



**AGENDA
ELGIN CITY COUNCIL
SPECIAL MEETING
TUESDAY, MAY 19, 2015
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

CALL TO ORDER

PUBLIC HEARING

None

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

None

REPORTS

None

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.

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Discussion and action regarding Resolution 2015-05-19-05 to canvass the returns and declare the results of the General Election held May 9, 2015.
Lucretia Alvarez, City Secretary (Pages 3-5)
2. Discussion and action regarding Resolution 2015-05-19-06 to canvass the returns and declare the results of the Special Election held May 9, 2015.
Lucretia Alvarez, City Secretary (Pages 6-9)
3. Swearing in of Newly Elected Council Members.
Lucretia Alvarez, City Secretary (Page 10)
4. Discussion and action to appoint one council member to the Board of Directors of the Elgin Economic Development Corporation.
Kerry Lacy, City Manager (Page 11)
5. Discussion and action to appoint or reappoint members to the Board of Directors of the Elgin Economic Development Corporation.
Kerry Lacy, City Manager (Pages 12-19)
6. Discussion and action to consider a proposed location for the Recreation/Shelter Center Project funded by Bastrop County and the City of Elgin.
Kerry Lacy, City Manager (Page 20)

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 Friday, May 15 before 3:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Lucretia Alvarez
Lucretia Alvarez, City Secretary



COUNCIL MEETING: May 19, 2015

ITEM: 1. Discussion and action regarding Resolution 2015-05-19-05 to canvass the returns and declare the results of the General Election held May 9, 2015.

RESOURCE PERSON(S): Lucretia Alvarez, City Secretary (Pages 3-5)

SUMMARY: The General Election held on May 9, 2015 have the results below for Council Member Ward 2, to be read aloud at a council meeting to canvass the returns and declare the results by the city council.

Juan Gonzalez 66
Skyler Maldonado 10
Bettye Lofton 36

RECOMMENDATION(S): Accept and declare the results of the newly elected council member, Juan Gonzalez for Ward 2.

ATTACHMENT: 1-Election final results
2-Resolution 2015-05-19-05 Canvass General Election Results

RUN DATE:05/12/15 12:22 PM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	EARLY VOTING	ELECTION DAY	PROVISIONALS
PRECINCTS COUNTED (OF 4)	0				
REGISTERED VOTERS - TOTAL	0				
BALLOTS CAST - TOTAL.	394		223	171	0
Trustee, Single Member District 6					
VOTE FOR 1					
Pete Bega	136	61.26	81	55	0
Patrick Maass	86	38.74	36	50	0
Over Votes	0		0	0	0
Under Votes	2		1	1	0
City Councilmember, Ward 2					
VOTE FOR 1					
Juan Gonzalez	66	58.93	44	22	0
Skyler Maldonado	10	8.93	5	5	0
Bettye Lofton	36	32.14	22	14	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
Charter Amendment					
VOTE FOR 1					
Yes	241	62.76	137	104	0
No.	143	37.24	80	63	0
Over Votes	0		0	0	0
Under Votes	10		6	4	0

RESOLUTION NO. 2015-05-19-

**A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING RESULTS OF
THE CITY OF ELGIN GENERAL ELECTION**

WHEREAS, general election was held on the 9th day of May, 2015 for the purpose of electing the hereinafter officials; and

WHEREAS, the returns of that election have been considered; and

WHEREAS, it appears from said return, duly and legally made that there were cast at said election 112 valid and legal votes: and

WHEREAS, the candidate(s) running for **Ward 2** in said election received the following votes:

<u>Juan Gonzalez</u>	66 Votes
Candidate Name	

<u>Skyler Maldonado</u>	10 Votes
Candidate Name	

<u>Bettye Lofton</u>	36 Votes
Candidate Name	

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

That said election was duly called; that notice of said Election was given in accordance with the law, and that said election was held in accordance with the law; and that Juan Gonzalez was duly elected as Council Member Ward 2 and is hereby declared duly elected to said respective office, subject to the taking of their oaths by law of the State of Texas.

READ, RESOLVED and APPROVED this the 19th day of May, 2015.

ATTEST:

MARC HOLM, MAYOR

Lucretia Alvarez, City Secretary



COUNCIL MEETING: May 19, 2015

ITEM: 2. Discussion and action regarding Resolution 2015-05-19-06 to canvass the returns and declare the results of the Special Election held May 9, 2015.

RESOURCE PERSON(S): Lucretia Alvarez, City Secretary (Pages 6-9)

SUMMARY: A charter amendment was proposed by the Elgin Petitioners Committee on November 21, 2014. The Special Election was held on May 9, 2015 and the results are to be read aloud at a council meeting to canvass the returns and declare the results by the city council.

The City has the power to spend taxpayer money to construct and maintain streets, roads, highways, bike trails, sidewalks and mass transit facilities, except that no taxpayer money may be spent on or contractually pledged to any passenger train project unless a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin.

Shall the above described charter amendment be adopted?

Yes 241 Votes

No 143 Votes

RECOMMENDATION(S): Accept and declare the results of the election.

ATTACHMENT:

1-Election Results May 9, 2015

2-Resolution 2015-05-19-06 Canvass Special Election

RUN DATE:05/12/15 12:22 PM

REPORT-EL45A

PAGE 001

	TOTAL VOTES	%	EARLY VOTING	ELECTION DAY	PROVISIONALS
PRECINCTS COUNTED (OF 4)	0				
REGISTERED VOTERS - TOTAL	0				
BALLOTS CAST - TOTAL.	394		223	171	0
Trustee, Single Member District 6					
VOTE FOR 1					
Pete Bega	136	61.26	81	55	0
Patrick Maass	86	38.74	36	50	0
Over Votes	0		0	0	0
Under Votes	2		1	1	0
City Councilmember, Ward 2					
VOTE FOR 1					
Juan Gonzalez	66	58.93	44	22	0
Skyler Maldonado	10	8.93	5	5	0
Bettye Lofton	36	32.14	22	14	0
Over Votes	0		0	0	0
Under Votes	0		0	0	0
Charter Amendment					
VOTE FOR 1					
Yes	241	62.76	137	104	0
No.	143	37.24	80	63	0
Over Votes	0		0	0	0
Under Votes	10		6	4	0

RESOLUTION NO. 2015-05-19-06

**A RESOLUTION AND ORDER CANVASSING THE RETURNS AND
DECLARING RESULTS OF THE CITY OF ELGIN SPECIAL ELECTION**

WHEREAS, special election was held on the 9th day of May, 2015 for the purpose of amending Article II of the City Charter of Elgin; and

WHEREAS, the returns of that election have been considered; and

WHEREAS, it appears from said return, duly and legally made that there were cast at said election 384 valid and legal votes: and

WHEREAS, the amendment of Elgin's City Charter, Article II in said election received the following votes:

The City has the power to spend taxpayer money to construct and maintain streets, roads, highways, bike trails, sidewalks and mass transit facilities, except that no taxpayer money may be spent on or contractually pledged to any passenger train project unless a public bus line shall have first demonstrated a need for train service by having 500 intercity boardings in Elgin per weekday, averaged over three months, connecting to the City of Austin.

Shall the above described charter amendment be adopted?

Yes 241 Votes

No 143 Votes

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

That said election was duly called; that notice of said Election was given in accordance with the law, and that said election was held in accordance with the law; and that the new language be adopted into the Elgin City Charter.

READ, RESOLVED and APPROVED this the 19th day of May, 2015.

ATTEST:

MARC HOLM, MAYOR

Lucretia Alvarez, City Secretary



COUNCIL MEETING: May 19, 2015

ITEM: 3. Swearing in of Newly Elected Council Members.

RESOURCE PERSON(S): Lucretia Alvarez, City Secretary (Page 10)

SUMMARY: All newly elected council, whether unopposed or elected into office, are required by law to sign the Statement of Officer and Oath of Office upon being sworn in to their municipal office by the city secretary. The signing of the documents may take place in a private setting before the public swearing in at the meeting of the governing body.

Mayor-at-Large- Marc Holm
Ward 1- Mary Penson
Ward 2- Juan Gonzalez
Ward 3- Chris Cannon
Ward 4- Keith Joesel

RECOMMENDATION(S): Photo of the newly elected members of council.

ATTACHMENT:



COUNCIL MEETING: May 19, 2015

ITEM: 4. Discussion and action to appoint one council member to the Board of Directors of the Elgin Economic Development Corporation.

RESOURCE PERSON(S): Kerry Lacy, City Manager (Page 11)

SUMMARY: The Elgin Economic Development Corporation by-laws read if the Board members are a member of city council, his or her term shall coincide with his or her elected term of office. Two members of city council serve on the EEDC board. Currently serving are Chris Cannon (2013-2015) and Jessica Bega (2014-2016).

RECOMMENDATION(S): Appoint one council member to the EEDC board of directors.

ATTACHMENT:



COUNCIL MEETING: May 19, 2015

ITEM: 5. Discussion and action to appoint or reappoint members to the Board of Directors of the Elgin Economic Development Corporation.

RESOURCE PERSON(S): Kerry Lacy, City Manager (Pages 12-19)

SUMMARY: There are three members on the Elgin Economic Development Board expiring May 31, 2015.

Jeff Carter and S.H. McShan have submitted letters requesting reappointment.

Cody Mauck and Ed Rivers have applied to serve on this board.

RECOMMENDATION(S): The Local Government Code Chapter 501, Section 501.62 states that the governing body (city council) of the corporation's authorizing unit are to appoint directors to the board.

ATTACHMENT:

- 1-Letter from Carter
- 2-Letter from McShan
- 3-Application from Mauck
- 4-Application from Rivers
- 5-LGC Chapter 501, Section 501.062

Jeff Carter
1005 Red Town Road
Elgin, Texas 78621

March 11, 2015

Honorable Marc Holm, Mayor
City of Elgin
310 North Main Street
Elgin, Texas 78621

RE: Elgin Economic Development Corporation – Board

Dear Mr. Mayor,

I am currently serving on the Board of the Elgin Economic Development Corporation (“EDC”) as its Vice Chairman and my current 3 year appointed term expires in May 2015. Please accept this letter as my desire to be considered for an additional 3 year term after my current term expires.

Sincerely,



Jeff Carter
(512)829-5204 – Cell

CC: David Glass, EDC Chairman
Joe Newman, EDC Executive Director

S. H. McShan, Sr.
431 South Main Street
Elgin, TX 78621
512-281-4502

March 26, 2015

City of Elgin
Economic Development Board
310 North Main Street
Elgin, TX 78621

RE: EDC Board Term

I have enjoyed being a member of the City of Elgin Economic Development Board (EDC) board. Participating in the plans to promote Elgin and assist with decisions that are moving our city forward is important to me.

This is written notification that I would like to continue serving on the EDC board for another two (2) year term.

Please accept this written notice as my application to serve for another term.

Sincerely,

A handwritten signature in blue ink that reads "S.H. McShan". The signature is written in a cursive, flowing style.

S.H. McShan, Sr.



CITY OF ELGIN APPLICATION FOR COMMUNITY BOARDS



Please Type or Print Clearly

NAME: Cody Mauck

TELEPHONE: (H) _____ (W) (512) 581-4420 (Cell) (512) 468-~~209~~1806

ADDRESS (Residence): 1124 C.R. 301, Elgin, TX. 78621

(Mailing): Same

E-MAIL ADDRESS: cmauck@fnbbastrop.com

Is e-mail a way of contacting you promptly? Yes X No _____ If not, how? _____

WHICH OF THE FOLLOWING COMMISSIONS or BOARDS WOULD YOU LIKE TO SERVE ON:

Check all that Apply. If you apply for multiple boards/commissions, please rank your preferences as 1st, 2nd, 3rd, etc.

- ☐ Board of Adjustment
- ☐ Planning & Zoning Commission
- ☐ Building Standards Commission
- ☐ Public Safety Advisory Committee
- ☒ Economic Development Corporation

- ☐ Envision Elgin
- ☐ Main Street Board
- ☐ Historic Review Board
- ☐ Parks & Recreation Board
- ☐ Library Advisory Board

LIST THREE REFERENCES: (Name, Address & Contact Information for each)

Ried Sharp (President FNB Bastrop) 512-581-4400

James McGlaughlin 512-281-6162

Sandy Menley 512-963-1113

OCCUPATION AND/OR AREA(S) OF EXPERTISE: (If retired please indicate former occupation or profession)

Finance & Lending

Accounting

Real Estate

Economic Impact Analysis

EDUCATION: (High School, College, etc.) H.S. Diploma (Elgin), Bachelors of science (TAMU)
Masters of Business (Banking) (SMU)

ADDITIONAL PERTINENT INFORMATION:

- ♦ Do you reside within the City Limits of Elgin?

YES _____ NO X

(Own Property in City of Elgin)

If yes, how long? _____ What Ward? _____

- ♦ Do you reside within the Elgin Independent School District? YES X NO _____

- ♦ Do you own property or a business in the Elgin Area? YES X NO X

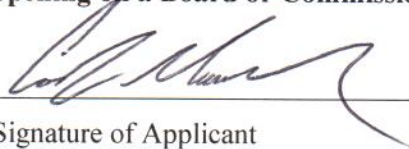
If yes, please specify business name and/or property location: Rental Rental Properties
(President of Bank) Elgin Branch

- ♦ Are you currently serving on any other City of Elgin Board/Commission/Committee?
YES___ NO X If yes, please indicate name _____
- ♦ Recognizing that serving on a Board or Commission is often time consuming, are you committed to attending all regularly scheduled meetings? YES X NO ___ If not, why? _____
- ♦ Why would you like to serve on the selected Board or Commission? I would like to contribute my knowledge, Expertise and Experience to the growth & development of Elgin as a whole
- ♦ Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ___ NO X
- ♦ Do you have your employer's support to serve on a Board or Commission? YES X NO ___

Board members are required to participate in training and obtain a certificate of completion for the Texas Open Meetings Act and Public Information Act within 90 days after date of appointment.

- ♦ Do you agree to complete any training necessary for the Board or Commission? YES X NO ___
- ♦ How did you hear of the available position(s)? Word of mouth

Completing and submitting this application does not guarantee your placement on a city board. Your application will be reviewed and kept on file for two (2) years for possible placement of an opening on a Board or Commission.



Signature of Applicant

3/17/2015

Date

If you have any questions, please contact Lucretia Alvarez, City Secretary @ (512) 281-5724. Submit original application to City Secretary/City of Elgin, P.O. Box 591, Elgin, Texas 78621 or deliver to 310 North Main Street.

Thanks for your interest!



CITY OF ELGIN APPLICATION FOR COMMUNITY BOARDS



Please Type or Print Clearly

NAME: Ed Rivers

TELEPHONE: (H) (512) 281-2463 (W) (512) 303-2561 (Cell) (512) 940-8179

ADDRESS (Residence): 229 Hickory Drive, Elgin, TX 78621

(Mailing): P.O. Box 1124, Elgin, TX 78621

E-MAIL ADDRESS: erivers@independencetitle.com

Is e-mail a way of contacting you promptly? Yes ☒ No ☐ If not, how? _____

WHICH OF THE FOLLOWING COMMISSIONS or BOARDS WOULD YOU LIKE TO SERVE ON:

Check all that Apply. If you apply for multiple boards/commissions, please rank your preferences as 1st, 2nd, 3rd, etc.

- ☐ Board of Adjustment
- ☐ Planning & Zoning Commission
- ☐ Building Standards Commission
- ☐ Public Safety Advisory Committee
- ☒ Economic Development Corporation

- ☒ Envision Elgin
- ☐ Main Street Board
- ☐ Historic Review Board
- ☐ Parks & Recreation Board
- ☐ Library Advisory Board

LIST THREE REFERENCES: (Name, Address & Contact Information for each)

Keith Sharp - FNB

(512) 303-2561

Mark Owen - Owen & Boynt

(512) 281-3326

Shirley Mack - Keltan

(512) 281-3336

OCCUPATION AND/OR AREA(S) OF EXPERTISE: (If retired please indicate former occupation or profession)

Vice-President of Independence Title

EDUCATION: (High School, College, etc.) Texas A&M Graduate

ADDITIONAL PERTINENT INFORMATION:

- ♦ Do you reside within the City Limits of Elgin? YES ☐ NO ☒

If yes, how long? _____ What Ward? _____

- ♦ Do you reside within the Elgin Independent School District? YES ☒ NO ☐

- ♦ Do you own property or a business in the Elgin Area? YES ☒ NO ☐

If yes, please specify business name and/or property location: 22 N Main St, 26 N Main, 28 N Main

- ♦ Are you currently serving on any other City of Elgin Board/Commission/Committee?
YES ☒ NO ☐ If yes, please indicate name Marsh Street + HSB
- ♦ Recognizing that serving on a Board or Commission is often time consuming, are you committed to attending all regularly scheduled meetings? YES ☒ NO ☐ If not, why? _____
- ♦ Why would you like to serve on the selected Board or Commission? Business + Property
owner in Downtown Elgin + other areas of Elgin
- ♦ Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ☐ NO ☒ work for a land title company
- ♦ Do you have your employer's support to serve on a Board or Commission? YES ☒ NO ☐

Board members are required to participate in training and obtain a certificate of completion for the Texas Open Meetings Act and Public Information Act within 90 days after date of appointment.

- ♦ Do you agree to complete any training necessary for the Board or Commission? YES ☒ NO ☐
- ♦ How did you hear of the available position(s)? word of mouth

Completing and submitting this application does not guarantee your placement on a city board. Your application will be reviewed and kept on file for two (2) years for possible placement of an opening on a Board or Commission.

[Signature]

Signature of Applicant

3-17-15

Date

If you have any questions, please contact Lucretia Alvarez, City Secretary @ (512) 281-5724. Submit original application to City Secretary/City of Elgin, P.O. Box 591, Elgin, Texas 78621 or deliver to 310 North Main Street.

Thanks for your interest!

otherwise reproduce the seal or a facsimile of the seal on an instrument required to be executed by the corporation's appropriate officers.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Sec. 501.060. MAY SUE AND BE SUED. With respect to a project, a corporation may sue, be sued, complain, and defend in the corporation's name.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Sec. 501.061. CORPORATION'S ORGANIZATION NOT RESTRICTED. Except as provided by this subtitle, no proceeding, notice, or approval is required for the organization of a corporation.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Sec. 501.062. BOARD OF DIRECTORS. (a) All of the powers of a corporation are vested in a board of directors consisting of three or more directors appointed by the governing body of the corporation's authorizing unit.

(b) A director serves for a term of not more than six years.

(c) The governing body of the corporation's authorizing unit may remove a director for cause or at will.

(d) A director serves without compensation, but is entitled to reimbursement for actual expenses incurred in the performance of the director's duties under this subtitle.

Added by Acts 2007, 80th Leg., R.S., Ch. 885 (H.B. 2278), Sec. 3.01, eff. April 1, 2009.

Sec. 501.063. ORGANIZATIONAL MEETING. (a) After issuance of



COUNCIL MEETING: May 19, 2015

ITEM: 6. Discussion and action to consider a proposed location for the Recreation/Shelter Center Project funded by Bastrop County and the City of Elgin.

RESOURCE PERSON(S): Kerry Lacy, City Manager (Page 20)

SUMMARY: City Council needs to consider a possible location for the facility to be located. Requirements for funding will include environmental and geotechnical surveys to be conducted.

RECOMMENDATION(S): Select a site that is already owned by the City to reduce costs of purchasing property.

ATTACHMENT: