved property values, increased business and residential occupancy, and making these structures an asset to the community.

RECOMMENDATION(S): Recommend approval of Ordinance No. 2015-05-05-21 an ordinance amending the code of ordinances (2013 edition), City of Elgin, Texas, Chapter 6, Section 6.27; repealing all other ordinances and parts of ordinances in conflict therewith; and providing for a savings clause.

ATTACHMENT:

- 1-Downtown Historic District**
- 2-Ordinance**
- 3-Building code**
- 4-Historic District**

CITY OF ELGIN, TEXAS DOWNTOWN HISTORIC DISTRICT



ORDINANCE NO. 2015-05-05-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (2013 EDITION), CITY OF ELGIN, TEXAS, CHAPTER 6, SECTION 6.27; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:

I.

That Chapter 6, Section 6.27, Code of Ordinances (2013 Edition), city of Elgin, Texas, is hereby amended to read as follows:

Sec. 6-27. – Repairs and Remodeling in Historic Districts.

For the purpose of conducting repairs to, or remodeling of, structures and buildings located in Historic Districts, designated as such pursuant to Article VI of this Code, the 2006 International Building Code shall apply, notwithstanding the adoption of subsequent versions of the International Building Code herein.

II.

- A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.
- C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 5th day of May, 2015.

MARC HOLM, Mayor
City of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ, City Clerk
City of Elgin, Texas

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. - IN GENERAL

Secs. 6-1—6-18. - Reserved.

ARTICLE II. - BUILDING CODES

Sec. 6-19. - Adopted by reference.

- (a) Certain documents, one copy of which shall be placed on file in the office of the city secretary being marked and designated as International Residential Code for One- and Two-Family Dwellings and the International Building Code, and all appendices thereto including permit fee schedule, 2006 edition and latest revisions thereto, published by the International Code Council, is hereby adopted as the code for enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the city, providing for issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such "Standard Building Code," most current edition and latest revisions thereto, on file in the office of the city secretary, are hereby referred to, adopted, and made a part hereof as if fully set out in this article **except as amended or modified herein**.
- (b) At such time as a new edition of the building code adopted herein is published by the International Code Council, the building official shall obtain a copy and, after review, present it to the city council for approval. After approval by the city council, the new edition shall be placed on file with the city secretary and shall become the official building code. Should the city council desire to make any modifications to the new edition of the building code not reflected in this article, they shall adopt the amendments thereto by ordinance.

(Code 1990, ch. 3, § 1(A)(1), (2); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-20. - Fee schedule.

The fee schedule is on file in the city secretary's office.

(Code 1990, ch. 3, § 1(A)(3); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-21. - Amendments to International Residential Code.

The International Residential Code adopted in this article is amended by adding a new section 901.2, which shall read as follows:

Section 901.2, slope and pitch, the slope or pitch for all roofs on new residential structures within the city shall be a minimum of seven units vertical in twelve units horizontal (7:12). All other requirements of chapter 9, roof assemblies, shall be met.

(Code 1990, ch. 3, § 1(A)(4); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-22. - Fire district established.

A fire district is hereby established within the city as follows:

Beginning at a point in the north line of Brenham Street, (old Highway No. 20) where the said line intersects the west line of the Missouri, Kansas and Texas Railway right-of-way;

Thence westward along the north line of Brenham Street to a point where said line intersects the east line of South Avenue C;

Thence northward along the east line of South Avenue C to a point where said line intersects the north line of Austin Street;

Thence westward along the north line of Austin Street to a point where said line intersects the east line of South Avenue B;

Thence northward along the east line of South Avenue B to a point where said line intersects the south line of West 2nd Street;

Thence eastward along the south line of West 2nd Street to a point where said line intersects the east line of North Avenue C;

Thence northward along the east line of North Avenue C to a point where said line intersects the northwest corner of Block No. 55;

Thence eastward along the north line of Block No. 55 to the northeast corner of said Block and continuing same direction to the west line of the Missouri, Kansas and Texas Railway Company right-of-way;

Thence southward with said right-of-way line to the place of beginning.

(Code 1990, ch. 3, § 1(B); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-23. - Skirting and anchoring of mobile homes required.

(a) Every individual mobile home moved or removed onto any location within the city, shall conform to the skirting and anchoring requirements set forth in chapter 46, zoning ordinance, for mobile homes located in city-approved mobile home parks. Such skirting and anchoring requirements are as follows, to wit:

(1) *Skirting.* Every mobile home shall be underskirted with porcelainized steel, baked enamel steel, or other material equal in fire resistance, durability and appearance. Underspaces shall be completely enclosed.

(2) *Anchoring.* Every mobile home shall be anchored to a degree sufficient to withstand overturning in high winds.

(b) For purposes of this section, the definition of the term "mobile home" shall be as defined in chapter 46, zoning.

(c) City utility service shall not be provided to any mobile home in violation of this article.

(Code 1990, ch. 3, § 1(C); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-24. - Liability for enforcement.

Any officer or employee, or member of the city council, charged with the enforcement of the building code, acting for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damages that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee because of such act performed by him in the enforcement of any provision of the building code shall be defended by counsel provided by the city until the final termination of the proceedings. Neither the city, or any authorized agent, acting under the terms of this article shall be liable or have any liability by reason of orders issued, work done, inspections made or failure to make inspections under the terms of this article.

(Code 1990, ch. 3, § 1(D); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-25. - Appeals and variances.

Any person aggrieved by any interpretation of the building regulations, or by any decision or ruling by the city's building official, or inspector, shall have the right to make an appeal or request for variance, to the city board of adjustment, created in chapter 46, article II, division 3. Such appeal or request for variance shall be perfected by written notice submitted to the city secretary and addressed to the board of adjustment asking for a hearing, and the action of the

board of adjustment thereon shall be final. Prior to rendering a decision on any appeal or variance request, the board of adjustment may seek expert advice and counsel.

(Code 1990, ch. 3, § 1(E); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-26. - Enforcement.

The building/fire code compliance officer or his designee shall be responsible for enforcing the provisions of the current International Building Code or any other violations listed in this chapter. Any violation of the International Building Code or any other violations listed in this chapter shall be a misdemeanor and punishable pursuant to section 1-15.

(Code 1990, ch. 3, § 1(F); Ord. No. 2005-04-19-10, 4-19-2005; Ord. No. 2005-10-18-30, 10-18-2005; Ord. No. 2006-04-04-05, 4-4-2006; Ord. No. 2011-02-01-03, art. I, 2-1-2011)

Sec. 6-27. – Historic Districts.

Historic Districts, as designated pursuant to Article VI of this Code, shall be subject to the 2006 International Building Code, and not the most current version, notwithstanding the adoption of subsequent versions of the International Building Code herein.

Secs. 6-28—6-55. - Reserved.

ARTICLE VI. - HISTORIC PRESERVATION

DIVISION 1. - GENERALLY

Sec. 46-748. - Purpose.

- (a) The city council of the city, recognizes the historical, cultural and aesthetic importance of certain buildings, structures or districts within the city.
- (b) The council desires to protect and preserve such landmarks and districts, and such protection and preservation is in the best interests of both historical preservation and the city's economic well-being.

(Code 1990, ch. 11, § 3(A); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-749. - Appeal to city council.

Any person aggrieved by an action of the historic review board or building official relative to the acceptance or denial of an application shall have the right to appeal to the city council by giving notice of appeal within 15 days of such action. The council shall sit as a review board. An appeal hearing shall be set within 30 days of notice. The council ruling may uphold, overrule or modify the building official's decision.

(Code 1990, ch. 11, § 3(G); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-750. - Annual report.

- (a) The historic review board shall make an annual report to the city council on the state of historic preservations in the city and shall include in the report a summary of its activities for the past year and a proposed program for the next year.
- (b) The board shall have the further responsibility of recommending to the city council, planning and zoning commissions and city departments the adoption of policies, the sources of funds, and designation of historic districts and historic landmarks that may further the city's preservation effort.

(Code 1990, ch. 11, § 3(H); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Secs. 46-751—46-768. - Reserved.

DIVISION 2. - DESIGNATION OF HISTORIC DISTRICTS AND LANDMARKS

Sec. 46-769. - Historic districts and historic landmarks.

The city council may from time to time designate certain areas in the city as historic districts or certain places as historic landmarks. Those provisions pertaining to the designation of historic districts or historic landmarks constitute a part of this chapter. Such designation shall be in addition to any other zoning district designation established in article III of this chapter. All zoning maps shall reflect the historic district and landmark designation by the letter "H" as a suffix to the use designation.

(Code 1990, ch. 11, § 3(B)(1); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-770. - Criteria.

In making the designation of an area or place as an historic district or landmark, the city council shall consider one or more of the following criteria:

- (1) Character, interest or value as part of the development, heritage or cultural characteristics of the city;
- (2) Location as the site of an historical event;
- (3) Embodiment of distinguishing characteristics of an architectural type or specimen;
- (4) Relationship to other distinctive building, sites, districts or structures which are historically significant and preserved, or which are eligible for preservation;
- (5) Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city;
- (6) Value as an aspect of community sentiment or public pride;
- (7) Identification with a person who significantly contributed to the development or culture of the city;
- (8) In the case of landmark designation; the designation must be supported by the complete written consent of the property owners.

(Code 1990, ch. 11, § 3(B)(2); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-771. - Downtown historic district.

- (a) The city's downtown area more specifically described below meets several of the aforesaid criteria and is hereby designated an historic district within the city:

Beginning at the northeast corner of the Heine Neidig property locally known as the Elgin Lumber Company, the district boundary follows the easement boundary of the MKT railroad line south southeast to a point directly in line with the centerline of Austin Street;

Thence southwest along the centerline of Austin Street to its junction with South Avenue B;

Thence northwest along the centerline of South Avenue B and North Avenue B until its junction with a public alley way behind Depot Avenue;

Thence northeast along the centerline of said alley until its junction with a public alley running parallel to North Main Street behind Main Street to the west;

Thence northwestward to a point directly across North Main Street from the point of origin and thence across North Main Street to the point of origin.

- (b) Future designation of additional areas or places as historic districts and/or landmarks shall be governed by the further provisions of this article.

(Code 1990, ch. 11, § 3(B)(3); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-772. - Submission to planning and zoning commission for future designations.

Formal recommendations to the city or by the city for any additional area or location for district or landmark designation shall be submitted to the planning and zoning commission of the city within 30 days. The commission shall give notice and conduct its hearing on the proposed designation. Such hearing shall be in the same manner and according to the same procedures as specifically provided for in the provisions of this chapter.

(Code 1990, ch. 11, § 3(B)(4); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-773. - Uses.

Nothing contained in this article or in the designation of property as being in an historic district or being an historic landmark shall affect the present legal use of property. Use classifications as to all property which may be included in an historic district or historic landmark shall continue to be governed by the general zoning provisions of this chapter and the procedures therein established. In no case, however, shall any use be permitted which requires the demolition, razing, remodeling, or alteration of any buildings or structures in such an historic district or historic landmark so as to adversely affect the character of the district or historic landmark, except upon compliance with the terms of this article.

(Code 1990, ch. 11, § 3(B)(5); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Secs. 46-774—46-799. - Reserved.

DIVISION 3. - HISTORIC REVIEW BOARD

Sec. 46-800. - Created.

There is hereby created an historic review board of the city, hereinafter called the "board," consisting of nine members appointed by the city council. The board shall be comprised of the following:

- (1) At least five citizens of the city;
- (2) At least two members of the Main Street Board so long as such board is a functioning entity;
- (3) At least two owners of property within the designated historic district;
- (4) At least two members of the Elgin Historical Association so long as such association is a functioning entity;
- (5) The building official or his representative shall serve as secretary and ex officio member of the board.

(Code 1990, ch. 11, § 3(C)(1); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-801. - Term of appointment.

Each member of the historic review board shall be appointed for a term of three years, except that of the members of the first board to be appointed, two shall be appointed to serve for two years, and two for one year. The term shall expire on January 1 of the appropriate year. Any vacancy on the board shall be filled by the city council for the remainder of the unexpired term. Any member of the board who fails to attend at least 75 percent of all regular meetings of the board within any 12-month period shall be removed from the board, unless such failure to attend was the result of illness or other acceptable excuse as determined by the city council.

(Code 1990, ch. 11, § 3(C)(2); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-802. - Chairperson and vice-chairperson of the board.

The chairperson and vice-chairperson of the historic review board shall be elected annually by a majority of the members of the board, and shall serve a term of one year or until their successors are elected.

(Code 1990, ch. 11, § 3(C)(3); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-803. - Duties of board.

The historic review board shall act in an advisory capacity only, and shall have no power to bind the city by contract or otherwise. Through the review procedure provided herein, it shall be the function of the board to advise the building official concerning all applications for review in historic districts or historic landmarks and perform any other advisory functions delegated by the city council.

(Code 1990, ch. 11, § 3(C)(4); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-804. - Meetings.

The historic review board shall meet monthly at a regularly scheduled time, unless no necessary business needs to be conducted. Special meetings may be called upon request of the chairperson, or the vice-chairperson, or upon written request of four members, or upon notice from the building official that a matter requires the consideration of the board. All meetings shall have advance notice posted in accordance with the Texas Open Meetings Law. Five members shall constitute a quorum and action taken at a meeting shall require the affirmative vote of a majority of the members present and voting at such meeting.

(Code 1990, ch. 11, § 3(C)(5); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Secs. 46-805—46-831. - Reserved.

DIVISION 4. - REVIEW AND PERMIT

Sec. 46-832. - Required.

- (a) No person shall proceed to make alterations, changes, restorations, demolitions or removals of or upon any historic landmark or of or upon any building or improvement within an historic district without first submitting his plans to the building official as hereinafter provided and after securing a permit to proceed.
- (b) An historic preservation review is necessary for any proposed alteration, change, restoration or removal of any architectural feature of a building or structure, (including exterior signage and painting) for any historically designated property under the provisions of this section. Application for historic preservation review shall be made to the building official through the regular building permit procedure of the city.
- (c) Application shall be deemed complete when submitted upon city forms complete with drawings, plans and specifications or when submitted upon a form and in a form otherwise acceptable to the building official.
- (d) No charge or fee will be required for an historic preservation review but the review process, while in conjunction with the building permit process, does not relieve or take the place of building permit and fee requirements provided for elsewhere in this Code.
- (e) Historic preservation review acceptance; however, shall be a prerequisite to the issuance of a building permit.
- (f) Any person violating this procedure or any other provision of this article shall be subject to the penalty provisions of this chapter set forth in section 46-9 and to the general penalty provisions of this Code set forth in section 1-15

(Code 1990, ch. 11, § 3(D); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Sec. 46-833. - Review process.

- (a) If the building official determines that the application involves ordinary repair or maintenance, or alteration, change, restoration or removal of any exterior architectural feature of a building, structure, or sign which does not involve significant changes in the architectural or historic value, style, general design or appearance, he shall within seven days forward a copy of the application indicating the determination to the chairperson of the historic review board, or to the vice-chairperson of the board if the chairperson is not available. The chairperson or vice-chairperson of the board shall within five business days either approve the building official's determination or call for a meeting of the board to consider the application as provided in subsection (c) of this section. If the chairperson or vice-chairperson of the board do not take any action within five business days, it shall be deemed that the board shall take no action and the building official shall indicate the application's acceptance for historic review purposes on the building permit.
- (b) If the building official determines that the application involves an alteration, change, restoration, removal or demolition of an external architectural feature of a building or structure which involves a significant change in the architectural or historic value, style, general design or appearance, he shall refer the application to the historic review board and call for a meeting of the board to consider the application.
- (c) The historic review board shall hold a meeting to consider the application within 15 business days after the building official's receipt of a completed application. The applicant shall be given written notice of the time and place of the meeting. The board may hold any additional meetings it considers necessary to carry out its responsibilities under this section. The board shall make its recommendation to the building official within 30 days after receipt of a completed application unless the board and the applicant mutually agree to extend the period of review.
- (d) Notwithstanding any other provision of this section, the historic review board shall make its recommendation to the building official within 90 days after receipt of complete application for a permit to demolish an historic landmark or a building within an historic district, or to move an historic landmark, or to move a building into or out of an historic district.

(e) The board shall forward its recommendation to the building official. While the building official is not bound by such recommendation, he shall within five business days of its receipt give written notice of the application's acceptance or denial. Such notice shall be deemed complete once filed with the city secretary or by issuance of a permit showing acceptance.

- (1) In the case of applications that do not involve demolition of an historic building or landmark, an application shall be deemed accepted if no notice of action by the building official is given within 60 days after the receipt of a completed application unless time has been mutually extended as provided in subsection (c) of this section.
- (2) In the case of applications that involve demolition of an historic building or landmark, an application shall be deemed accepted if no notice of action by the building official is given within 100 days after the receipt of a completed application unless time has been mutually extended as provided in subsection (c) of this section.

(Code 1990, ch. 11, § 3(E); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)

Secs. 46-834—46-859. - Reserved.

DIVISION 5. - CRITERIA TO BE USED

Sec. 46-860. - Criteria enumerated.

In determining the recommendation and action on acceptance of an application for historic preservation review, the building official and historic review board shall consider the following:

- (1) The effect of the proposed change upon the general historic, cultural and architectural nature of the district or landmark.
- (2) The appropriateness of exterior architectural features which can be seen from a public street, alley or walkway.
- (3) The general design, arrangement, texture, material and color of the building or structure and the relation of such factors to similar features of buildings or structures in the district. The criteria shall not be the aesthetic appeal to the board of the structure or the proposed remodeling but rather its conformity to the general character of the particular historic area involved.
- (4) All signs shall be in keeping with the character of the historic district or landmark.
- (5) The value of the historic district or landmark as an area of unique interest and character shall be impaired.
- (6) The general and specific Secretary of the Interior's Standards for Rehabilitation and Guidelines for applying the standards for rehabilitation.
- (7) The importance of finding a way to meet the current needs of the property owner, and the importance of approving plans that will be economically feasible for the property owner.

(Code 1990, ch. 11, § 3(F); Ord. No. 89-01, 1-3-1989; Ord. No. 90-09, 5-1-1990)



COUNCIL MEETING: May 5, 2015

ITEM: 3. Discussion and action to consider accepting Second Quarter Investment Report for Fiscal Year 2015.

RESOURCE PERSON(S): **Buck LaQuey, Finance Director (Pages 82-83)**
Laura Schwartz, Purchasing Agent and Finance Assistant

SUMMARY: **Second Quarter Investment Report for Fiscal Year 2015.**

RECOMMENDATION(S): **To accept Second Quarter Investment Report for Fiscal Year 2015.**

ATTACHMENT: **1-2015 Second Quarter Investment Report**

FUND	TYPE	ACCOUNT NAME	Ending 12/31/2014	Total of Deposits / (Withdrawals)	Interest	Ending 3/31/2014	Collateral	Average Monthly Yield
Investment Accounts								
002	Tex Pool	CUSTOMER DEPOSITS	39,918.37	0.00	4.59	39,922.96		0.00408%
002	Tex Pool	UTILITY BOND RESERVE	227,244.13	0.00	25.97	227,270.10		0.00408%
002	Tex Pool	COMMUNITY IMPACT FEES-WATER	89,852.06	0.00	10.25	89,862.31		0.00408%
002	Tex Pool	COMMUNITY IMPACT FEES-SEWER	30,621.71	0.00	3.59	30,625.30		0.00408%
018	Tex Pool	ECONOMIC DEVELOPMENT CORP.	341,377.00	0.00	38.90	341,415.90		0.00408%
003	Tex Pool	GENERAL FUND DEBT SERVICE	54,902.29	0.00	6.32	54,908.61		0.00408%
99	Tex Pool	CONSOLIDATED OPERATING	547,220.33	0.00	62.44	547,282.77		0.00408%
	Tex Pool	Sub-total	<u>1,331,135.89</u>	<u>0.00</u>	<u>152.06</u>	<u>1,331,287.95</u>	N/A	
01	Tex Star	GENERAL FUND	391,057.65	0.00	54.52	391,112.17		0.00513%
02	Tex Star	W/WW FUND	652,171.98	0.00	90.95	652,262.93		0.00513%
1	Tex Star	2013 CO GENERAL	86,460.95	0.00	12.05	86,473.00		0.00513%
2	Tex Star	2013 W/WW	160,704.93	0.00	22.43	160,727.36		0.00513%
	Tex Star	Sub-total	<u>1,290,395.51</u>	<u>0.00</u>	<u>179.95</u>	<u>1,290,575.46</u>	N/A	
		TOTAL - INVESTMENTS	<u>2,621,531.40</u>	<u>0.00</u>	<u>332.01</u>	<u>2,621,863.41</u>		
Prosperity								
99	Clearing Account	Clearing Account	3,505,575.85	1,533,706.22	2,683.70	5,041,965.77		0.021%
001	Court Security	Court Security	31,424.93	0.00	19.38	31,444.31		0.021%
001	Police Equipment	Police Equipment	3,114.93	0.00	2.70	3,117.63		0.021%
001	Court Technology	Court Technology	6,229.76	0.00	3.83	6,233.59		0.021%
002	Community Impact Fees-Water	Community Impact Fees-Water	102,414.68	0.00	63.15	102,477.83		0.021%
002	Community Impact Fees-Sewer	Community Impact Fees-Sewer	58,538.10	0.00	36.09	58,574.19		0.021%
003	General Fund Debt Service	General Fund Debt Service	5,624.12	0.00	3.46	5,627.58		0.021%
44	CDBG 711272	CDBG 711272	0.00	0.00	0.00	0.00		0.021%
2	USDA RURAL DEV PAYMENT ACCOUNT	USDA RURAL DEV PAYMENT ACCOUNT	8,729.48	(185,920.61)	185,228.88	8,037.75		0.021%
72	General - ATS Clearing	General - ATS Clearing	894,866.94	(479,986.98)	396.89	415,276.85		0.021%
018	Economic Development Corp.	Economic Development Corp.	352,911.90	(109,340.76)	177.11	243,748.25		0.021%
018	EDC Sales Tax Reserve	EDC Sales Tax Reserve	34,169.71	0.00	21.07	34,190.78		0.021%
018	Schlottzkey's EDC (Pledged As Collateral)	Schlottzkey's EDC (Pledged As Collateral)	100,504.74	0.00	499.01	101,003.75		1.000%
		TOTAL - DEPOSITS	<u>5,104,105.14</u>	<u>758,457.87</u>	<u>189,135.27</u>	<u>6,051,698.28</u>		
		GRAND TOTAL	<u>\$ 7,725,636.54</u>	<u>\$ 758,457.87</u>	<u>\$ 189,467.28</u>	<u>\$ 8,673,561.69</u>		
	Signature	 Sidney LaQuey CPA Finance Director						



COUNCIL MEETING: May 5, 2015

ITEM: 4. Discussion and action to consider accepting the Second Quarter Financial Report for Fiscal Year 2015.

RESOURCE PERSON(S): **Buck LaQuey, Finance Director (Pages 84-89)**
Laura Schwartz, Purchasing Agent and Finance Assistant

SUMMARY:

RECOMMENDATION(S): **Approve Second Quarter Financial Reports for Fiscal Year 2015.**

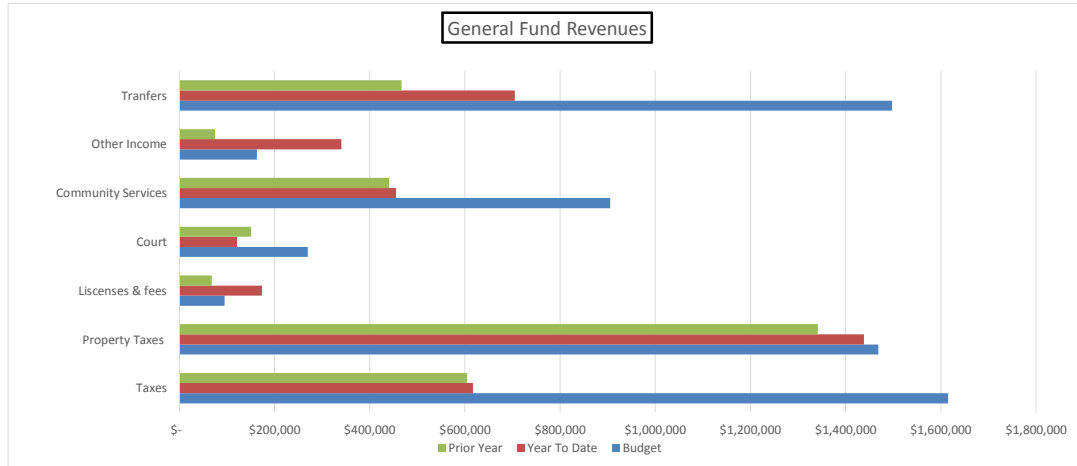
ATTACHMENT:

- 1-General Fund**
- 2-Utility Fund**
- 3-Debt Service**
- 4-Special Revenue**
- 5-Capital Projects**

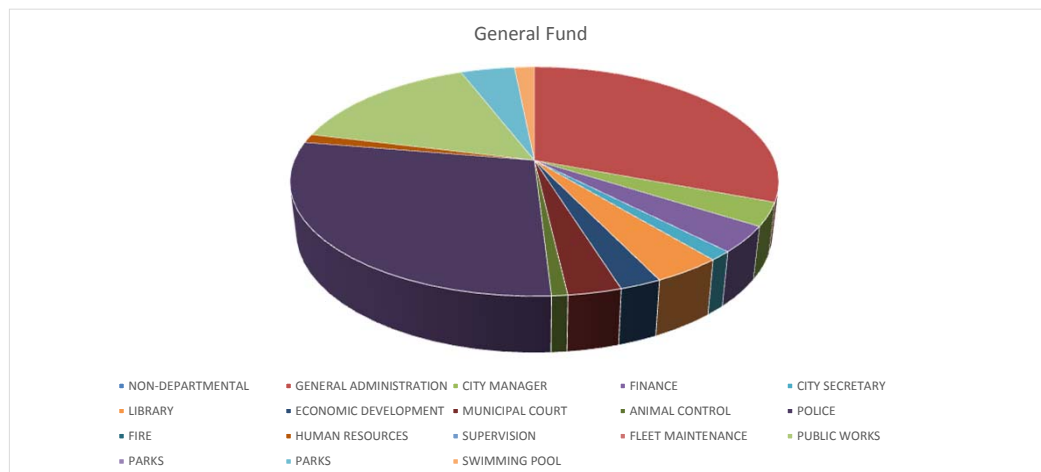
Fund	1
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GENERAL FUND

From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	QUATER TO DATE ACTUAL	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
4200	4999	Taxes	\$ 1,615,461	\$ 1,615,461	\$ 383,739	\$ 616,875	61.81%	\$ 604,789
4050	4150	Property Taxes	\$ 1,468,738	\$ 1,468,738	\$ 772,259	\$ 1,438,463	2.06%	\$ 1,341,806
5000	5999	Liscenses & fees	\$ 95,585	\$ 95,585	\$ 81,629	\$ 173,892	-81.92%	\$ 68,286
6000	6999	Court	\$ 270,000	\$ 270,000	\$ 68,898	\$ 121,762	54.90%	\$ 151,119
7000	7999	Community Services	\$ 905,295	\$ 905,295	\$ 228,309	\$ 455,589	49.68%	\$ 440,994
8000	8999	Other Income	\$ 163,200	\$ 163,200	\$ 332,417	\$ 340,531	-108.66%	\$ 75,476
9000	9999	Tranfers	\$ 1,497,820	\$ 1,497,820	\$ 236,233	\$ 705,090	52.93%	\$ 467,222
Total:			\$ 6,016,099	\$ 6,016,099	\$ 2,103,484	\$ 3,852,201	35.97%	\$ 3,149,692



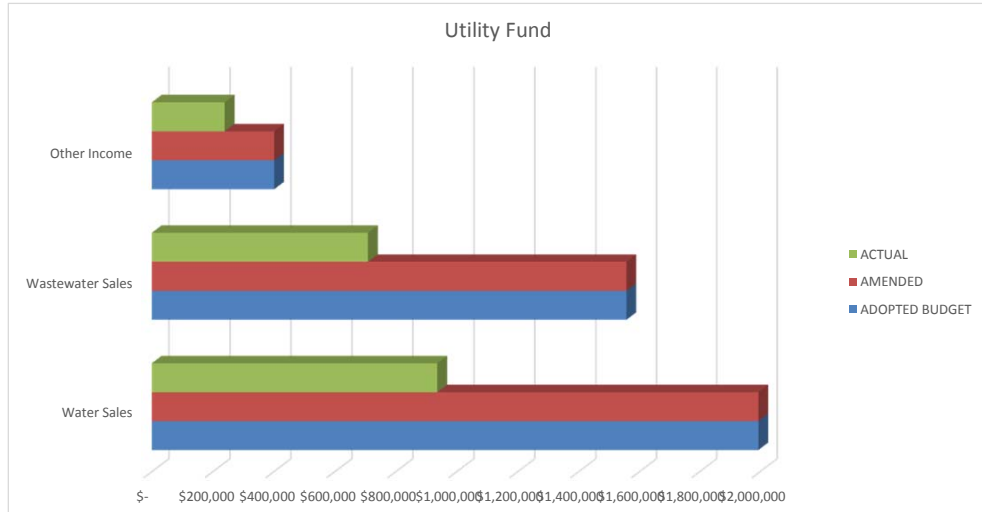
EXPENDITURES:	ADOPTED BUDGET	AMENDED BUDGET	QUATER TO DATE ACTUAL	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
Department No Description	BUDGET	BUDGET	ACTUAL	ACTUAL		ACTUAL
0 NON-DEPARTMENTAL	\$ -	\$ 50,000	\$ 27,471	\$ 49,916	0.17%	\$ 1,832
1 GENERAL ADMINISTRATION	\$ 1,947,046	\$ 1,945,546	\$ 227,445	\$ 438,054	77.48%	\$ 682,291
2 CITY MANAGER	\$ 207,307	\$ 207,307	\$ 49,883	\$ 95,320	54.02%	\$ 78,197
3 FINANCE	\$ 231,986	\$ 231,986	\$ 50,752	\$ 84,325	63.65%	\$ 48,430
4 CITY SECRETARY	\$ 82,466	\$ 82,466	\$ 19,492	\$ 36,207	56.09%	\$ 44,185
5 LIBRARY	\$ 244,100	\$ 244,100	\$ 48,172	\$ 98,373	59.70%	\$ 103,653
7 ECONOMIC DEVELOPMENT	\$ 147,405	\$ 147,405	\$ 37,805	\$ 71,314	51.62%	\$ 63,930
8 MUNICIPAL COURT	\$ 189,157	\$ 189,157	\$ 41,130	\$ 75,317	60.18%	\$ 105,439
9 ANIMAL CONTROL	\$ 56,478	\$ 56,478	\$ 13,628	\$ 25,240	55.31%	\$ 9,406
10 POLICE	\$ 1,808,690	\$ 1,885,632	\$ 495,139	\$ 866,130	54.07%	\$ 827,379
11 FIRE	\$ -	\$ -	\$ -	\$ -		\$ -
12 HUMAN RESOURCES	\$ 77,484	\$ 77,484	\$ 1,024	\$ 1,946	0.05%	\$ 32,926
13 SUPERVISION	\$ -	\$ -	\$ -	\$ -		\$ -
14 FLEET MAINTENANCE	\$ -	\$ -	\$ -	\$ -		\$ -
15 PUBLIC WORKS	\$ 966,906	\$ 938,406	\$ 239,175	\$ 412,614	56.03%	\$ 350,091
16 PARKS	\$ -	\$ -	\$ -	\$ -		\$ -
17 PARKS	\$ 269,912	\$ 249,912	\$ 57,587	\$ 107,726	56.89%	\$ 95,501
18 SWIMMING POOL	\$ 99,846	\$ 99,846	\$ 6,576	\$ 9,485	90.50%	\$ 11,172
20 FLEMING COMMUNITY CENTER	\$ 6,328,784	\$ 6,405,726	\$ 1,315,277	\$ 2,371,966	62.97%	\$ 2,454,432



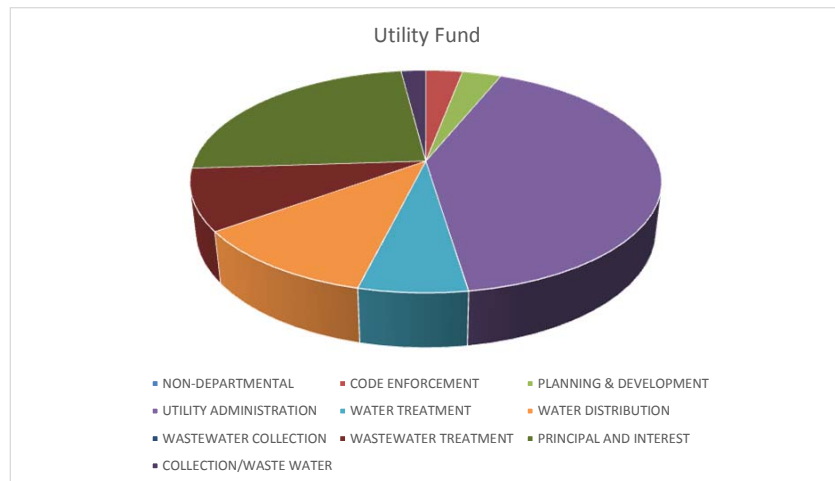
Fund	2
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UTILITY FUND

From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
7500	7500	Water Sales	\$ 1,994,758	\$ 1,994,758	\$ 936,853	53.03%	\$ 929,302
7550	7550	Wastewater Sales	\$ 1,557,417	\$ 1,557,417	\$ 709,350	54.45%	\$ 713,226
7551	9999	Other Income	\$ 401,480	\$ 401,480	\$ 239,222	40.41%	\$ 202,045
Total:			\$ 3,953,654	\$ 3,953,654	\$ 1,885,425	52.31%	\$ 1,844,573



Department No	Description	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
0	NON-DEPARTMENTAL	\$ -	\$ -	\$ -		\$ -
12	CODE ENFORCEMENT	\$ 145,836	\$ 145,836	\$ 52,232	64.18%	\$ 8
21	PLANNING & DEVELOPMENT	\$ 154,898	\$ 154,898	\$ 69,431	55.18%	\$ 72,795
22	UTILITY ADMINISTRATION	\$ 1,950,575	\$ 2,009,802	\$ 896,624	55.39%	\$ 560,559
23	WATER TREATMENT	\$ 304,718	\$ 304,718	\$ 132,028	56.67%	\$ 204,009
24	WATER DISTRIBUTION	\$ 601,919	\$ 542,692	\$ 216,037	60.19%	\$ 254,292
25	WASTEWATER COLLECTION	\$ -	\$ -	\$ -		\$ -
26	WASTEWATER TREATMENT	\$ 432,955	\$ 432,955	\$ 165,112	61.86%	\$ 274,620
27	PRINCIPAL AND INTEREST	\$ 1,166,146	\$ 1,166,146	\$ 354,280	69.62%	\$ 346,015
28	COLLECTION/WASTE WATER	\$ 98,130	\$ 98,130	\$ 27,274	72.21%	\$ -
29	NON-DEPARTMENTAL					
54	NON-DEPT WATER IMPACT					
55	NON-DEPT SEWER IMPACT					
		\$ 4,855,178	\$ 4,855,178	\$ 1,913,019	60.60%	\$ 1,712,298



Fund	3
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GENERAL FUND DEBT SERVICE

From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
4050	8300	Taxes	\$ 1,421,339	\$ 1,421,339	\$ 1,253,622	11.80%	\$ 1,185,387
Total:			\$ 1,421,339	\$ 1,421,339	\$ 1,253,622	11.80%	\$ 1,185,387

EXPENDITURES:		ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
Department No	Description					
0	NON-DEPARTMENTAL	\$ -	\$ -	\$ -		\$ 1,134
30	PRINCIPAL & INTEREST	\$ 1,214,431	\$ 1,214,431	\$ 209,888	82.72%	\$ 210,683
		\$ 1,214,431	\$ 1,214,431	\$ 209,888		\$ 211,817

SPECIAL REVENUE

FUND	From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
4	4001	9999	HOTEL MOTEL TAX FUND	\$ 49,400	\$ 49,400	\$ 21,180	57.13%	\$ 17,002
7	4001	9999	COURT TECHNOLOGY , SECURITY	\$ 13,900	\$ 13,900	\$ 5,097	63.33%	\$ 6,137
11	4001	9999	COMM IMPACT FEES - WATER	\$ 2,600	\$ 2,600	\$ 183,845	-6970.97%	\$ 33,874
12	4001	9999	COMM IMPACT FEES - SEWER	\$ 26,000	\$ 26,000	\$ 136,079	-423.38%	\$ 24,703
70	4001	9999	SUBSCRIBER FEE CABLE FRANCHISE	\$ 6,570	\$ 6,570	\$ 6,771	-3.07%	\$ -
72	4001	9999	RED LIGHT CAMERA FUND	\$ 480,516	\$ 480,516	\$ 433,999	9.68%	\$ 534,317
				\$ 578,986	\$ 578,986	\$ 786,971	-35.92%	\$ 616,034

FUND	EXPENDITURES: Description	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
4	HOTEL MOTEL TAX FUND	\$ 51,410	\$ 51,410	\$ 46,527	9.50%	\$ 23,754
7	COURT TECHNOLOGY , SECURITY	\$ 12,512	\$ 12,512	\$ 1,594	87.26%	\$ 7,264
11	COMM IMPACT FEES - WATER	\$ -	\$ -	\$ 17,570		\$ -
12	COMM IMPACT FEES - SEWER	\$ -	\$ -	\$ -		\$ -
70	SUBSCRIBER FEE CABLE FRANCHISE	\$ 1,800	\$ 1,800	\$ -	100.00%	\$ -
72	RED LIGHT CAMERA FUND	\$ 972,936	\$ 895,994	\$ 336,745	62.42%	\$ 322,493
		\$ 51,410	\$ 51,410	\$ 46,527	9.50%	\$ 23,754

CAPITAL PROJECTS

FUND	From	To	REVENUES:	BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT
44	2900	99000	CAPITAL PROJECTS GENERAL FUND	\$ 7,801,631	\$ (286,158)	103.67%
45	2900	99000	CAPITAL PROJECTS WATER/WASTEWA	\$ 307,664	\$ 40	99.99%
				\$ 8,109,295	\$ (286,118)	

FUND	EXPENDITURES:	BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT
	Description			
44	CAPITAL PROJECTS GENERAL FUND	\$ 1,494,500	\$ 383,111	74.37%
45	CAPITAL PROJECTS WATER/WASTEWA	\$ 4,529,524	\$ 109,907	97.57%
		\$ 6,024,024	\$ 383,111	93.64%



COUNCIL MEETING: May 5, 2015

ITEM: 5. Discussion and action to consider Request for Proposal 2015-01 Vehicle and Equipment Repair and Maintenance Services.

RESOURCE PERSON(S): Laura Schwartz, Purchasing Agent and Finance Assistant
(Pages 90-117)

SUMMARY: Request for Proposal to enter into a three (3) year contract for vehicle and equipment repair and maintenance services.

RECOMMENDATION(S): Recommended to approve Request for Proposal 2015 - 01 Vehicle and Equipment Repair and Maintenance Services.

ATTACHMENT: 1-RFP 2015-01 Vehicle and Equipment Repair and Maintenance Services
2-Attachment One: Vehicle List
3-Attachment Two: Maintenance Guidelines
4-Intent To Award Sample Letter



REQUEST FOR PROPOSALS

2015 - 01

VEHICLE AND EQUIPMENT REPAIR AND MAINTENANCE SERVICES

The City of Elgin (hereinafter called "City"), is requesting proposals from qualified firms to provide for the Vehicle and Equipment Repair and Maintenance Services for the City of Elgin. **Interested firms should visit the City's website at www.elgintx.com to obtain the Request for Proposal package. Packages may also be picked up at the follow location:**

**City Hall
Attn: Laura Schwartz, Purchasing Agent
310 N Main Street
Elgin, TX 78621**

Sealed submittals, including one (1) original and three (3) copies, must be received no later than **noon** on **June 1, 2015** at **310 N Main Street Elgin, TX 78621** and be clearly marked on the outside, "**RFP 2015 – 01 Vehicle and Equipment Repair and Maintenance Services**". Late submittals and electronic submittals will not be accepted.

The City of Elgin reserves the right to accept or reject any and/or all proposals or parts of proposals, to workshop or negotiate any and all proposals, to waive irregularities, and to request re-proposals on the required materials or services.

Kerry Lacy
City Manager

CITY OF ELGIN

RFP # 2015 – 01

VEHICLE AND EQUIPMENT REPAIR AND MAINTENANCE SERVICES

Scope of Work (summary): The work covered by this specification consists of furnishing all material, labor, and equipment to perform all operations necessary in connection with the repair and maintenance of City of Elgin vehicles and equipment.

General Provisions: The successful Contractor(s) must be able to perform general and preventative maintenance and common repair services on vehicles and equipment that include, but are not limited to, brakes, suspension, heating/air conditioning systems, electrical systems, engine, etc. The City's preference is to have a primary Contractor that has the ability to perform all required services if possible. However, work may be sub-contracted or the City may select more than one contractor. When sub-contractors are used, the Contractor is primarily responsible for performance including, but not limited to, billing, reporting, scheduling, delivery, work quality, and warranty.

Quality Assurance: The City of Elgin may inspect work and reject unsatisfactory or defective material or work at any time during progress of work. The Contractor is expected to correct any deficiencies as soon as possible after notification.

Award of Contract and Disputes: The City of Elgin reserves the right to accept or reject any and/or all proposals or parts of proposals, to waive any informality, irregularities, or technicalities, to re-advertise for proposals, or take any other actions that may be deemed to be in the best interests of the City. The City also reserves the right to award the Contract on a split order basis, group by group, or item by time, or such combination as will best serve the interests of the City. The City also reserves the right to waive minor variations to the specifications (interpretation of such to be made by the applicable department personnel). Final determination and award of contract(s) shall be made by the City Council. In addition, each bidder agrees to waive any claim it has or may have

against the City and the respective employees, arising out of or in connection with the administration, evaluation, or recommendation of any proposal.

SCOPE OF WORK (detailed)

General Provisions: The successful contractor must be able to perform general and preventative maintenance and common repair services on vehicles and equipment that include, but are not limited to, brakes, suspension, heating/air conditioning systems, electrical systems, engine, etc. The City's preference is to have a primary Contractor that has the ability to perform all required services. However, work may be sub-contracted. When sub-contractors are used, the Contractor is primarily responsible for performance, including but not limited to, billing, reporting, scheduling, delivery, work quality, and warranty.

The Contractor must have the ability to provide required preventative maintenance and repair services listed below:

A. Preventative Maintenance

The City vehicles are routinely driven short distances with frequent starts/stops; and for long idle periods. The average annual usage is approximately 10,000 miles for general purposes vehicles. Refer to Attachment II: Scheduled Maintenance for Elgin Police Vehicles for a detailed guideline.

B. Repairs and Maintenances

Provide service/repairs to all common mechanical and electrical systems as needed.

C. Transport of Vehicles for Service

- Contractor is responsible for transport (pickup and delivery) of vehicles for all preventative and scheduled services from the primary work site of said vehicles located within Elgin city limits.

- For non-scheduled emergency service contractor is responsible for courtesy transportation for customer to and from City facilities or other locations within City limits.
- For vehicles not drivable an additional towing charge may be billed upon approval of authorized City staff.

D. Conditions on Required Services

- 24-hour turn-around on common repairs (including brakes, etc.) and routine maintenance.
- Provide adequate inventory on special parts to ensure minimum turn-around on non-common repairs.
- Wash and vacuum vehicle after each service.

E. Repair Order Content and Procedure

The Contractor shall provide repair orders for all services provided containing the following information:

- Repair estimates with anticipated work to be performed, estimated completion time, and estimate cost signed by City staff upon pick-up/drop-off. A confirming copy with final cost shall be mailed to City upon completion, and a billing copy shall be sent to the City with the monthly statement.
- Actual work/cost above written estimate requires City approval prior to work start.
- Authorization of work by City's designated Purchasing Agent or designee is required for all repair orders.
- Individual vehicle charges shall be submitted on separate repair orders for each service visit. The repair order must include:
 - Date work performed
 - Vehicle and/or license #, make/model
 - Vehicle mileage at time of service/repair

- Date in/ date out/ time completed
 - Detail type of service, hours, material used, and cost associated with each
 - Sub- contracted repair orders containing same information shall be attached to contractor repair order.
-
- The Contractor guarantees and warrants that all material furnished and all services performed under said contract will be free from defects in material and workmanship and will conform to the requirements of this contract for a period of 90 days or 4,000 miles, whichever occurs first. The Contractor shall remedy all such defects at his/her own expense within two (2) working days after notification by the City's Purchasing Agent.
 - Warranty and subcontracted repair orders need to be provided by the Contractor. Contractor is prime contractor; however, subcontractors may be used by Contractor. Contractor assumes responsibility for work of subcontractors. The charges for such services to the City shall be the amount of the subcontractor's invoice for services performed, or the contract price, whichever is less.

F. Hours of Operation

The City has a number of services that are active on a 24/7 basis and desire the most comprehensive hour coverage possible. Please identify normal business hours, and emergency business hours if available.

G. Quarterly Reports of Repairs/Maintenance

The Contractor shall submit one (1) hard copy and one (1) copy of an electronic file (Microsoft Excel preferred) quarterly report listing all repairs and maintenance performed on each vehicle within 30 calendar days at the end of each quarter.

- Work order number, vehicle number, and mileage at time of service
- Service order, date, and time
- Service completion, date, and time

- Vehicle pick-up and return, date, and time
- Service provided and cost (breakdown by labor and material)

EVALUATION OF PROPOSALS – SELECTION CRITERIA

<u>Criteria</u>	<u>Weight</u>
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1. Price.....	50%
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Contractor should complete section 13 of the attached agreement and submit as part of their Request for Proposal (RFP). Price will be evaluated once the other two criteria listed below are completed.

2. Ability, experience, financial resources, location, availability.....	30%
--	-----

History of successfully completing contracts of this type, location of company and ease of access, meeting projected deadlines, and experience in similar work; location; hours of operation; the character, integrity, reputation, judgment and efficiency of the Contractor. The City may ask to inspect proposer's facilities as part of this evaluation.

3. Responsiveness of the written proposal.....	20%
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Completeness and clarity of all required submittal information contained in RFP package and any supplemental information provided by Contractor that will demonstrate the quality of services. All addenda must be acknowledged as well.

Total Criteria Weight.....100%

Each proposal will be independently evaluated on Factors 1 through 3.

Attached is a list of all City vehicles that shall be maintain under this bid/contract. Changes to the list, such as additional vehicles and equipment, may be made at any time. Please see Attachment A: Vehicle Log.

AGREEMENT FOR PROFESSIONAL SERVICES

Vehicle Maintenance and Services

THIS AGREEMENT, made and entered into on the ____ day of _____, 2015 by and between the City of Elgin, Bastrop County, Texas, party of the first part (hereinafter call "CITY"), and _____, party of the second part (hereinafter called "CONTRACTOR";

RECITALS:

The CITY wants to engage the CONTRACTOR to perform certain professional services as described in the Agreement in specific accordance with the Contractor's Fee Schedule and with SECTION 2, Scope of Services. The CONTRACTOR wants to provide such Specified Services in connection with the Maintenance and Repair of the CITY's Vehicles and Equipment.

In consideration of the mutual covenants set forth in this Agreement, the parties agree as follows:

SECTION 1. DEFINITIONS

- A. Repairs: Shall mean any non-warranty or non-emergency repairs.
- B. City Vehicle and Equipment: Shall mean any City owned or leased vehicle and/or equipment for which the City is responsible for providing maintenance.
- C. Town: Shall mean the City of Elgin, Bastrop County, Texas.
- D. City's Representative: The City's representative for the administration of this agreement shall be the City Manager or his/her designee.
- E. Contractor: The Company selected to perform commercial City Vehicle Repair and Maintenance Services, other than warranty repairs or emergency repairs.

SECTION 2. SCOPE OF SERVICES

This AGREEMENT is a franchise to do all commercial City Vehicle and Equipment Repair and Maintenance Services, other than warranty repairs or emergency repairs.

SECTION 3. TERM

- A. The duration of this AGREEMENT shall be three (3) years from the date of signing of the AGREEMENT by all parties
- B. This AGREEMENT may be extended for one (1) subsequent year by mutual written consent of both parties given ninety (90) days prior to the expiration of the AGREEMENT.

SECTION 4. ASSIGNMENT

This AGREEMENT shall not be assignable by the CONTRACTOR.

SECTION 5. PROHIBITION AGAINST CONTINGENT FEES

The CONTRACTOR warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR, to solicit or secure this AGREEMENT, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the CONTRACTOR any fee, commission, percentage, gift or any other consideration, contingent upon or resulting from the award or making of this AGREEMENT unless approve by the City Manager.

SECTION 6. TERMINATION

This AGREEMENT may be terminated by the CITY upon five (5) days' written notice with or without cause and by the CONTRACTOR upon thirty (30) days' written notice with or without cause. If this AGREEMENT is terminated, the CONTRACTOR shall be paid in accordance with the provisions of SECTION 13 of this contract for all acceptable work performed up to the date of termination.

SECTION 7. LOCATION

The actual repair facility shall be located either within the corporate limits of the City of Elgin or no further than twenty (20) miles outside such limits. Timely and efficient access to the maintenance facility by being located closer to the City may be a consideration in award of this contract.

SECTION 8. ADMINISTRATION

Any and all forms, records and reports required by this AGREEMENT shall be of a form and nature determined by the CITY and shall be maintained or provided in whatever manner dictated by the CITY. Such records as may be required to be maintained by the CONTRACTOR, including repair invoices broken down by vehicle number, labor, and parts charges, shall be open to inspection by the CITY, without notice, at any time during normal business hours.

All reports required pursuant to this AGREEMENT shall be maintained by the CONTRACTOR and are subject to inspection for at least one (1) year after the termination date of this AGREEMENT. The service records are to be kept by vehicle number for the duration of the contract with copies provided to the CITY with each invoice.

SECTION 9. SERVICE AVAILABILITY

The CONTRACTOR shall provide Vehicle and Equipment Repair Services a minimum of five (5) days a week, for at least 8:00 a.m. to 5:00 p.m. on normal business weekdays and preferably 9:00 a.m. to 1:00 p.m. on normal business Saturdays. Specify the hours and days that service is provided.

DAYS OF SERVICE _____

HOURS OF SERVICE _____

SECTION 10. INSURANCE REQUIREMENTS

During the term of this AGREEMENT the CONTRACTOR shall be required to maintain the following insurance coverage:

Bodily Injury	\$250,000 each person
Bodily Injury	\$500,000 each accident
Property Damage	\$100,000 each occurrence
Automobile Liability	\$100,000 each person
Property Damage (Fire/Theft)	\$100,000 each accident

Garage Keepers Liability \$1,000,000 each occurrence

Workers' Compensation As required by law employer's liability \$500,000 each employee, each accident and / \$500,000 policy limit for disease.

Completed Operations Coverage \$1,000,000 each occurrence

SECTION 11. APPEALS

The City Manager or designee, shall serve as the CITY's Representative in all matters concerning the administration of this AGREEMENT. Any disputes concerning the legitimacy of charges under this AGREEMENT may be appealed to the CITY's Representative who shall be authorized to resolve them and whose decision shall be final. Nothing in this provision shall preclude any party from appealing any decision of the CITY's Representative to a court of competent jurisdiction.

SECTION 12. PERFORMANCE REQUIREMENTS

The CONTRACTOR shall be required to:

- A. Comply with all of the terms and conditions of this AGREEMENT.
- B. Maintain accessibility to the maintenance facility pursuant to the requirements of this AGREEMENT.
- C. Maintain the same level of performance as proposed in the proposal throughout the term of the contract.
- D. Maintain all vehicles per manufacturers suggested service intervals using only factory recommended parts and products.
- E. Earn and retain their ASE (Automotive Service Excellence) certification.

SECTION 13. FEES

The CONTRACTOR shall agree to bill the CITY on a monthly basis, detailing the specific services provided, for the collection of all authorized fees allowable under this AGREEMENT.

Copies of all signed invoices must be submitted with this bill. The original invoice must be kept on file by the contractor pursuant to SECTION 8.

The CONTRACTOR agrees that the following schedule of fees shall be the maximum amount which the CONTRACTOR may charge for Vehicle and Equipment Repair and Maintenance Services provided by CONTRACTOR as set forth in this AGREEMENT.

CONTRACTOR'S SCHEDULE OF FEES

OIL CHANGE

\$ _____

Must include:

- Change the vehicle's oil with required by manufacturer quarts of top quality motor oil*
- Replace the oil filter with top quality filter*
- Inspect the wiper blades, and fluids, and replace if needed (do not include price of parts)
- Vacuum the interior floors
- Clean the exterior windows
- Lubricate all grease fittings (if needed)
- Check & fill (if needed) brake fluid
- Check & fill (if needed) transmission / transaxle fluid
- Check & fill (if needed) differential and coolant fluid
- Check & fill (if needed) power steering fluid
- Check & fill (if needed) windshield wash fluid
- Check & fill (if needed) battery water
- Check & inflate the tires to proper pressure and condition
- Rotate & balance tires
- Check all exterior lights

***Both must meet manufacturer recommendations. Specify product details in proposal. This proposal will include all disposal and environmental fees.**

OTHER MAINTENANCE (Include any and all shop supply fees & labor costs)

REPLACEMENT OF PVC VALVE \$ _____

REPLACEMENT OF FUEL FILTER \$ _____

REPLACEMENT OF BRAKES / BRAKE PARTS

- Front Slotted Disc Brakes (full: all parts and labor) \$ _____
- Rear Disc Brakes (full: all parts and labor) \$ _____

- Rear Drum Brakes (full: all parts and labor) \$ _____
- Turn Brake Drums (per pair) \$ _____
- Turn / Cut Rotors (per pair) \$ _____
- Replace Rotors (per pair; full: all parts and labor) \$ _____
- Rebuild Wheel Cylinders (each) \$ _____
- Rebuild Master Cylinder \$ _____
- Flush Brake Fluid \$ _____

REPLACEMENT OF AIR FILTER \$ _____

RADIATOR FLUSH (Include fluid) \$ _____

AIR CONDITIONING SERVICE (Include 1 lb. of Freon) \$ _____

SERPENTINE BELT REPLACEMENT \$ _____

TRANSMISSION (Drain/Replace Fluid/Replace Filter) \$ _____

TUNE-UP (Including Plugs) (any and all shop fees & labor cost)

- Specify price when bidding for each

Four (4) cylinder

\$ _____

Six (6) cylinders	\$ _____
Eight (8) cylinder	\$ _____
Diesel motors (international engines)	\$ _____

BATTERY (HD) – HEAVY DUTY

- Replacement \$ _____
(Must meet manufacturer AMP specifications for vehicle)
- On-board diagnostic inspections \$ _____

ALTERNATOR REPLACEMENT \$ _____

ALIGNMENTS

- Front Pair (2 Wheel) \$ _____
- Rear Pair (2 Wheel) \$ _____
- Front and Rear (4 Wheel) \$ _____

SHOCKS

- Front \$ _____
- Rear \$ _____

TIRES

- Repair (specify type of repair: interior patch or equivalent) \$ _____
- Remove & Replace \$ _____
- Balance \$ _____
- Rotate (with inspection of brakes) \$ _____
- Road repair service for tire repairs/replacement \$ _____

COMPUTER DIAGNOSTIC ASSESSMENT \$ _____

LABOR RATE/HOUR FOR NON-LISTED REPAIRS \$ _____

EMERGENCY ROAD SERVICE-DURING NORMAL
BUSINESS HOURS \$ _____

EMERGENCY TOWING CHARGE (Flat Rate) \$ _____

PERCENTAGE DISCOUNT OFF LIST PRICE OF PARTS _____%

SECTION 14. SERVICE LEVEL

The CONTRACTOR agrees to provide services according to the vehicle manufacturer's recommended service levels.

SECTION 15. SPECIAL SERVICE

Specify any special service provided to expedite the maintenance of repairs of police vehicles such as priority service, pickup and delivery, etc.

SECTION 16. LICENSING

The CONTRACTOR must maintain a current occupational license to conduct a vehicle repair facility in the jurisdiction where the maintenance facility is actually located and comply with any requirements of such license.

SECTION 17. ENTIRE AGREEMENT

This AGREEMENT, together with all pertinent documentation including bid specifications and related materials, shall constitute the entire agreement which may only be amended or modified upon written agreement between the parties.

SECTION 18. WARRANTIES OF CONTRACTOR

The CONTRACTOR hereby warrants and represents that at all times during the term of this AGREEMENT it shall maintain in good standing all required licenses,

certifications, and permits required under Federal, State, and local laws necessary to perform the Specified Services.

CONTRACTOR:

Phone: _____ Fax: _____

SECTION 14. INDEMNIFICATION

The parties agree that 1% of the total compensation paid to the Contractor for the performance of this agreement shall represent the specific consideration for the Contractor's indemnification of the City as set forth in this Section and in the Terms and Conditions.

To the fullest extent permitted by Law and Regulations, Contractor shall indemnify and hold harmless the City and their consultants, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect or consequential (including, but not limited to, fees and charges of attorneys and other professionals and court costs) arising out of or resulting from the performance of the work, provided that any such claim, damage, loss or expense (a) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property (other than the work itself) including the loss of use resulting there from and (b) is caused in whole or in part by any willful and wanton or negligent or gross negligent acts or omission of Contractor, any subcontractor, any person or organization directly or indirectly employed by any of them to perform

or furnish any of the work or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder or arises by or is imposed by Law and Regulations regardless of the negligence of any such party.

SECTION 15. GOVERNING LAW

The law of the State of Texas shall govern the contract between the City of Elgin and the successful bidder and any action shall be brought in Bastrop County, Texas. In the event of litigation to settle issues arising hereunder, the prevailing party in such litigation shall be entitled to recover against the other party its cost and expenses, including reasonable attorney fees, which shall include any fees and cost attributable to appellate proceedings arising on and of such litigation.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Agreement upon the terms and conditions about stated on the day and year first above written.

CONTRACTOR

TOWN:

CITY OF ELGIN

Kerry Lacy, City Manager

310 N Main St

Elgin, TX 78621

Phone: _____ Fax: _____

By: _____

By: _____

Kerry Lacy

City Manager

Attest: _____

By: _____

Lucretia Alvarez

City Secretary

Technical Expertise and Specialized Equipment: As a part of the evaluation of this proposal, the effectiveness of the equipment or techniques being proposed to do this service shall be evaluated by the City's Representative. Please specify the number of maintenance employees, any special certifications or ratings that they have and any special equipment that is available to service City Vehicles such as electronic service monitors, diagnostic scanners/computers, front end alignment equipment, etc.

References: All qualified bidders must submit a list of at least three firms, organizations, or major customers to which they have supplied Vehicle Maintenance Services on a regular basis within the past three years. Along with this information should be supplied the names, addresses, and phone numbers of each reference listed.

Reference#1:

Reference#2:

Reference#3:

Any other information that is relevant to the selection criteria described the RFP may be attached to this document.

CITY OF ELGIN
ADDENDUM ACKNOWLEDGEMENT FORM

Addendum #

Date Received

Bidder:

(Company Name)

(Signature)

(Printed Name & Title)

RFP 2015 - 01**Attachment A: Vehicle Log**

YEAR	MAKE	MODEL	VIN #	DEPARTMENT
2011	Ford	F250 Pickup	0650	Animal Control
2010	Ford	F150 1/2 Ton Pickup	3944	Code Enforcement
1982	Chevrolet	C30 1 TON Pickup	1499	Maintenance
2014	Ford	F150 Pickup	9188	Planning & Development
2000	Mercury	Grand Marquis	6659	Police
2004	Ford	LTD Crown Victoria	4708	Police
2007	Dodge	Charger	0827	Police
2007	Dodge	Charger	0830	Police
2009	Ford	Crown Victoria	0369	Police
2009	Ford	Crown Victoria	0370	Police
2009	Ford	Crown Victoria	0371'	Police
2009	Ford	Crown Victoria	0372	Police
2010	Ford	Crown Victoria	5276	Police
2010	Ford	Crown Victoria	5277	Police
2010	Ford	Crown Victoria	5278	Police
2011	Chevrolet	Tahoe	7514	Police
2011	Chevrolet	Tahoe	8210	Police
2013	Ford	Explorer	3575	Police
2014	Ford	Explorer	4647	Police
2014	Ford	Explorer	1029	Police
1990	International	Truck	4036	Public Works
1993	GMC	Dump Truck	7069	Public Works
2002	Ford	F450 Pickup	8100	Public Works
2007	Ford	F150 1/2 Ton Pickup	7133	Public Works
2008	Ford	F150 1/2 Ton Pickup	3749	Public Works
2012	Ford	F250 Pickup	9932	Public Works
2014	Freightliner	Dump Truck	7575	Public Works
2014	Ford	F450 Pickup	7660	Public Works
2009	Freightliner	Dump Truck	2760	Utility
2010	Ford	F150 Super Cab Pickup	9747	Utility
2010	Ford	F150 Super Cab Pickup	9748	Utility
2015	Ford	F250 Super Duty Pickup	5698	Utility
2011	Freightliner	M2 106	6697	Wastewater

RFP 2015 - 01**Attachment A: Vehicle Log**

YEAR	MAKE	MODEL	VIN #	DEPARTMENT
2003	Ford	F250 Pickup	3714	Water
2003	Ford	F450 Pickup	4689	Water
1996	Ford	F350 1 Ton Pickup	1898	Water Distribution
2009	Ford	F150 1/2 Ton Pickup	7784	Water Treatment
2012	Ford	F250 Pickup	6335	Water / Wastewater
2012	Ford	F250 Pickup	8490	Water / Wastewater
2012	Ford	F450 Pickup	9266	Water / Wastewater

RFP 2015 – 01

Attachment II: Scheduled Maintenance for Elgin Police Vehicles



When performing preventative maintenance to Police Vehicles

The following guide list will be adhered to:

• **Every 3,000 miles:**

Check/Inspect: (replace as needed)

- ☐ Function of all interior and exterior lights (note emergency lights out below)
- ☐ Tires for wear and proper inflation
- ☐ Fluids (including transmission, coolant, differential, power steering, brake, windshield washer, battery). Top off as needed.
- ☐ Accessory drive belt for wear
- ☐ Safety warning lights (brake, ABS, air bag, safety belt, check engine) for operation.
- ☐ Battery connections and terminals and clean if needed.
- ☐ Air filter. Replace as needed.
- ☐ Lap belt/shoulder belt and seat latches for wear and function
- ☐ Air pressure in spare tire
- ☐ Wiper spray, wiper operation and wear. Clean wiper blades.
- ☐ Parking brake for operation. Inspect parking brake system. Adjust as needed.
- ☐ Brake pads for wear, caliper operation, rotors for wear. Replace as necessary.
- ☐ Brake and fuel lines & hoses.
- ☐ All door weather strips, hinges, latches and outside locks. Lubricate as needed.
- ☐ Lubricate chassis as needed.
- ☐ Engine coolant system and hoses.
- ☐ Inspect steering linkage, suspension, driveshaft, universal joints, and ball joints. Replace / lubricate as necessary.
- ☐ Inspect air conditioning system. Service as needed.
- ☐ Inspection due: _____ (date) Registration due (if applicable): _____

Change:

- | | | | |
|--|-------------|---------------------------------------|-------------|
| ☐ Engine oil filter | Type: _____ | ☐ Engine oil | Type: _____ |
| ☐ Fuel filter | Type: _____ | ☐ Rotate Tires | |

• **Every 30,000 miles, ADD these items:**

- | | |
|---|---|
| ☐ Service transmission | ☐ Service differential |
| ☐ Inspect exhaust system and heat shields | ☐ Replace PCV valve |
| ☐ Replace axle lubrication at 100,000 miles. | ☐ Flush radiator |

CITY OF ELGIN

NOTICE OF INTENT TO AWARD



TO: _____

Contractor

Address

ATTN: _____

Name and Title

PROJECT: **VEHICLE AND EQUIPMENT REPAIR AND MAINTENANCE SERVICES**

To Whom It May Concern:

This is to advise that the City of Elgin intends to award the Agreement for the above referenced Project as a result of your Bid of _____ (\$_____) submitted to the City of Elgin on May 29th, 2015.

Two (2) sets of agreement Documents for this Project are attached. Each set contains an unexecuted Agreement and the requirement for providing the Performance Bond for the Project. Please execute all copies of the Agreement and attach a copy of the Performance Bond to each Agreement and return to our office within ten (10) consecutive days for final execution by the City.

Thank You,

Kerry Lacy

City Manager



COUNCIL MEETING: May 5, 2015

ITEM: 6. Discussion and action to consider Request for Qualifications 2015-02 Financial Audit Services.

RESOURCE PERSON(S): Laura Schwartz, Purchasing Agent and Finance Assistant
(Pages 118-136)

SUMMARY: Request for Qualifications (RFQ) 2015 - 02 for Financial Audit Services is to ensure that every five (5) years the City meets it's requirement to go out for bids for Auditing Services in the interest of independence and objectivity.

RECOMMENDATION(S): To accept and approve RFQ 2015 -02 Financial Audit Services.

ATTACHMENT: 1-RFQ 2015-02 Fiinancial Audit Services

CITY OF ELGIN

REQUEST FOR QUALIFICATIONS 2015 - 02 FINANCIAL AUDIT SERVICES



The City of Elgin (hereinafter called “City”), is requesting Qualification Statements from independent certified public accounting firms to provide Professional Audit Services. The information contained within this document is intended to provide interested firms with the requirements and criteria that will be used to make the selection.

One (1) reproducible original and three (3) copies of the response, including all required forms and applicable supporting documentation are required.

Responses must be received no later than **noon on May 22, 2015**. The responses must be sealed when submitted. The response material must be addressed and delivered to:

City of Elgin
Attn: Laura Schwartz, Purchasing Agent
310 North Main St.
Elgin, TX 78621

The outside of the envelope or container must state **“RFQ 2015 – 02 Financial Audit Services”**. Qualification Statements received after the above date and time will not be considered.

It is understood that the City of Elgin reserves the right to accept or reject any/or all responses to this Request for Qualifications (RFQ) as it shall deem to be in the best interest of the City. Receipt of any Qualification Statements shall be received and acknowledged only so as to avoid disclosure of the contents to solicited vendors and kept secret during the evaluation/negotiation process.

However, all documentation shall be open for public inspection after a contract is awarded, except for trade secrets and confidential information so identified by firms. All confidential information should be clearly marked in red. City of Elgin cannot guarantee that trade secrets or information designated as confidential will be exempt from disclosure under the Public Information Act. However, should disclosure of such information be sought, the City will promptly notify the firm involved so that it may take steps to prevent disclosure. In addition, the City may also resist disclosure if reasonable grounds exist under the Public Information Act for doing so.

Qualification Statements will be presented to the City of Elgin City Council (hereinafter called “Council”), on June 2, 2015 at 7:00 p.m. Council will either reject or make the final selection and approve the proposed contract July 7, 2015 at 7:00 p.m.

The Council will evaluate responses to this RFQ using three sets of criteria: 1) mandatory elements, 2) technical qualifications, and 3) price. Firms meeting the mandatory criteria will have their responses evaluated for both technical qualifications and price.

Initial selection shall be based on the following mandatory criteria:

- a. The firm is independent and licensed to practice in Texas.
- b. The firm has no conflict of interest with regard to any other work performed by the firm for the City.
- c. The firm must have the ability to conduct the audit in the timeframe required.
- d. The firm must have a continuing professional education program in state and local government accounting, auditing, and financial reporting.

After the Council makes its initial selection of firms meeting the mandatory criteria, Qualification Statements will be evaluated for both technical qualifications and price.

If the City is unable to negotiate a satisfactory contract with the highest ranked firm, the City shall formally end negotiations with that firm and begin negotiations with the second most highly ranked firm. Negotiations shall be undertaken in this sequence until a contract is mutually agreeable.

The following represent the principal selection criteria that will be considered during the evaluation process.

1. Mandatory Elements

- a. The firm is independent and licensed to practice in Texas.
- b. The firm has no conflict of interest with regard to any other work performed by the firm for the City.
- c. The firm must have the ability to conduct the audit in the timeframe required. Audits must be completed within four (4) months of the fiscal year end.

- d. The firm must have a continuing professional education program in state and local government accounting, auditing, and financial reporting.

2. Technical Qualifications

a. Experience and Expertise

- The firm's past experience and performance on comparable government engagements
- The firm's past experience and performance on engagements involving the GFOA Certificate of Achievement for Excellence in Financial Reporting program
- The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation
- The firm's past experience and performance auditing similar federal or state financial assistance programs
- Computer expertise with similar hardware and/or software

b. Audit Approach

- Adequacy of proposed staffing plan for various segments of the engagement
- Adequacy of analytical procedures
- Adequacy of approach to internal control structure understanding
- Adequacy of sampling techniques

3. Price

Price will not be the primary factor in the selection of an audit firm.

1. GENERAL INFORMATION

- a. The City is seeking the services of qualified independent firms of certified public accountants to audit its Consolidated Annual Financial Statements and to perform the

Single Audits, if required, for the City for the 2015 fiscal year, and four (4) consecutive years, with an option to renew in one-year periods as is deemed to be in the best interest of the City. Multi-year contracts are subject to approval by the Council. The City's fiscal year begins on October 1 and ends on September 30.

- b. The City provides the following services to its citizens: public safety, judicial, road and bridge, public facilities, health and welfare, environmental protection, elections, extension services, financial administration, and administrative services.
- c. More detailed information on the City can be found in the 2014 City of Elgin Comprehensive Annual Financial Report (CAFR) at www.elgintx.com as well as the City's 2014 operation budget.
- d. Thirty (30) copies of the CARF's are needed, as well PDF format, upon completion of each annual audit.

2. SCOPE OF SERVICES REQUESTED

The following Scope of Work is to be provided by the successful proposer:

- a. The City's general purpose financial statements will be audited in accordance with generally accepted auditing standards promulgated by the Governmental Accounting Standards Board (GASB) and *Generally Accepted Government Auditing Standards* issued by the Comptroller General of the United States, the provisions of the federal Single Audit Act Amendments of 1996 and the provisions of U.S. Office of Management and Budget (OMB) Circular A-133 *Audits of States, Local Governments, and Non-Profit Organizations*. The independent auditor will express an opinion concerning whether the general purpose financial statements present fairly, in all material respects, the financial position of the City and the results of operations and the cash flows of proprietary fund types for the year then ended are in conformity with generally accepted accounting principles as promulgated by GASB.
- b. In accordance with *Generally Accepted Government Auditing Standards*, the independent auditor will consider the City's internal control structures over financial reporting and assess control risk. It is recognized that management of the City is responsible for establishing and maintaining internal control structure.
- c. Reports to be issued:

Following the completion of the audit of the fiscal year's financial statements the independent auditor will be required to issue separate reports for the City as follows:

- A report on the fair presentation of the financial statements in conformity with generally accepted accounting principles.
- A report on the internal control structure based on the independent auditor's understanding of the control structure and assessment of control risk.
- A report on compliance with applicable laws and regulations.
- A report on the schedule of expenditures of federal and state financial assistance.
- A report on the internal control structure used in administering federal and state financial assistance programs.
- A report on compliance with laws and regulations related to major and non-major federal programs. This report should include an opinion on compliance with specific requirements applicable to major federal and state financial assistance programs, a report on compliance with general requirements applicable to major federal and state financial assistance programs, and a report on compliance with laws and regulation applicable to non-major federal and state financial assistance program transactions.
- A report on component units.

In the required reports on internal controls, the independent auditor shall communicate any reportable conditions found during the audit. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure which could adversely affect the organization's ability to record, process, summarize, and report financial data consistent with the assertion of management in the financial statements.

Non-reportable conditions discovered by the independent auditors shall be reviewed with management as an exit interview.

The reports on compliance shall include all material instances of noncompliance.

d. *Irregularities and illegal acts.* The independent auditors shall be required to make an immediate written report of all irregularities and illegal acts or indications of illegal acts of which they become aware to the City Auditor.

e. Special Considerations

- The independent auditor will be required to present the City audit report to the Council during a regularly scheduled meeting.
- The City currently anticipates it will prepare one or more official statements in connection with the sale of debt securities that will contain the general purpose financial statements and the independent auditor's report thereon. The independent auditor may be asked to supply a confirmation letter as to debt service coverage or necessary "comfort letters."
- The City may require the independent auditor's assistance to comply with new reporting requirement mandated by GASB.
- The independent auditor shall submit a list of current customers using a continuous audit approach with names and phone numbers of contacts. The independent auditor shall also disclose procedures that are covered in the continuous audit.

3. CONTENTS OF QUALIFICATION:

- A Letter of Interest, including a brief description of the firm's strengths to perform the work successfully
- The completed Request for Qualifications
- Response to the Additional Selection Submittals

In addition, firms may include any other supporting documentation that they wish to submit for review, not to exceed ten pages. All submittal materials shall be unbound and on 8.5 inch by 11 inch paper. Firms proposing sub-consultants should limit their description of each proposed sub-consultant to one-half page.

4. SCHEDULE FOR SELECTION PROCESS

RFQ documents released	May 6, 2015
Legal Advertising for RFQ	May 12, 2015
	May 19, 2015
Receipt of RFQ's and opening	May 22, 2015
Presentation to Council	June 2, 2015
Contract Approval	July 7, 2015

Requests for information regarding contractual matters related to this RFQ or information regarding scope of services related to this RFQ should be made in writing to:

Laura Schwartz
Purchasing Agent/Finance Assistant
City of Elgin
310 N Main Street
Elgin, TX 78621
(512) 229-3218
lschwartz@ci.elgin.tx.us

5. RIGHT OF CITY TO REQUEST FURTHER DOCUMENTATION

The City reserves the right to request any further documentation that it deems appropriate and necessary for the review and award process, including financial statements, during both the initial RFQ review process and the negotiation/award/appointment phase.

The City expressly reserves the right to cancel this RFQ at any time, to elect not to award any or all of the contracts cited in the RFQ, to reject any or all RFQs, to waive any informality or irregularity in any statement received, and to be the sole judge of the merits of the respective RFQ received.

CITY OF ELGIN

RESPONSE TO RFQ
Audit of Annual Financial Statements

Firms must complete each of the following items in order to be considered.

1. FIRM NAME:

2. BUSINESS ADDRESS:

3. TELEPHONE NUMBER:

FAX NUMBER

EMAIL ADDRESS:

Website:

4. TYPE OF ORGANIZATION: (CHECK ONE)

- | | |
|------------------------|-----|
| a. SOLE PROPRIETORSHIP | () |
| b. PARTNERSHIP | () |
| c. CORPORATION | () |
| d. JOINT VENTURE | () |

5. PRINCIPALS OF FIRM:

	NAME	DEGREE OR CERTIFICATION	INSTITUTION
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____

SUBMITTED BY:

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Firm Name: _____ Tel #: _____

Address: _____ State: _____ Zip: _____

PRIVACY NOTIFICATION

The principal purpose for requesting the information on this form is for use in the selection process for professionals approved by the City.

Furnishing all information requested on this form is mandatory. Failure to provide such information will delay or even prevent completion of the action for which the form is being filled out. Information on this form will be used by the City and Council in the consideration of approval of professionals.

If you consider any portion of your response to this RFQ to be privileged or confidential by statute or judicial decision, including trade secrets and commercial or financial information, clearly identify those portions in red.

Responses to this RFQ will be opened in a manner that avoids disclosure of the contents to competing offerors and keeps the Qualification Statement secret during negotiations. All responses are open for public inspection after the contract is awarded, but trade secrets and confidential information in the Request for Qualifications are not open for inspection.

The City will honor your notations of trade secrets and confidential information and decline to release such information initially, but please note that the final determination of whether a particular portion of your proposal is in fact a trade secret or commercial or financial information that may be withheld from public inspection will be made by the Texas Attorney General or a court of competent jurisdiction. In the event a public information request is received for a portion of your proposal that you have marked as being confidential information, you will be notified of such request and you will be required to justify your legal position in writing to the Texas Attorney General pursuant to Section 552.305 of the Government Code. In the event that it is determined by opinion or order of the Texas Attorney General or a court of competent jurisdiction that such information is in fact not privileged and confidential under Section 552.110 of the Government Code and Section 262.049 of the Local Government Code, then such information will be made available to the requester.

Marking your entire proposal CONFIDENTIAL/PROPRIETARY is not in conformance with the Texas Open Records Act.

ADDITIONAL SELECTION SUBMITTALS AND DESCRIPTION OF SELECTION CRITERIA

The Evaluation Committee will evaluate responses to this RFQ using three sets of criteria: 1) mandatory elements, 2) technical qualifications, and 3) price. Firms meeting the mandatory criteria will have their responses evaluated for both technical qualifications and price. The following represent the principal selection criteria that will be considered during the evaluation process.

1. Mandatory Elements

- a. The firm is independent and licensed to practice in Texas.
- b. The firm has no conflict of interest with regard to any other work performed by the firm and the City.
- c. The firm must have the ability to conduct the audit in the timeframe required.
- d. The firm must have a continuing professional education program in state and local government accounting, auditing, and financial reporting.

2. Technical Qualifications

a. Experience and Expertise

- The firm's past experience and performance on comparable government engagements
- The firm's past experience and performance on engagements involving the GFOA Certification of Achievement for Excellence in Financial Reporting program
- The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for technical consultation
- The firm's past experience and performance auditing similar federal or state financial assistance programs

- Computer expertise with similar hardware and/or software

b. Audit Approach

- Adequacy of proposed staffing plan for various segments of the engagement
- Adequacy of analytical procedures
- Adequacy of approach to internal control structure understanding
- Adequacy of sampling techniques

3. Price

Price will not be the primary factor in the selection of an audit firm.

Firms must respond in writing to each of the following additional selection submittals in order to be considered. Each category represents criteria that will be used to select the successful firm. The completeness and accuracy of the information provided by each firm will be considered in the selection process, in addition to the content of the data. Additional data and/or material related to the qualification of a firm may also be submitted; however, such data and/or material may or may not be given value when considering the qualification of a firm.

MANDATORY ELEMENTS

1. Independence (Pass or Fail)

The firm shall provide an affirmative statement that it is independent of the City and all component units of the City as defined by generally accepted auditing standards of the U.S. General Accounting Office's *Generally Accepted Government Auditing Standards* (1994). The firm shall also list and describe the firm's professional relationships involving the City or any of its component units for the past five (5) years and provide a statement explaining why such relationships do not constitute a conflict of interest relative to performing the proposed audit.

2. License to Practice in Texas (Pass or Fail)

An Affirmative statement shall be included indicating that the firm and all assigned key professional staff are properly licensed to practice in the State of Texas.

3. Required Timeframe (Pass or Fail)

An affirmative statement that the firm has the ability to complete the audit and submit the financial statements and auditor's reports to the Commissioners' Court within 120 days after the last day of the City's fiscal year, respectively.

4. Professional Education Program (Pass or Fail)

A brief description of your firm's professional development program, including:

- a. Approximate number of days of continuing professional education provided to members of the firm annually.
- b. The number of days of specialized training in governmental auditing and accounting received during the last three (3) years by the personnel who will be assigned to the City.
- c. Whether the continuing professional education program of the firm is of an internal or external nature.

TECHNICAL QUALIFICATIONS**5. Firm Qualifications and Experience**

The response to this RFQ shall state the size of the firm, the size of the firm's governmental audit staff, the location of the office from which the work on this engagement is to be performed and the number and nature of the professional staff to be employed in the engagement on a full-time basis and the number and nature of the staff to be so employed on a part-time basis.

The firm shall list the entities for which they provided assistance, and the nature of that assistance, that led to the successful achievement of the Certificate of Achievement for Excellence in Financial Reporting offered by the Government Finance Officer's Association.

The firm is also required to submit a copy of the report on its most recent external quality control review, with a statement whether that quality control review included a review of specific government engagements. The firm shall also

provide information on the results of any federal or state desk reviews or filed reviews of its audits during the past three (3) years.

The firm shall provide information on the circumstances and status of any disciplinary action taken or pending against the firm during the past 3 years with state regulatory bodies or professional organizations. Provide a list of the firm's open litigation describing the nature and the amount of each lawsuit for which the firm is a named defendant.

6. Partner, Supervisory and Staff Qualifications and Experience

The firm shall identify the principal supervisor and management staff, including engagement partners, managers, other supervisors and specialists, who would be assigned to the engagement. The firm also shall provide information on their government auditing experience, general audit experience, and membership in professional organizations relevant to the performance of this audit.

Provide brief resumes of the personnel to be assigned to the engagement. At a minimum, detailed information should be provided for:

- The partner in charge of the audit team
- The manager in charge of the audit team
- The senior in charge of the audit team
- The manager in charge of the onsite filed work
- The senior in charge of the onsite field work

Also include their educational and professional experience, with particular emphasis on experience in auditing governmental units. Indicate whether these individuals are certified public accountants or independent public accountants licensed to practice in the State of Texas. Also, indicate whether these individuals are members of the American Institute of Certified Public Accountants (AICOPA) and/or the Texas Society of Certified Public Accountants.

The firm shall provide as much information as possible regarding the number, qualifications, experience and training including relevant continuing professional

education of the specific staff to be assigned to this engagement. The firm also shall indicate how the quality of staff over the term of the agreement will be assured.

7. Thorough knowledge of local government operations and specific knowledge of the city organization

The firm shall list all city engagements within the last five (5) years. For each engagement, the firm shall indicate the scope of the work, date, the type of engagement, engagement partners, total hours, the location of the firm's office from which the engagement was performed, and the name and telephone number of the principal client contact. Provide at least one (1) sample report of a Texas city audit performed within the last three (3) years by the firm. The firm shall demonstrate their active participation that led to the successful achievement in the GFOA Certificate of Achievement for Excellence in Financial Reporting program.

8. Similar Engagements with Other Government Entities

For the firm's office that will be assigned responsibility for the audit, list the most significant engagements performed in the last five (5) years that are similar to the engagement described in this Request for Qualification. Indicate the scope of work, engagement partners, total hours, and the name and telephone number of the principal client contact.

9. Specific Audit Approach

Set forth a work plan including an explanation of the audit methodology to be followed to perform the services required in this RFQ. Firms are required to provide the following information on their audit approach:

- a. Proposed segmentation of the engagement
- b. Level of staff and number of hours to be assigned to each proposed segment of the engagement
- c. Sample sizes and the extent to which statistical sampling is to be used in the engagement
- d. Extent of use of audit software in the engagement
- e. Type and extent of analytical procedures to be used in the engagement

- f. Approach to be taken in determining laws and regulations that will be subject to audit test work
- g. Approach to be taken in drawing audit samples for purposes of test compliance
- h. Items for the independent auditor to consider in developing an audit approach are:
 - The writing and preparation of the Comprehensive Annual Financial Report and Single Audit including statements, footnotes, covers, dividers, etc. for the City shall be the responsibility of the independent auditor.
 - The City Auditor shall write the letter of transmittal and the management discussion and analysis
 - The City provides supporting schedules such as debt, lease, investment, and fixed asset roll-forwards, payroll data, inventory counts, receivable confirmations, etc.

PRICE PROPOSAL INFORMATION

1. Once the Request for Qualifications have been evaluated and rated as technically acceptable, the Price Proposal in the City's best interest will be determined.
2. RFQ's should include the following information on anticipated fees:
 - a. Maximum number of professional hours, by staff classification, to complete this engagement.
 - b. State the hourly rate to be charged for the audit as well as the total anticipated cost of the audit based on the estimated time to complete the audit.
 - c. A Not to Exceed fixed annual fee.
 - d. The firm shall also disclose all expected additional costs, if any, to be charged to the City.

3. Include anticipated terms of payment that would be acceptable to the firm, although one annual bill is preferred for the audit fee, including out-of-pocket expenses.

AFFIDAVIT

**STATE OF TEXAS
CITY OF ELGIN**

BEOFRE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____ who, after having first
(name)
been duly sworn, upon oath did depose and say:

I, _____, am an authorized officer/agent and have been
(name)
duly authorized to execute the foregoing on behalf of _____.
(name of firm)

I understand that until a contract resulting from the solicitation process is executed, no employee, agent, or representative of my firm shall make available or discuss our response with the press, an elected or appointed official, employee or representative of the city, unless given permission to do so in writing by the Bastrop County Judge.

The undersigned certifies that the information provided in the solicitation response for Auditor Services is true and representative of the firm for which it is submitted.

Name and Address of Firm:

Telephone: _____

Signature

Name

Title

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ day of _____,
20____.

Notary Public in and for the State of Texas



COUNCIL MEETING: May 5, 2015

ITEM: 7. Discussion and action to consider Request for Proposal 2015-03 for Bank Depository Services.

RESOURCE PERSON(S): Laura Schwartz, Purchasing Agent and Purchasing Agent
(Pages 137-184)

SUMMARY: Request for Proposal for Bank Depository services for a 5 year term beginning May 1, 2016 through April 30, 2021.

RECOMMENDATION(S): To approve RFP 2015-03 Bank Depository Services.

ATTACHMENT: 1-RFP 2015-03 Bank Depository Services
2-Investment Policy

**CITY OF ELGIN
REQUEST FOR PROPOSAL**

RFP 2015 – 03

BANK DEPOSITORY SERVICES



TABLE OF CONTENTS

- I. Introduction**
- II. Proposal Qualifications and Submission Instructions**
- III. Overview**
- IV. General Statement of Banking Services Required**
- V. Financial Institution Qualifications**
- VI. Required Services**
- VII. Specification for Depository Contracts**
- VIII. Alternative Services**
- IX. Bank Compensation**

Exhibit I: General Contract Terms and Conditions

Exhibit II: Investment Policy

REQUEST FOR PROPOSAL – BANK DEPOSITORY SERVICES

I. INTRODUCTION

The City of Elgin (hereinafter called “City”), is seeking bids from eligible financial institutions (hereinafter called “Bank”), to be the depository bank for the City. The term of the agreement is May 1, 2016 through April 30, 2021.

Through this contract the City intends to minimize banking costs, improve operational efficiency and information flow, and maximize its investment capabilities. The banking services provided should allow the City to conduct business operations effectively and economically. This Request for Proposal (RFP) represents the City's cash management goals and specifies all required qualifications, the banking services required, the estimated activity volumes on all accounts, the method and terms of compensation, submission instructions and contract award provisions. All qualified institutions, as defined below, are invited to submit a proposal.

Institutions responding to this Request for Proposal (RFP) must be insured through the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Administration (NCUA), and must be able to demonstrate a capacity to meet the City's requirements as stated in the RFP.

II. PROPOSER QUALIFICATIONS AND SUBMISSION INSTRUCTIONS

By submitting a proposal in response to this RFP, depositories will be deemed to agree to the mandatory contract and service provisions contained herein. This RFP and the proposal submitted will be incorporated into and form the basis of the bank depository services contract.

1. Bank Requirements

The City will consider proposals only from banks or credit unions doing business within the city limits. However, the City reserves its right to award a contract based upon its determination of the best interests of the City in accordance with the RFP selection criteria.

2. Proposal Format

In order to equitably evaluate each bank's ability to meet the banking service needs of the City, a standard format for all proposals is required. Additional explanatory information may be included as part of a proposal.

An electronic copy of this RFP and its exhibits will be made available upon request. Proposers are solely responsible for any inadvertent alteration to the RFP and its exhibits. Submission of the Proposal must be in written form; no electronic or fax submissions are acceptable.

3. Schedule for Proposal Submission

The City will make every effort to adhere to the following schedule.

05/06/15	Release of Request for Proposal
07/13/15	Questions due to City regarding RFP from any proposer by 3:00 p.m.
07/20/15	Responses to any questions submitted to be provided to all known proposers
07/27/15	Deadline for proposal submission @ 2:00 p.m.
08/04/15	City Council award of contract
05/01/16	Anticipated contract commencement

4. Proposal Submission

One (1) original and three (3) complete copies of each proposal shall be submitted by **2:00 p.m. on Monday, July 27, 2015** to the address listed below. **Proposals received after that time will not be accepted or considered. The proposal must be bound and must be submitted in a sealed envelope or packet marked "Proposal for Bank Depository Services."** Electronic and Fax submissions proposals are **NOT** acceptable.

An accompanying transmittal letter must be signed by an individual authorized to bind the institution, state that the proposal is valid for 60 days from the submission date, and give full contact information regarding the proposal.

Proposals must be delivered by mail, express mail, or in person to:

City of Elgin
Attn: Laura Schwartz, Purchasing Agent
310 N Main Street
Elgin, TX 78621
lschwartz@ci.elgin.tx.us
Phone: (512) 229-3218

On the date of submission, proposals will be opened and identified by proposer name. Proposals will **NOT** be read aloud.

Restrictions on Communications with City Staff

All questions regarding this RFP or the services requested will be accepted in e-mail form only at lschwartz@ci.elgin.tx.us, with the inclusion of RFP Bank Depository Services in the subject line on or before 3:00 p.m. CST, Monday, July 13, 2015. Responses to all material questions submitted will be communicated through e-mail to all known proposers by 5:00 p.m. CST, Monday, July 20, 2015.

Contact with any City staff, except Purchasing Agent, in regard to this RFP is strictly forbidden and could result in rejection of the proposal. Oral explanations or instructions given before the award of the contract are not binding and do not form a part, or alter in any way, the final agreements.

5. No Pre-Proposal Conference

There will be no pre-proposal conference.

6. Selection Criteria

Evaluation of proposals will be made on the basis of the following objectives:

Minimum Requirements

- Ability to meet the legal qualification and terms and conditions specified in the RFP.
- Financial strength and stability of the proposer.
- Completeness of the bid form and submission of the required information.
- Ability to provide sufficient collateral for deposits.

Scoring Requirements

- Time deposit interest rates - 10%
- Cost of Services - 25%
- Experience and success in providing services to similar entities - 15%
- Safety and creditworthiness of bank - 25%
- Service Availability - 25%

Contract may not necessarily be awarded to the Institution submitting the lowest price proposal. The City will choose the institution submitting the most responsive overall proposal to satisfy its needs.

7. City Reservation of Rights

The City reserves the right to:

- waive any defect, irregularity or informality in the proposal or proposal procedures,
- reject any and all proposals,
- accept or reject any proposal or portion thereof in whole or in part,
- request additional information or require a meeting with bank representatives for clarification,
- cancel, revise, and/or reissue this request for proposal,
- negotiate with proposers,
- modify deadlines, and
- select any proposal deemed to be in its best interest as determined by the City.

If any provision of this proposal or resulting contract is deemed invalid, the City reserves the right to retain all other provisions.

8. Proprietary Information

To the extent permitted by law, proposals will be opened in a manner that avoids disclosure of the contents until after award of the contract. Proprietary information contained in the proposal should be designated as such on each page containing the restricted information.

9. Fees and Charges

The City reserves the right to utilize either a fee basis or compensating balance basis (or a combination of each) for payment of services under the contract. The City reserves the right to change the payment methodology during the contract period upon no less than 30 days written notice to the bank with the change commencing the first of the following month. This will enable the City to take advantage of changing interest rate environments.

- Within five (5) business days after receipt of the monthly account analysis and approval of those fees by the City, the bank may direct debit the designated account for fees due.

A complete account analysis will be required monthly regardless of the payment basis.

All item and account charges will remain at the proposal price quoted for the duration of the entire contract period regardless of changes in service volumes during the period. Should new services be required during the contract period not contemplated by this RFP, those services will be provided at fees not more than the bank's then-current published rate.

III. CITY OVERVIEW

The City currently maintains fifteen (15) bank accounts.

1. **Consolidated Cash:** This account is the City's general operating account. All of the City's operating revenues and disbursements are transacted through this account. Funds are deposited into this account on a daily basis. Approximately 500 checks per month are disbursed from this account.
 - Most bank activity will occur in the Consolidated Cash Account.
 - The Consolidated Cash Account receives most deposits and processes accounts payable.
 - Approximately \$1,000,000 is processed in payables monthly.
2. **Payroll:** All City employees are paid from this account. Approximately 120 payroll direct deposit transfers are made from this account on a bi-weekly basis.
 - Payroll is handled almost entirely via direct deposit. Disbursement is from the Payroll Account.
 - The City has an average payroll of approximately \$85,000 with direct deposit for approximately 80 employees. Payroll is paid bi-weekly. These deposits are made via ACH transfers to 96 different financial institutions. A paperless method for generating these transactions is required.
3. **Economic Development Corporation (EDC):** This account is used to cover EDC's operating expenses. Approximately four (4) checks per month are disbursed from this account.
4. **General Fund Debt Service:** A savings account to be utilized if Debt Service Funds share of Consolidated Cash runs short in paying long term debts.
5. **Community Impact Water:** A savings account to accumulate Water Impact Fees to be utilized for purchasing infrastructure at a later date.
6. **Community Impact Sewer:** A savings account to accumulate Sewer Impact Fees to be utilized for purchasing infrastructure at a later date.
7. **Court Security Fees:** A savings account to accumulate Court Security Fees to be utilized for purchasing infrastructure at a later date.

- 8. Police Equipment:** A savings account to accumulate Police Equipment Fees to be utilized for purchasing infrastructure at a later date.
- 9. Court Technology Fees:** A savings account to accumulate Court Technology Fees to be utilized for purchasing infrastructure at a later date.
- 10. Sales Tax Revenue Bonds Reserve Fund:** A reserve for Sales Tax Revenue funds that were borrowed several years ago.
- 11. Section 125:** This is the processing account for Federal Savings Account (FSA) spending. Approximately six (6) transactions per month in this account from FSA vendor.
- 12. General ATS Clearing:** This account is the Red Light Camera Funds Savings Account. Quarterly transfers are made from this account into Consolidated Cash on an as needed basis.
- 13. USDA Rural Development:** This account is used to process payments to USDA bond holders. Generally activity in this account takes place in January and July.
- 14. Community Development Block Grant (CDBG) #711180:** Separate cash accounts used to pay grant monies to qualified expenditures.
- 15. CDBG #711272:** Separate cash accounts used to pay grant monies to qualified expenditures.

Service Description	Average Monthly Activity
Items Deposited:	
Deposit Posted	216
ACH Deposits (includes utility draft items)	318
Returned Items (NSF)	4
Stop Payments	1
Wire Transfers: (other than for Controlled Disbursement)	
Average	4
Months of January & July	26

Controlled Disbursement Items-A/P Checks Paid <i>Avg Monthly AP Checks Cleared:</i>	250
ACH Withdrawals	
IRS Payroll Tax Remittance	2
Payroll	120
Average Balance (Operating account)	\$4,569,659

Deposits are couriered to the bank by authorized City employees for the deposit of money orders, coin/currency, and approximately 2,500 checks. The City of Elgin currently uses Pace Payment Systems to accept credit and debit cards in person and on-line for Utility, Municipal Court, and Community Services payments. Pace Payment Systems then deposits, daily, the credit card payments.

Finance handles all reconciliation on the accounts and only one set of statements will be required.

Any or all City funds may be maintained and invested by the City outside this contract. All balance decisions will be made by the City. The City will be under no obligation to maintain funds in the bank except under a compensating balance situation.

Primary responsibility for administration of the banking services agreement within the City organization resides with the Finance Director, who will monitor the bank's performance against provisions of the agreement, including the bank's proposal submitted in response to this RFP. The Finance Director will be responsible for administering the agreement with respect to day-to-day activities, including deposits and withdrawals, Fedwire, ACH transactions, maintenance of account balances, daily reporting, etc.

A list of City personnel authorized to deal directly with the bank will be provided following award of contract. The bank shall provide the City with a similar list of authorized personnel.

IV. GENERAL STATEMENT OF BANKING SERVICES REQUIRED

The banking services described in this RFP are directed toward three major goals:

- -safety of City funds and securities,

- -efficient utilization of available banking services, and
- -minimization of banking costs for the City.

Collateral

The City requires a depository that is fiscally strong and able to provide the required services on an uninterrupted basis. City funds are public funds and fall under provisions of the Public Funds Collateral Act (Texas Government Code Chapter 2257) and are further restricted by the City's Investment Policy (see Exhibit II). If funds are, for any reason not swept, all time and demand funds above FDIC insurance coverage must be collateralized to 102% with securities authorized by the City. Authorized collateral will include only:

- Obligations of the U.S. Government, its agencies and instrumentalities,
- Direct obligations of the State of Texas or its agencies and instrumentalities,
- Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States,
- Obligations of states, agencies, counties, cities and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than "A" or its equivalent with a remaining maturity of ten (10) years or less,
- A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than "A".

All securities pledged to the City will be held by an independent third party institution outside the bank's holding company. The City, the bank and the custodian will execute a tri-party collateral/depository contract (unless the custodian is the Federal Reserve) under the terms of FIRREA (the Financial Institutions Resource and Recovery Enforcement Act) requiring a resolution of the Bank Board or Loan Committee. The Finance Director is responsible for entering into collateralization agreements with third party custodians in compliance with the City's Investment Policy. The pledging bank will be contractually liable for securing and reporting the monthly market value of securities and for continuous monitoring and maintenance of required margin levels. The custodian will provide a monthly listing and valuation report directly to the City on the collateral pledged including security descriptions and market value. Preferably the custodian will provide the direct reporting and pricing on securities pledged.

The depository will be required to agree to all collateral requirements of this RFP.

V. FINANCIAL INSTITUTION QUALIFICATIONS

To be considered the proposal must include a complete response to each question in Section V.

1. In order to fulfill the City's fiduciary responsibility to protect public funds, each bank submitting a proposal shall provide:
 - a. an audited annual financial statement for the most recent fiscal period,
 - b. the bank's current CRA rating (noting the specific rating agency), and
 - c. a statement regarding any recent or foreseen merger or acquisition.
2. Describe the bank's philosophy and approach to satisfying the City's banking and customer service requirements.
 - a. What, if anything, is distinctive about the bank's approach to customer service?
 - b. What is distinctive about the bank's approach to its uses of automation?
 - c. Is the bank offering any transition incentive?
3. List references from at least three of the bank's current, comparable to public organization clients. Include the length of time under contract, a client contact, title, and telephone number.
4. Provide samples of reports, such as monthly analysis statement, bank statement, and collateral report.
5. The bank awarded the contract will be required to provide a proposed timeline for implementation to the Finance Director of the contract including the timeline on specific activities and direct responsibilities of the City and the Bank during implementation. The timeline should contain sufficient time for any customization and training necessary on automated systems in particular.
6. The bank awarded the contract will be required to review the City's Investment Policy and certify in writing, in accordance with the Texas Public Funds Investment Act, certifying that the bank has sufficient controls in place to avoid transactions not authorized by the Policy. Provide agreement to this condition.

VI. REQUIRED BANKING SERVICES

To be considered, the proposal must include a response to each of the questions in Section VI.

All fees for all services anticipated must be detailed in an attachment. Add any level of detail necessary for complete explanations.

1. Automated Cash Management Information Access

The City requires automated cash management information to support its services and daily balance reporting for timely access to balance information and transactions. Flexibility will be key to the usage. Minimum automated services shall include:

- Prior and intra-day day summary and detail balance reporting on accounts payable and operating accounts,
- Initiation and monitoring of stop pays,
- Next day online check images,
- Initiation and monitoring of account transfers, and
- Initiation and monitoring of internal and wire transfers.

Preferably, monthly statements and account analyses will be available on-line. Prior and intra-day day balance reporting shall include:

- Detail on all transactions including wire and ACH trailer information,
 - Summary account reporting with prior day closing ledger and collected (available) balances, and
 - One-day float.
- a. Fully describe the bank's on-line service capabilities and whether service is to be a direct link or web-based. List the system capabilities (i.e. balance reporting, wires, stop pay, etc.).
 - b. Describe back-up provisions and procedures to the automated system. What is the bank's back-up process to provide balance reporting and transactions in case of system non-availability? Describe provisions for off-site backup and continuation of services under acts of God or terrorist threats.
 - c. Are on-line service charges bundled or are separate modules charged independently? Describe.

- d. State the access times and update times for daily information for balances, detail, wires, and transfers.
- e. Does the basic system provide full trailer information on wires and ACH for identification purposes? Is this information available on a separate module?
- f. Submit samples of major screens and reports available. Provide a website (and sign-on information if required) for an on-line review of the system, if available.
- g. Specify any City hardware, software or telecommunications requirements for access.
- h. How many hours has the system been down in the last six months?
- i. Is the system proprietary or provided by a third-party?

2. Standard Deposit Services

Standard commercial deposit services are required for all accounts. Deposits are currently made by authorized city personnel and will consist of money orders, checks, coin, and currency.

The City requires same bank day credit on all cash (coin and currency) deposits and U.S. checks.

The City currently allows its utility system customers to authorize the City to draft funds for payment of their monthly utility bills. Continuation of this service will be a requirement in the contract.

- **Utility Customer Drafts:** At present, approximately 230 customers utilize bank drafts for payment of their City utility services. These drafts are made on a monthly basis, on the 15th of each month. If the 15th falls on the weekend or holiday the drafts are to take place the next business day. The drafts are made via ACH transfers from 50 different financial institutions. A paperless method for generating these transactions is required.

The City accepts credit and debit cards in person and on-line. The City uses Pace Payment Systems for merchant card services payment processing.

All cleared deposits received by the bank's established deadline must be processed for same day credit. The bank shall guarantee immediate credit on all incoming wire transfers, U.S. Treasury checks, ACH transactions, on-us items, and U.S. government security maturities and coupon payments.

The City expects all deposited checks to clear based on the bank's current published FRB availability schedule, but any expedited availability options should be noted in the proposal. **Failure to credit City accounts in a timely fashion will require interest payment reimbursement to the City at the then current daily Fed Funds rate.**

- a. What is the bank's daily cut-off time to assure same day ledger, and, pending availability, collected credit? Will this vary by bank location (lobby, teller, and vault)?
- b. When are credit/debit advices sent to the City? On-line or in paper form?
- c. When are online check images available?
- d. What type of deposit bags are used?
- e. Are deposits identified by location and date? Where? What access is there to this information in reporting?
- f. Are dual verification security measures used on receipt of deposits? (Teller and vault processing.)
- g. State the bank's **Availability Policy** if it differs from the published **Availability Schedule**. State any exceptions to same day availability outside bank's published availability schedule.
- h. Does the bank offer expedited availability? Explain. Are any deposits or credits delayed for any reason?
- i. If provisional credit is given on deposit before verification, when does verification occur?
- j. Include a list of all the bank's deposit and vault locations.

3. Returns and Chargebacks

Unless directed otherwise, the Bank will automatically re-deposit return items a second time. Items returned a second time will be charged to the City's operating cash account and returned promptly to the City's Finance Department.

4. Standard Disbursing Services

Standard disbursing services for all accounts are required to include the payment of all City checks without charge upon presentation. The City prints check format and information simultaneously with an automated signature. An average of 500 A/P checks are written per month with a monthly average of \$ 1,000,000.

- a. What constitutes a standard check signature for the bank?
- b. Are there any fees for special signature requirements such as dual signatures?
- c. Does the bank offer extended storage for checks? What time periods?
- d. Does the bank image all checks or return checks?
- e. Is there a cost for the return of checks?
- f. Will the bank cash free of charge all on-us checks for City employees?

5. Funds Transfer and Wire Services

Incoming wire transfers must receive immediate same day collected credit. Wire initiation and monitoring should be available on-line. The City will require compensation for delays caused by bank errors at that day's Fed Funds rate.

- a. Are there additional fees for initiation of wires by phone?
- b. Is any paper transaction required on wire/transfer on-line transactions?
- c. How will the bank notify the City of incoming wires? When? Is there a specific notification mechanism?
- d. Include a description of security provisions, PIN requirements, and back-up systems for wires.
- e. What secondary or tertiary authorization features are available on line? Is dual authorization required?
- f. Is future dating of wires available? How far in advance?
- g. State wire access times, posting times, and cut-offs.

6. ACH Services

ACH services are required.

- a. Is the ACH service fully available on-line as well as file transmission? Is the City able to initiate individual ACH transactions on line?
- b. What filters and blocks are available on the ACH transactions?
- c. Are ACH addenda shown in their entirety on-line and on reports?
- d. State data transfer alternatives, requirements, and limitations (transmission, web, or tape).
- e. State the availability policy for debit and credit ACH transactions.
- f. Does the bank routinely pre-note? Is the pre-note charged as a standard ACH transaction? If not, how is it charged?
- g. Are there any specific ACH reports on paper or on-line? If so, please describe.
- h. What is the deadline for transmission for a payroll to credit employee accounts on Friday?

7. Collateral Requirements

Authorized collateral shall be pledged against the total time and demand deposits net of FDIC insurance with a 102% margin on the collateral maintained at all times by the bank. Requirements beyond the Public Funds Collateral Act must be met.

The proposal must state agreement to the following terms and conditions.

- All collateral pledged to the City must be held in an independent, third party bank outside the bank's holding company.
 - A tri-party safekeeping agreement shall be executed between the City, the depository, and the safekeeping bank for custody of pledged securities in full compliance with FIRREA requiring a bank resolution. (Or completion of Circular 7 if the Federal Reserve is acting as custodian.)
 - All time and demand deposits will be collateralized at a minimum of 102% of principal plus accrued interest at all times, net of FDIC insurance.
 - The bank will be contractually liable for the continuous monitoring and maintaining of collateral at the City's required margin levels.
 - Pledged collateral will be evidenced by original safekeeping receipts/report sent directly to the City by the custodian within one business day.
 - The City shall receive a monthly report of collateral pledged including description, par, market value and CUSIP.
 - Any substitutions of the securities pledged or reductions in the total amount pledged shall be made only by and with the proper written authorization of by the City Manager or his/her designee.
 - Authorized collateral shall comply with the City's then-current Investment Policy.
 - All collateral shall be subject to inspection and audit by the Finance Director, his/her designee, or the City's independent auditors.
- a. State the bank's acceptance of the collateral conditions above.
 - b. Does the bank propose any online safekeeping arrangements? If so, describe fully and attach the agreement used.
 - c. Does the bank propose any collateral charges? If so, how is the charge applied? (Note charges incurred as a result of the conditions, such as security type restrictions, in attachment as well.)
 - d. Provide the bank's standard collateral agreement for review.

REPURCHASE AGREEMENTS ARE NOT ACCEPTABLE AS COLLATERAL TO THE CITY.

8. Account Analysis

Monthly account analysis reports must be provided for each account and on a consolidated account basis by the third (3rd) of the succeeding month. Within five (5) business days after receipt of the monthly account analysis and approval of those fees by the City, the bank may direct debit the designated account for fees due.

A complete account analysis will be required monthly regardless of the payment basis.

- a. Provide a sample account analysis including calculation bases.
- b. State when the analysis will be available each month.
- c. Describe the ability of the bank to provide account analysis reports on-line. If on-line, how long are they accessible?

9. Monthly Statements

The bank must provide monthly account statements on all accounts with complete supporting documentation. All accounts must be on a calendar monthly cycle and statements received by the third (3rd) of the succeeding month. Timeliness of statements is critical and non-performance will be grounds for termination of contract.

At a minimum, the following information will be required:

- detail on all debit and credit transactions by account,
 - all cleared checks,
 - full wire and ACH detail and trailer information,
 - all deposits,
 - balance, and
 - copies of all transactions performed by bank personnel.
- a. Describe the statements and provide a sample.
 - b. Describe the ability of the bank to provide reports on-line and/or imaged.
 - c. When are on-line or optically imaged reports available? If on-line, how long are they accessible? Are statements on the monthly CD?

10. Account Executive

To insure smooth contract implementation and continuation of services, a specific local account executive and a back-up must be assigned to the City account to coordinate services and expedite

the solution of any problem encountered. The account executive should be available to meet with City staff on banking matters as needed and at a minimum semi-annually.

- a. Provide the name and title of the proposed account executive with a short bio.
- b. Provide the name and title of the backup representative.

11. Overdrafts

Every effort will be made to eliminate intra-day and inter-day overdrafts. However, should this situation arise, state the bank's policy regarding account and total account overdraft policy and detail rates and fees, if any, to be charged on a per event or per account basis.

- a. Are all accounts aggregated for overdraft calculation purposes or do accounts stand-alone?
- b. State the rate basis for intra-day and inter-day overdrafts.

12. Stop Payments

The City rarely has stop pays. An automated stop pay process is desired.

- a. How long do stop pays remain in effect?
- b. What options are available for extended stop pay periods?
- c. What is the deadline for same day action on stop pays?
- d. Can stop pay orders be initiated on-line? Is a paper follow-up document required?
- e. Will the teller and clearing systems verify the check status before accepting the stop pay?
- f. Provide the stop pay authorization levels and notification requirements.
- g. What information on current and expiring stop pays is available on-line? When?

13. Safety Deposit Box

The City requires one (1) medium size safety deposit box for storage.

VII. SPECIFICATION FOR DEPOSITORY CONTRACTS

1. Bank is to furnish Printed Checks and/or Laser Checks and deposit slips for commercial Interest Bearing and Non-Interest Bearing checking accounts free of charge.

2. Bank is to serve as fiscal agent for the City, without fee, on any bond issue.
3. Bank provide all banking and financial services in a professional and efficient manner.
4. Bank will furnish necessary postage and phone call charges, if applicable.
5. Depository bank is to provide securities at least equal to the amount of the City funds to be on deposit. All withdrawals and substitutions of pledge securities must be approved by the City's Finance Director in advance. Additional securities must be pledged immediately if the City funds on deposit increase beyond securities pledged.
6. Any suits relating to the depository contract must be tried in Bastrop County, Texas.
7. Bank is to list other services, charges, or requirements which shall be provided: (Such as Electronic banking, etc.)
 - Electronic Banking
 - Daylight Overdraft Protection
 - Short Term Financing
 - Payroll Direct Deposit
 - Immediate credit for wire transfers, ACH transaction, and checks
 - Payment of interest on Current balance

VIII. ALTERNATIVE SERVICES

Responding financial institutions are encouraged to indicate any reservations or exceptions to the RFP and submit alternative approaches. Such reservations or exceptions should be clearly noted in the proposal.

IX. BANK COMPENSATION

The City will take into account all costs and earnings potential as part of the evaluation of each proposal.

Proposal should include an attachment detailing all fees, including fee description and cost per identified unit, as well as applicable AFP code, if possible. Bundled fees should be clearly delineated especially regarding on-line services to assure accurate evaluation. Space has been provided for any necessary explanation on costs.

The City reserves the right to utilize either a direct fee basis or a compensating balance basis (or a combination of each) for payment of services under the contract. The City reserves the right to change the fee methodology during the contract period upon no less than 30 days written notice to the bank with the change commencing the beginning of the following month. This will enable the City to take advantage of changing interest rate environments.

Regardless of the payment methodology a monthly account analysis will be required.

Any cost (bundled or unbundled) not included in an attachment will not be paid under this agreement, with the exception of costs related to new or optional services negotiated subsequent to the initial agreement.

This is a five (5) year service agreement. Fees and service charges included in the successful proposal shall remain in effect for the initial five-year period; however any Federal Reserve service charge increase may be passed through to the City upon 30-day written notice. Should new services be required during the contract period not contemplated by this RFP, those services will be provided at fees not more than the bank's then-current published rate.

Exhibit I:

GENERAL CONTRACT TERMS AND CONDITIONS

Any contract entered into as a result of this Request for Proposal will contain the following standard terms and conditions in addition to those incorporated into the Request for Proposal.

1.0 Applicability

The Request for Proposal, the Proposer's Response to the Request for Proposal, and these terms and conditions are applicable to and shall form a part of any contract executed.

2.0 Term of Contract and Option to Renew

This contract shall have a term of five (5) years with a one year renewal option for an additional two (2) years.

3.0 Terms of Payment

Payment for services in connection with this contract shall be made on either a compensating balance or fee basis dependent on the then-current choice of the City. If the City chooses to utilize a fee basis, the fee should be stated on the monthly account analysis. The City has five (5) days to review the charges. If the City makes no changes or objections to the charges after this period, the fees may be made as an account analysis debit to the indicated account.

4.0 Extra-Contractual Services

Additional or new services may be added during the contract period; provided, however, that any such services shall be charged at not more than the then current published fee schedule of the bank, or upon rates and charges to be negotiated between the City and Bank.

5.0 Laws, Statutes, and Other Governmental Requirements

5.1 The contractor shall procure all necessary permits and licenses and abide by all applicable laws, regulations and ordinances of all federal, state, and local governments in which work under this contract is performed.

5.2 The contractor shall pay any sales, use, personal property and other taxes arising out of this contract and the transaction contemplated hereby. Any other taxes levied upon this contract, the transaction, or the equipment or services delivered pursuant hereto, shall be the responsibility of the contractor.

6.0 Taxes

The City is exempt from all federal excise, state, and local taxes unless otherwise stated in this document.

7.0 Indemnification

The contractor shall save and hold harmless and indemnify City against any and all liability, claims, and costs of whatsoever kind and nature for injury to or death of any person or persons and for loss or damage to any property occurring in connection with or in any incident to or arising out of the occupancy, use, service, operations, or performance of work in connection with this contract, resulting in whole or in part from the negligent acts or omissions of the contractor. Contractor hereby assumes full responsibility for the character, acts, and conduct of all persons employed by contractor.

This clause shall survive the cancellation of any Request for Proposal, the award of a contract to the contractor as result of such Request for Proposal, and the termination of

any such contract, until the period for which the contractor is determined to be liable in accordance with local, state or federal statutes or regulations.

8.0 Contract Not a Guarantee of Purchase

This contract is not a guarantee of purchase. Purchases shall be made subject to fund availability, budgetary concerns, and other matters affecting, or which may affect, the procurement of services hereunder.

9.0 Non-Appropriation

This contract shall be subject to cancellation without damages or further obligation when funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period or appropriated year. In the event that funds are not appropriated, the contractor shall not prohibit or otherwise limit the City's right to pursue and contract for alternative solutions and/or remedies as deemed necessary by the City for the conduct of its affairs.

10.0 Bankruptcy

In the event that a voluntary petition is filed by the contractor under the bankruptcy laws of the United States or a default occurs on any action required by the bank under this contract, or if an involuntary petition is filed against the contractor and is not discharged within a reasonable period of time, or if the contractor makes a general assignment for the benefit of creditors, the City may terminate this contract and utilize the conditions of the collateral/depository agreement to place a primary lien on all collateral pledged.

11.0 Attorney's Fees

In the event that either party deems it necessary to take legal action to enforce any provision of the contract, and in the event the City prevails, the contractor agrees to pay all expenses of such action, including attorneys' fees and costs at all stages of litigation.

12.0 Termination

12.1 Termination for Default

The City, by written notice, may terminate this contract, in whole or in part, for failure of the Contractor to perform any of the provisions of this contract. In case of default, the City reserves the right to purchase any or all items or services on the open market, charging the contractor with any excess cost. Should such charges be assessed, no subsequent proposals of the defaulting contractor shall be considered until the assessed charge has been satisfied. In such event, the contractor shall be liable for damages including the excess cost of re-procuring similar items provided that if (1) it is determined for any reason that the contractor was not in default, or (2) failure to perform was beyond contractor's control, fault or negligence, the termination shall be considered a termination for convenience.

12.2 Termination for Convenience

Either party may terminate this contract by providing the other party with a thirty (30) day written notice. In the event of such termination by the City, the City shall be liable for the payment of all approved work performed prior to the termination. In the event of such termination by the contractor, the contractor shall either perform all approved work or shall reimburse the City for payments already made to the contractor by the City; such reimbursement shall be acceptable to the City and shall be made within thirty (30) days of contractor's notice to terminate.

13.0 Severability

If any section, subsection, paragraph, sentence, clause, phrase or word of these requirements or the specifications shall be held invalid, such holding shall not affect the remaining portions of these requirements and the specifications and it is hereby declared that such remaining portions would have been included in these requirements and specifications as though the invalid portion had been omitted.

14.0 Assignment

This contract nor any duties or obligations herein shall be assignable without the prior written approval of the City.

15.0 Contract Changes

No modification or change of any provision in the resulting contract shall be made, unless such modification is mutually agreed to in writing by the contractor and the City and incorporated as a written amendment to the contract. Memoranda of understanding and correspondence shall not be interpreted as amendments to the contract.

16.0 Governing Law

All contracts shall be governed by and all dispute between the parties construed under the laws of the State of Texas. Any actions or remedies pursued by either party shall be pursued in the state and federal courts of Bastrop County, Texas.

17.0 Entire Agreement

This contract and all terms and conditions of service for individual services hereunder contain the entire agreement between the parties hereto. All prior negotiations or representations, whether written or verbal, not incorporated herein are superseded. No changes in or additions to this contract will be recognized unless made in writing and signed by both parties.



CITY OF ELGIN, TEXAS

INVESTMENT POLICY

Approved

POLICY

It is the policy of the City of Elgin (City) after allowing for the anticipated cash flow requirements in its bank accounts to meet daily needs and after giving due consideration to the safety and risk of investments, providing protection for both principal and liquidity, to invest public funds in a manner which will provide the highest investment return while conforming to all state and local statutes governing the investment of public funds. This Investment Policy is authorized by the City Council in accordance with Texas Government Code, Chapter 2256- Public Funds Investment, also cited as the Public Funds Investment Act (Act), to satisfy the statutory requirements to define, adopt, and review a written investment policy regarding the investment of its funds and funds under its control. The City Council shall review and adopt by resolution, its investment strategies and policy not less than annually. This is required even if there are no changes within the policy. Such an investment must be written, emphasize safety, address investment management and include types of authorized investments, maximum allowable stated maturity, maximum dollar-weighted average maturity, method to monitor the market price, and requirements for settlement of transactions. The resolution shall state that the policy has been reviewed and include record of changes made to either the investment policy or strategy.

SCOPE

This policy applies to all funds or financial resources available for investment under the City's financial control and accounted for in the City of Elgin, Texas Annual Financial Report which includes all current funds and will include any new fund created by the City Council unless specifically exempt. These policies do not, however, govern funds that are managed under separate investment programs or trust agreements, such as retirement funds, pension funds, deferred compensation funds, and certain private donations that are maintained as required by Federal and State laws, other local policies, or donor stipulations. In addition to this Policy, bond funds (as defined by the Internal Revenue Service) shall be managed by their governing ordinances and all applicable State and Federal laws.

The City will consolidate cash balances from all applicable funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. Such earnings from investments will be used in a manner that best serves the public trust and interests of the City as deemed in the annual budget.

INVESTMENT OBJECTIVES

All investments shall be designed and managed in a manner responsive to the public trust and in compliance with all Federal, State and other legal requirements, including but not limited to

the Act. The City shall manage and invest its available resources with four objectives, listed in order of priority: Safety, Liquidity, Public Trust, and Yield.

Safety

Safety of principal and the City's assets is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To increase investment safety, the City strives to decrease or minimize credit and interest rate risk. Minimization of credit risk or the risk of loss due to the failure of a security issuer or guarantor shall be done by the City by limiting investments to safe types, pre-qualifying financial institutions and broker/dealers, and diversifying the portfolio in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Minimization of interest rate risk or the decrease in market value of securities in the City's portfolio due to changes in interest rates shall be done by the City through strong cash flow projections so that market value losses are reduced and through investments in short-term securities.

Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets. A portion of the portfolio will also be placed in short term investment pools and/or money market mutual funds, which offer daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Public Trust

Investments shall be made with judgment and care, under circumstances, then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived. All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield

The City's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety, liquidity and public trust objectives described

above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

STANDARDS OF CARE

Delegation of Authority

The Director of Finance, is the Investment Officer of the City and is responsible for investment decisions and activities. The Investment Officer may delegate the day-to-day administrative duties to other persons authorized to perform investment activities for the City, or he/she may perform the duties him or herself. The City Manager will retain ultimate responsibility for investment decisions.

The Investment Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived.

Training Requirements

The Investment Officer is required to attend at least one training session relating to the officer's responsibility under the Act within 12 months after assuming duties. Afterwards, the City shall provide ten hours of investment training not less than once in a two-year period that begins on the first day of the fiscal year and consists of two consecutive fiscal years after that date for the Investment Officer(s) and/or his/her delegate(s), through courses and seminars offered by an independent professional source (i.e. the *Government Finance Officers Association of Texas*, the *Government Treasurers Organization of Texas*, the *Texas Municipal League*, etc.) as approved by the City Council in order to insure the equality and capability of the City's investment personnel making investment decisions in compliance with the Act. The training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

The City shall also encourage those who may perform daily activities with the City investments to attend such training although they are not listed specifically as Investment Officers of the City.

Prudent Person Rule

As set forth in the Act, Investment Officers shall use the standard of prudence with the "Prudent Person Rule". "Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived (Public Funds Investment Act 2256.006(a))."

"In determining whether an investment officer has exercised prudence with respect to an

investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
2. Whether the investment decision was consistent with the written investment policy of the entity (Public Funds Investment Act 2256.006(b))."

Investment officials acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibilities for an individual security's credit risk or market price change, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Ethics and Conflict of Interest

Investment Officers and other employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make

impartial investment decisions. According to the Act, a personal business relationship with a business exists if one of the following three (3) items applies:

1. The Investment Officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization.
2. Funds received by the Investment Officer from the business organization exceed 10 percent of the Investment Officer's gross income for the previous year.
3. The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

Investment Officer(s) must file a disclosure statement with the Texas Ethics Commission and the City Council if an officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City or the Officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

"No officer or employee of the City shall:

1. Have a financial interest, direct or indirect, in any contract with the city nor shall be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this article requires that the officer or employee receive an actual

financial benefit from the transaction with the city. An actual financial benefit from the transaction shall not include:

- A. An ownership in the entity transacting with the city where the ownership interest is less than one (1) percent of the entity.
 - B. Compensation or benefits as an employee, officer, or director of the entity transacting business within the city where such compensation is not affected by the entity's transaction with the City.
2. Participate in a vote or decision on any matter in which the officer or employee has a direct or indirect financial interest or in which a relative of the officer or employee has a direct or indirect financial interest. It is expressly provided herein that an investment or ownership in a publicly held company in an amount less than three thousand, five hundred dollars (\$3,500.00) does not constitute a prohibited financial interest under this article."

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

A qualified depository shall be selected through the City's banking services procurement process, which shall include solicitation of proposals as required under Chapter 105 of the Local Government Code. The centralization of depository services is designed to maximize investment capabilities while minimizing service costs. The selection of a depository shall be based on the financial institution offering the most favorable terms and conditions at the least possible cost, while adhering to the guidelines and provisions within the request for proposal. In selecting a depository, the City shall give consideration to the financial institution's credit characteristics, financial history, service capabilities, location within City limits or within a ten (10) mile radius of the City limits, and costs for required services. The City's depository contract shall be for three years with an option to extend for an additional two years upon mutual agreement of the depository and the City. Specialized services may be contracted for by the City with another financial institution or company if the depository cannot provide such service or charges more than the same service with little or no appreciable benefit.

AUTHORIZED AND SUITABLE INVESTMENTS

Investments described below are authorized by Chapter 2256, Texas Government Code as eligible securities for the City. City funds governed by this Policy may be invested in the following types of securities:

- 1.) Obligations of the United States or its agencies and instrumentalities with stated maturity not to exceed two years.
- 2.) Direct obligations of the State of Texas or its agencies with a stated maturity not to exceed two years.

- 3.) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States or its agencies and instrumentalities with stated maturity not to exceed two years.
- 4.) Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than A or its equivalent along with a stated maturity not to exceed two years.
- 5.) Certificates of deposit issued by a depository institution that has its main office or a branch office in this state that are:
 - (a) guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor with a stated maturity not to exceed two years; or
 - (b) secured by obligations that are described by (1)-(4) above, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities that have a market value of not less than the principal amount of the certificates and a stated maturity not to exceed two years, but excluding those mortgage-backed securities described in Section 2256.009 (b); or
 - (c) Secured in any other manner and amount provided by law for deposits of Participants with a stated maturity not to exceed two years.
- 6.) Certificates of deposit issued by a depository institution that has its main office or a branch office in this state that are:
 - (a) guaranteed or insured by the Federal Savings and Loan Insurance Corporation or its successor with a stated maturity not to exceed two years, or
 - (b) secured by obligations that are described by (1)-(4) above, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities that have a market value of not less than the principal amount of the certificates and a stated maturity of two years or less, but excluding those mortgage-backed securities described in Section 2256.009 (b); or
 - (c) Secured in any other manner and amount provided by law for deposits of Participants with a stated maturity not to exceed two years.
- 7.) Eligible Investment Pools as defined in Section 2256.016 of the Texas Government Code provided that:
 - (a) investment in the particular pool has been authorized by the City Council;
 - (b) the pool shall have furnished the Investment Officer(s) an offering circular

containing the information required by Section 2256.016(b) of the Texas Government Code;

- (c) the pool shall furnish to the Investment Officer(s) investment transaction confirmations with respect to all investments made with it;
- (d) the pool shall furnish to the Investment Officer(s) monthly reports that contain the information required by Section 2256.016(c) of the Texas Government Code;
- (e) any pool that is created to function as a money market mutual fund must continuously maintain a stable net asset value of one dollar (\$1.00),
- (f) the pool's investment philosophy and strategy are consistent with this Policy and the City's ongoing investment strategy; and
- (g) the pool provides evidence of credit rating no lower than "AAA" or "AAA-m" by at least one nationally recognized credit rating service,
- (h) An investment pool must make available an annual audited financial statement.
- (i) If the investment pool operates an Internet website, the information required by section 2256.016(b), (c) (2), and (f) must be posted on the website.
- (j) An investment pool in advertising investment rates must include either all levels of return based on breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested if an investment pool offers fee breakpoints based on fund balances invested.

- 8.) Fully collateralized direct repurchase agreements having a defined termination date that is no later than 270 days from the delivery date, secured by direct obligations of the U.S. or its agencies and instrumentalities, pledged with a third party selected or approved by the political entity, and placed through a primary government securities dealer, and as otherwise defined by the Public Funds Investment Act. Each issuer of repurchase agreements must sign a copy of a Master Repurchase Agreement.

The City shall take all prudent measures that are consistent with this investment policy to liquidate any investment that does not have or is down-graded to less than the minimum rating stated herein. On a monthly basis, the investment officers will monitor the rating of all investments held by the City. However, as stated in Section 2256.017, the City is not required to liquidate investments that were authorized investments at the time of purchase.

UNAUTHORIZED INVESTMENTS

The following investments are specifically prohibited by State Law:

- 1.) Obligations whose payment represents the coupon payment on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- 2.) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- 3.) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- 4.) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

COLLATERALIZATION

Consistent with the requirements of the Public Funds Collateral Act, the city requires that all bank deposits shall be federally insured or collateralized with eligible securities. This pledged collateral will have a market value equal to or no less than 100% of the deposits plus accrued interest less an amount insured by the FDIC. Evidence of the pledged collateral must be will be provided to and reviewed by the Director of Finance and will be retained by the City of Elgin. Evidence of collateral is reviewed annually by the City's independent auditor in conjunction with the annual audit.

Financial institutions serving as City Depositories will be required to sign a Depository Agreement with the City and the City's safekeeping agent. The safekeeping portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- 1.) The Agreement must be in writing;
- 2.) The Agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the assets;
- 3.) the Agreement must be approved by the Depository's Board of Directors or loan committee, and a copy of the meeting minutes must be delivered to the City; and,
- 4.) The Agreement must be part of the Depository's "official record" continuously since its execution.

Repurchase agreements must also be secured in accordance with State Law. Each counter party to a repurchase transaction is required to sign a copy of **The Bond Market** Association Master Repurchase Agreement. An executed copy of the Agreement must be on file before the City will enter into any transactions with a counter party.

1.) Allowable Collateral

a.) Demand Deposits

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than “A” or its equivalent), with a remaining maturity of 10 years or less.

b.) Certificates of Deposit

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than “A” or its equivalent), with a remaining maturity of 10 years or less.

c.) Repurchase Agreements

Collateral underlying repurchase agreements is limited to U.S. government and agency obligations, which are eligible for wire transfer (i.e. book entry) to the City’s designated safekeeping agent through the Federal Reserve System.

2.) Collateral Levels

Collateral is valued at current market price plus interest accrued through the date of valuation.

a.) Demand Deposits

The market value of collateral pledged for demand deposits will be in an amount equal to the largest total balance of the City’s account, less the amount coverage provided by the FDIC. The securities comprising the pledge shall be valued at par or market, whichever is lower.

b.) Certificates of Deposits

The market value of collateral pledged for certificates of deposit must at all times be equal to or greater than the par value plus accrued interest, less the amount insured by the FDIC.

c.) Repurchase Agreements

The market value of collateral required to be pledged for repurchase agreements shall be at a percentage of the par value of the agreement plus accrued interest and shall be maintained at the following levels:

Collateral	U.S. Treasury	U.S. Government
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<u>Maturity</u>	<u>Securities</u>	<u>Agency</u>
1 year or less	101%	101%
1 year to 5 years	102%	102%
Over 5 years	103%	104%

Any collateral with a maturity of over 5 years must be approved by the Investment Officer(s) in writing before the transaction is initiated.

3.) Monitoring Collateral Adequacy

a.) Demand Deposits

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has bank deposits. The Investment Officer(s) will monitor adequacy of collateralization monthly.

b.) Certificates of Deposit

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has certificates of deposit. The Investment Officer(s) will monitor adequacy of collateralization monthly.

c.) Repurchase Agreements

Weekly monitoring by the Investment Officer(s) of all collateral underlying repurchase agreement is required. More frequent monitoring may be necessary during periods of market volatility.

4.) Margin Calls

a.) Certificates of Deposit

If the collateral pledged for a certificate of deposit falls below the par value of the deposit, plus accrued interest less FDIC insurance, the Institution will be notified by the Investment Officer and will be required to pledge additional securities no later than the end of the next succeeding business day.

b.) Repurchase Agreements

If the value of the collateral underlying a repurchase agreement falls below the margin maintenance levels specified above, the City will make a margin call unless the repurchase agreement is scheduled to mature within five business days and the amount is deemed to be immaterial.

5.) Collateral Substitution

Collateralized certificates of deposit and repurchase agreements often require substitution of collateral. Any broker, dealer, or financial institution requesting substitution must contact the Investment Officer for approval and settlement. The substituted security's value will be calculated and substitution approved if its value is equal to or greater than the required security level. The Investment Officer(s), or a designee, must provide written notification of the decision to the bank or the safekeeping agent holding the security prior to any security release. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Investment Officer(s) may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

6.) Collateral Reductions

Should the collateral's market value exceed the required amount, any broker or financial institution may request approval from the Investment Officer(s) to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

SAFEKEEPING AND CUSTODY

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or as part of its depository and repurchase agreements. All collateral securing bank deposits must be held by third-party banking institution acceptable to and under contract with the City, or by the Federal Reserve Bank. The securities purchased under a repurchase agreement must be delivered to a third-party custodian with whom the City has established a safekeeping agreement.

All security transactions, including collateral for repurchase agreements entered into by the City shall be conducted on a delivery-verses-payment (DVP) basis. By so doing, City funds are not released until the City has received, through the Safekeeping Agent, the securities purchased. The security shall be held in the name of the City or held on behalf of the City. The Safekeeping Agent's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

INVESTMENT PARAMETERS

Maximum and Weighted Average Maturity

In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirement of the funds. The City of Elgin intends to match the holding periods of investment funds with liquidity need of the City. The maximum final stated maturity of any investment shall not exceed five years. All long-term maturities will be intended to cover long-term liabilities. In addition, no less than ten percent (10%) of the funds in the portfolio will be liquid at all times. The entire portfolio will have a weighted average maturity of one (1) year or less. This weighted average will be calculated using the stated final maturity dates of each security.

By Fund Groups

Maturity guidelines by fund are as follows:

- a.) Operating Funds - The weighted average days to maturity for the operating fund portfolio shall be 365 days or less and the maximum allowable maturity shall be two years.
- b.) Debt Service Funds - Debt Service Funds shall be invested to ensure adequate funding for each consecutive debt service payment. The Investment Officer shall invest in such a manner as not to exceed an "unfunded" debt service date with the maturity of any investment. Any unfunded debt service date is defined as a coupon or principal payment date that does not have cash or investment securities available to

satisfy said payment.

- c.) Debt Service Reserve Funds - Market conditions, Bond Resolutions constraints and Arbitrage compliance will be considered when formulating Reserve Fund strategy. Maturity limitation shall generally not exceed the call provisions of the Bond Ordinance and shall not exceed the final maturity of the bond issue. All Debt Service Reserve Fund investment maturities shall not exceed five years.
- d.) Special Project, Special Purpose, and Capital Improvement Funds - The investment maturity of bond proceeds shall generally be limited to the anticipated cash flow requirements. City funds that are considered “bond proceeds” for arbitrage purposes will be invested using a more conservative approach than the standard investment strategy when arbitrage rebate rules requiring refunding excess earnings. All earnings in excess of the allowable arbitrage earnings will be segregated and made available for any necessary payments to the U.S. Treasury.

INVESTMENT STRATEGY

The City of Elgin maintains one portfolio in which all funds under the City’s control are pooled for investment purposes. In order to minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

1. General, Enterprise, or Operating-type Funds

Suitability – Any investment eligible in the Investment Policy is suitable for General, Enterprise, or Operating Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, managing the weighted average days to maturity of each fund’s portfolio to less than 365 days and restricting the maximum allowable maturity to two years will minimize the price volatility of the portfolio.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – General, Enterprise, or Operating-type Funds require the greatest short-term liquidity of any of the fund-types. Short-term investment pools and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification – Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of ELGIN. Diversifying the appropriate maturity structure up to the two-year maximum will reduce interest rate risk.

Yield – Attaining a competitive market yield for comparable security- types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective.

2. Debit Service Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Funds maturities to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

Marketability – Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity – Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Investment pools and money market mutual funds may provide a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions influence the attractiveness of fully extending maturity to the next “unfunded” payment date. Generally, if investment rates are anticipated to decrease over time, ELGIN is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded in an attempt to bolster yield.

Yield – Attaining a competitive market yield for comparable security- types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio shall be the minimum yield objective.

3. Debit Service Reserve Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt

Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing will reduce the investment's market risk if ELGIN's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual market-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and influence maturity extension.

Marketability – Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to ELGIN's debt holders. The funds are "returned" to ELGIN at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, ELGIN is best served by locking in investment maturities and reducing liquidity. If the borrowing costs cannot be exceeded, then current market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipated future increased yields.

Diversification – Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall operate within the limits of the Investment Policy's risk constraints.

4. Special Project, Special Purpose or Capital Improvement Funds

Suitability – Any investment eligible in the Investment Policy is suitable for Capital Improvement Funds.

Safety of Principal – All investments will be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Capital Improvement

Funds to not exceed the anticipated expenditure schedule, the market risk of the overall portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the anticipated expenditure schedule.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a particular security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – Most capital improvement programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Investment pools and money market mutual funds will provide readily available funds generally equal to one month’s anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds. Generally, if investment rates exceed the applicable cost of borrowing, ELGIN is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then current market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the cost of borrowing is the desired objective within the limits of the Investment Policy’s risk constraints. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective for non- borrowed funds.

Investment transactions must be settled on delivery-versus-payment (DVP) basis, with the exception of investment pools and mutual funds.

REPORTING

Not less than quarterly, the Investment Officer shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include the following:

- 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value.
- 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested.

3.) The maturity date of each investment.

4.) Statement of compliance of the portfolios as it relates to the investment strategy.

Detailed and summary reports will be prepared jointly and presented to the City Council and Mayor not less than quarterly. Reports will comply with Section of the PFIA at a minimum.

Quarterly reports will be formally reviewed at least annually by an independent auditor and reported to the City Council once the City invests in items other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of CD's or money market accounts.

MONITORING OF THE MARKET VALUE OF INVESTMENTS AND COLLATERAL

The Investment Officer, with the help of City Council, as needed, shall determine the market value of each investment and of all Collateral pledged to secure deposits of City funds at least quarterly and at a time as close as practicable to the closing of the reporting period for the investments. Such values shall be included on the investment report. The following methods shall be used:

- 1) Certificates of deposit shall be valued at their face value plus any accrued but unpaid interest.
- 2) Shares in money market mutual funds and investment pools shall be valued at par plus any accrued but unpaid interest.
- 3) Other investment securities with a remaining maturity of one year or less may be valued in any of the following ways:
 - a. the lower of two bids obtained from securities broker/dealers for such security;
 - b. the average of the bid and asked prices for such investment security as published in The Wall Street Journal or The New York Times;
 - c. The bid price published by any nationally recognized security pricing service; or the market value quoted by the seller of the security or the owner of such Collateral.
- 4) Other investment securities with a remaining maturity of greater than one year shall be valued at the lower of two bids obtained from securities broker/dealers for such security, unless two bids are not available, in which case the securities may be valued in any manner provided in this section.

INTERNAL CONTROLS

Investment Officer(s) shall establish a system of internal controls, which shall be designed to prevent losses of public funds arising from fraud, employee error, unanticipated changes in financial markets, or imprudent actions by employees. Pertinent controls include custodian safekeeping receipts records management, documentation of investment bidding activities, written confirmations of oral transactions, reconciliation records, training requirement documentation, and compliance with investment policies. Where practical, the City should emphasize control of collusion, separation of duties, clear delegation of duties, accurate and timely reports, and staying informed about market conditions, changes and trends. In conjunction with the City's annual financial audit, the independent external auditor will assure compliance with the management controls on investments and adherence to investment policies.

PERFORMANCE STANDARDS

The investment portfolio shall be designed with the objective of ensuring the safety of the City's assets and minimizing interest rate risk. In addition, it will remain sufficiently liquid to meet cash flow needs, while protecting the interests of the public, all while obtaining a rate of return throughout budgetary and economic cycles.

The City's overall investment strategy is conservative. Given this strategy, the basis used by the Treasury to determine whether market yields are being achieved shall be the six month U.S. Treasury bill.

INVESTMENT POLICY ADOPTION

The City's investment policy, which includes strategies for each fund, shall be adopted by resolution of the City Council. The policy shall be reviewed annually and any modifications thereto must be approved by the City Council. This adoption by resolution is required even if there are no changes within the policy.

APPENDIX "A"

I hereby certify that I have personally read and understand the investment policy and master repurchase agreement (if applicable), conditions of the City of Elgin, Texas. I further acknowledge that reasonable procedures and controls designed to fulfill those objectives and conditions have been implemented. Therefore, this firm will preclude investment transactions between itself and the City of Elgin that are not authorized by the City's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup the City's entire portfolio or requires an interpretation of subjective investment standards, thus protecting the City's credit or market risk.

All sales personnel of this firm dealing with the City of Elgin's account(s) have been informed and will be routinely informed of the City's investment horizons, limitations, strategy and risk constraints, whenever we are so informed by the City.

This firm pledges due diligence in informing the City of foreseeable risks associated with financial transactions connected to this firm.

I further acknowledge that no investment transaction shall occur between this firm and the City, until the City of Elgin receives this consent form, completed by the firm's qualified representative.

FIRM _____

SIGNATURE OF QUALIFIED FIRM REPRESENTATIVE _____

PRIMARY REPRESENTATIVE: NAME/TITLE _____
(Please print)

DATE _____

GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specified maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refer to securities pledged by a bank to secure deposits of public moneys.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official Annual report for the City of Elgin. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY-VERSES- PAYMENT (DVP): There are two methods of delivery of securities: delivery-verses-payment and delivery-verses-receipt. Delivery-verses- payment is delivery of securities with an exchange of money for the securities. Delivery-versus-receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed Funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks with member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable rate mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Bank Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, DC regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA, or FMHM mortgages. The term “pass-through” is often used to describe “Ginnie Mae”.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and a reasonable trade size can be done at the quoted prices.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MONEY MARKET: The date upon which the principal or stated value of an investment becomes due and payable.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve’s most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight.

Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in security if it is one that would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized-yield-to-maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RFPs extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY NOTES: A non-interest bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms, as well as nonmember broker-dealers in securities, maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price for the security. (b) **Net Yield to Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.



COUNCIL MEETING: May 5, 2015

ITEM: 8. Discussion and action to consider adoption of a Resolution that would suspend the proposed rate increase from CenterPoint Energy Entex, South Texas Division until after July 14, 2015.

RESOURCE PERSON(S): Kerry Lacy, City Manager (Pages 185-187)

SUMMARY: Section 104.301 of the Texas Utilities Code allows municipalities the right to postpone proposed rate increases for 45 days in order that a review of the data and calculations can be made that was the basis for the utility to propose a rate adjustment. This proposed Resolution also allows the City of Elgin to participate in a coalition of other Cities in this particular rate case.

RECOMMENDATION(S): Approve the proposed Resolution.

ATTACHMENT: 1-Proposed Resolution

RESOLUTION NO. 2015-05-05-04

A RESOLUTION BY THE CITY OF ELGIN, TEXAS, (“CITY”) RESPONDING TO THE APPLICATION OF CENTERPOINT ENERGY EXTEX, SOUTH TEXAS DIVISION TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, on March 31, 2015 CenterPoint Energy Entex, South Texas Division (“CenterPoint”) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”), resulting in a requested increase in the monthly residential customer charge by \$1.00; and

WHEREAS, there are many customers of limited means who receive gas service from CenterPoint and relatively small increases in rates can have a negative effect on those customers being able to make ends meet; and

WHEREAS, the City has a special responsibility to exercise due diligence before approving rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS, the application to increase rates by CenterPoint is very lengthy and complex; and

WHEREAS, it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in CenterPoint’s rate application are correctly done; and

WHEREAS, the effective date proposed by CenterPoint is May 30, 2015 but a suspension by the City will mean that the rate increase cannot go into effect prior to July 14, 2015.

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

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by CenterPoint for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations which provide the basis for the rate increase application.

Section 3. Authorizing in the participation of a coalition with other cities named in the rate case.

Section 4. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 5. This resolution shall be effective immediately upon passage.

PASSED and APPROVED this the 5th day of May, 2015.

ATTEST:

Marc Holm, Mayor

LUCRETIA ALVAREZ
City Secretary



COUNCIL MEETING: May 5, 2015

ITEM: 9. Discussion and action to consider authorizing the City Manager to apply for a grant from the USDA Agricultural Marketing Service under the Local Foods Promotion Program (LFPP) to begin implementation of the Elgin Local Food Business Center.

RESOURCE PERSON(S): Sue Beckwith, Grants Administrator ((Pages 188-189)

SUMMARY: The purpose of this project is to begin the implementation phase of the Elgin Local Food Business Center (ELF Business Center). The ELF Business Center will provide an FDA-inspected and certified organic food manufacturing facility for Texas-grown horticultural crops and food business incubation services for Elgin-area food entrepreneurs.

The Elgin Economic Development Corporation, by unanimous vote, recommends the Council authorize the City Manager to apply for this grant.

Jobs created: 3 direct, 30 indirect in 3 years

Services of the Center include:

- Business incubation for Elgin-area local food entrepreneurs
- Value-added processing using Elgin area and Texas farmers' horticultural crops
- Commercial kitchen for use by Elgin food entrepreneurs and for community education
- Business support and training for central Texas

farmers, food and agricultural enterprises

Benefits to Elgin residents:

- **Provide new markets for Elgin area family-scale farmers**
- **Increase access to healthy food for all Elgin area residents**
- **Create and sustain quality jobs for Elgin area residents**

Budget: Grant Funding Requested: up to \$100,000

Local Match: \$ 34,000 in kind to come from partners

No cash match

If funded, City of Elgin will receive up to \$10,000 in Indirect costs to cover overhead

The grant, if awarded, will pay startup costs for marketing and branding services, farmer training, food entrepreneur business education and community education sessions.

Total startup plus year 1 operating cost for the ELF Business Center is \$600,000. Additional funding will be sought from USDA, Texas Department of Agriculture and private foundations. When fully funded, the ELF Business Center can be completed and operational by April 2017.

RECOMMENDATION(S): Authorize the City Manager to proceed with application for a grant from the USDA Agricultural Marketing Service to begin implementation of the Elgin Local Food Business Center.

ATTACHMENT: