



**AGENDA
ELGIN CITY COUNCIL
PUBLIC HEARING & REGULAR MEETING
TUESDAY, FEBRUARY 3, 2015
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 P.M.**

CALL TO ORDER

INVOCATION

Recess REGULAR MEETING and call to order PUBLIC HEARING

PUBLIC HEARING

1. Proposed Zoning Change Request from Roseanne Cullen for 515 North Highway 95 from C-3 commercial to R-1 residential.
Gary Cooke, Planning and Development Director (Pages 5-18)
2. Proposed Zoning Change Request from Micah and Michelle Erwin for 414 East 8th Street for a specific use permit.
Gary Cooke, Planning and Development Director (Pages 19-31)

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 First Quarter Tina Guerero.
Sandy Ott, Library Director (Pages 33-35)
2. Presentation of Proclamation for Black History Month.
Amy Miller, Parks and Community Development Director (Pages 36-40)

REPORTS

1. Monthly Department Reports for December Council Informational Monthly Updates.
Kerry Lacy, City Manager (Pages 42-67)
2. Presentation of Quarterly Investment Report ending December 31, 2014.
Buck LaQuey, CPA, Finance Director
Laura Schwartz, Purchasing Agent, Finance Assistant (Pages 68-70)
3. Presentation of Quarterly Financial Report ending December 31, 2014.
Buck LaQuey, CPA, Finance Director
Laura Schwartz, Purchasing Agent, Finance Assistant (Pages 71-76)

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 meeting January 6, 2015.
Lucretia Alvarez, City Secretary (Pages 79-82)
2. Approval of an Agreement to Conduct Joint Election between the City of Elgin and Elgin Independent School District for the May 9, 2015 Election.
Lucretia Alvarez, City Secretary (Pages 83-86)
3. Approval of a Contract for Election Services between the Elections Administrator of Bastrop County and the City of Elgin for the May 9, 2015 Election.
Lucretia Alvarez, City Secretary (Pages 87-101)
4. Approval of appointments to Library Advisory Board.
Sandy Ott, Library Director (Pages 102-109)
5. Approval of appointments to Parks and Recreation Advisory Board.
Michael Gonzalez, Parks and Recreation Program Manager (Pages 110-115)
6. Approval of appointments to Main Street Board.
Amy Miller, Parks and Community Development Director (Pages 116-122)
7. Approval of appointments to Historic Review Board.
Amy Miller, Parks and Community Development Director (Pages 123-125)
8. Approval of appointments to Board of Adjustments.
Gary Cooke, Planning and Development Director (Pages 126-129)
9. Approval for partial street closure of Main Street, First Street, and Avenue C on Sunday, March 1, 2015 for the Volunteer Fire Department Annual BBQ plate fundraiser from 11:00 a.m. to 1:00 p.m.
Amy Miller, Parks and Community Development Director (Pages 130-131)
10. Approval for waiver of the open container ordinance in Veterans' Memorial Park for the Friends of Elgin Parks' Music in the Park series on May 15, May 22, May 29, June 5, and June 19, 2015 from 4:00 p.m. until 10:00 p.m.
Michael Gonzalez, Parks and Recreation Program Manager (Page 133)
11. Approval of a contract with the Bastrop YMCA to provide swim lessons and swim leagues at Morris Memorial Park and Pool for the summer 2015 pool season.
Amy Miller, Parks and Community Development Director (Pages 134-139)

UNFINISHED BUSINESS

None

NEW BUSINESS

- 1 Discussion and action regarding proposed Ordinance Calling a General Election on May 9, 2015 for the purpose of Electing Certain City Officials, Designating Election Precincts and Polling Places, Providing for Early Voting and Providing for Performance of Required Administrative Duties.
Lucretia Alvarez, City Secretary (Pages 141-147)
- 2 Discussion and action regarding proposed Ordinance Calling a Special Election on May 9, 2015 for the purpose of submitting to voters a proposed charter amendment to the Home Rule Charter of the City: designated election precincts and polling places; providing for early voting and election day voting; providing for performance of required administrative duties; making provisions for the conduct of such election; certifying provision of required accessible voting systems at each polling place; and providing for other matters related to such election.
Lucretia Alvarez, City Secretary (Pages 148-157)
- 3 Discussion and action regarding the Local Government Investment Cooperative (LOGIC) as an authorized investment pool.
Buck LaQuey, CPA, Finance Director (Pages 158-175)
4. Discussion and possible action regarding proposed zoning change request from Roseanne Cullen for 515 North Highway 95 from C-3 commercial to R-1 residential.
Gary Cooke, Planning and Development Director (Pages 176-188)
5. Discussion and possible action regarding proposed zoning change request from Micah and Michelle Erwin for 414 East 8th Street for a specific use permit.
Gary Cooke, Planning and Development Director (Pages 189-201)
6. Discussion and action regarding proposed ordinance to create a Building Standards Commission and appoint members.
Gary Cooke, Planning and Development Director (Pages 202-207)
7. Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 423 Brenham Street, Elgin, Texas is unsafe.
Gary Cooke, Planning and Development Director (Pages 208-231)
8. Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 113 Reyna Street, Elgin, Texas is unsafe.
Gary Cooke, Planning and Development Director (Pages 232-253)
9. Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 602 Alley A, Elgin, Texas is unsafe.
Gary Cooke, Planning and Development Director (Pages 254-279)

10. Discussion and action regarding proposed resolution authorizing the preparation and submission of a 2013/2014(PY) Texas Community Development Block Grant (TxCDBG) Application to the Texas Department of Agriculture (TDA) for funding under the Texas Community Development Block Grant Program (TxCDBG).

Doug Prinz, Utilities Director

Philip Ruiz, Community Development Management Company

Amy Miller, Community Development Director (Pages 280-281)

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.

RECONVENE

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

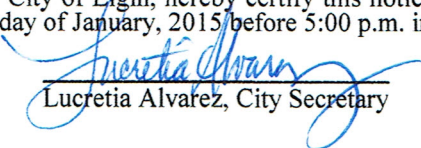
ANNOUNCEMENTS

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 the 30th day of January, 2015 before 5:00 p.m. in accordance with Chapter 551 of the Texas Government Code.


Lucretia Alvarez, City Secretary

PUBLIC HEARING



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: PH-1 Proposed zoning change request from Roseanne Cullen for 515 North Highway 95 from C-3 commercial to R-1 residential.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Zoning change request from Roseanne Cullen for the property located at 515 North Highway 95 from C-3 commercial to R-1 residential.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval for the zoning change request for the property located at 515 North Highway 95 from C-3 commercial to R-1 residential.

ATTACHMENTS:

1. Agenda
2. Letter of request
3. Address list
4. 200ft. letter
5. Map

Attachment 1

PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR/SPECIAL MEETING
MONDAY JANUARY 26, 2015 – 6:30 PM
CITY HALL ANNEX
310 NORTH MAIN STREET, ELGIN, TEXAS

ACTION/ DISCUSSION ON THE FOLLOWING:

RONNIE CREPPON
CHAIRPERSON
705 WEST 11TH
281-9474

DOROTHY McCARTHER
401 WILLIAMS
281-3645

GENO CHAVARRIA
608 EAST 2ND
281-2317

RUDY RAMIREZ
808 SOUTH MAIN

SCOTT MACKAY
839 CENTRAL
281-9495

JOE COTTLE
104 TERRA
281-4132

ANTONIO PRETE
702 EAST 2ND
281-2070

GARY N. COOKE
SECRETARY
P.O. BOX 591
281-0119

1. CALL TO ORDER

2. APPROVAL OF NOVEMBER 17, 2014 MINUTES.

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.

4. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY.

5. ANNOUNCEMENTS

6. ADJOURN

Meeting of the Planning and Zoning Commission was posted on the bulletin board at City Hall, 310 North Main Street, Elgin, Texas on January 7, 2015. The Elgin City Council will hold a public hearing on item 3 & 4 in the City Council Chambers at the Elgin City Hall Annex, 310 N. Main Street, Elgin, Texas on February 3, 2015.



Gary N. Cooke, Director Planning & Development

NOTICE OF ASSISTANCE AT A PUBLIC MEETING

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Para informacion en espanol favor de llamar 512-281-5724. Servicios de traduccion disponible en la reunion.

"This institution is an equal opportunity provider"

MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING- REGULAR- SPECIAL MEETING
MONDAY JANUARY 26, 2015 - 6:30 PM

1. CALL TO ORDER: Ronnie Creppon called the meeting to order at 6:30 pm with the following present; Joe Cottle, Rudy Ramirez, Antonio Prete, Dorothy McCarther, Scott Mackay, Geno Chavarria, Gary Cooke, Pete Navejas, Janette Thompson

ABSENT: None

GUEST: Steve & Bobbie Maldonado, Lynn Cottle, Ronald Fisher, Micah & Michelle Erwin, Val DeCamp, Roseanne Cullen, Kieran Cullen McMarrow, Jules Assata, Sue Beckwith, Nathalie & Karl Engling

2. MINUTES: Scott Mackay made a motion to approve the November 17, 2014 minutes, Rudy Ramirez seconds, motion passed unanimously.

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL. Gary Cooke told the Commission staff did not receive any objection to rezone the property to R-1 residential. After a short discussion, Scott Mackay made a motion to recommend to City Council to approve the zoning change request from C-3 Commercial to R-1 Residential, Dorothy McCarther seconds, motion passed unanimously.

4. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY. Gary Cooke presented to the Commission that the specific use permit typically could be for 1-3 years and at the end of that time they could reapply if there were no complaints or misuse of the permit. Ronnie Creppon asked Mr. Erwin to address the commission. He explained that there would be little if any impact to the area, there would be little impact on water and wastewater, and they would produce about 500 gallons a year and everything would be hand operated, he would have to adhere to the TABC and TDSH and ATTB besides the City of Elgin restrictions. Ronnie Creppon asked how long was he asking for the permit, Mr. Erwin thought that two years might be enough because they would like to eventually move to the downtown area. Ronnie Creppon asked for the residents that signed up to speak. Steve Maldonado spoke against the zoning change, he was afraid that it would bring down property values and bring in more unwanted traffic. The other residents, (Karl Engling, Jules Assata, Sue Beckwith) that signed up, had no problem with it. After a short discussion, Joe Cottle made a motion to recommend to City Council to approve the zoning change request for two years, Rudy Ramirez seconds, and motion fails 3 for 4 against. Dorothy McCarther made a motion to recommend to City Council to approve the zoning change request for three years, Scott Mackay seconds, motion passed unanimously.

5. ANNOUNCEMENTS: The agenda will be in a new format and Jim Walenta, former P&Z chairman, had passed away.

6. ADJOURN: 7: 15 pm

Attachment 2

Roseanne Cullen MD
2606 Briarcrest Drive
Austin, Texas 78704

September 11, 2014

Gary Cooke, Director
City of Elgin, Planning & Development Department
1135 Swenson Boulevard
[Elgin Business Park]
(512) 281-0119

Dear Mr. Cooke,

As per our conversation on September 7th we discussed how I retired from the practice of medicine in November 2011. My former office at 515 North Hwy 95, Elgin TX, has been vacant since then. During the three years I made many attempts to find another medical professional to purchase or lease the property. We also worked with two Elgin realtors, Sandy Menley and Jeanette Shelby, to find buyers.

Because this process has been unsuccessful, and due to the financial strain of having a vacant property(tax , maintenance and insurance) I would like to, as we discussed, rent the property to a residential tenant. You mentioned that although the property currently has C-1 commercial zoning, the temporary presence of a residential tenant would be permissible.

I would be happy to meet with you or your staff if there is anything further that needs to be discussed.

Sincerely,

A handwritten signature in cursive script that reads "Roseanne Cullen".

Roseanne Cullen

Dr. Roseanne Cullen
2606 Briarcrest Drive
Austin, Texas 78704

December 1, 2014

Gary Cooke, Director
City of Elgin, Planning & Development Department
1135 Swenson Boulevard
[Elgin Business Park]
(512) 281-0119

Dear Mr. Cooke,

As we discussed back in September, and in my letter to you dated September 11, 2014, after my retirement from my medical practice at 515 North Hwy 95 in Elgin, I attempted to find another medical professional to lease or purchase the property. I worked with Jeanette Shelby's real estate office to find other types of commercial buyers.

However, as I was unsuccessful in that search, I had to return the property to residential use. I have leased it to a couple who are enjoying the space very much. The lease rate is lower than I had hoped, but in view of how long the property had been vacant, it was important to get it occupied with reliable tenants.

In light of this change in use, I would respectfully ask for your assistance in following the appropriate process of getting the zoning changed back to residential (at is originally was, before I converted it to a medical office).

Later on I will need to contact Bastrop County Appraisal District office about requesting that the tax rate be adjusted to more closely align with the other residential properties in that area. Currently the tax is \$7866 which makes it impossible to cover costs.

I would appreciate the opportunity to meet with you if needed. My mobile phone number is (512) 300-6133. Home (512) 707-8928

Many thanks to you and your staff for the many considerations which greatly helped my work in Elgin.

Sincerely,

Roseanne Cullen

Roseanne Cullen

Attached: Letter dated Sept. 11, 2014

Attachment 3

first	last	address	city	state	zip	prop #
Michelle N & Micah	Erwin	414 E 8th St	Elgin	Texas	78621	11364
St Peters Evan	Lutheran Church	P.O. Box 187	Elgin	Texas	78621	62802 11340
Charles W	Schultz	411 E 8th	Elgin	Texas	78621	11337
Rafael	Vega	706 N Ave H	Elgin	Texas	78621	11328
Carol D & judy	Layton	708 N Ave H	Elgin	Texas	78621	11415
Thomas & Barbara	Hollingsworth Jr.	184 Ragtime Ranch Rd	Elgin	Texas	78621	11334
Tahl A	Williamson	707 N Ave H	Elgin	Texas	78621	11349
Karl & Nathalie	Engeling	711 N Ave H	Elgin	Texas	789621	11355 11352
April M Dietz &	David W Burson	406 E 8th	Elgin	Texas	78621	11358
Susan M Beckwith & Julie	Assata	408 E 8th	Elgin	Texas	78621	11367
Mickey & Jennifer	Concienne	412 E 8th	Elgin	Texas	78621	11370
James	Ferrier	801 N Ave H	Elgin	Texas	78621	11376
Ronald	Fisher	P.O. Box 1136	Elgin	Texas	78621	11424
Michael Dietrich	Kanzler	811 N Ave H	Elgin	Texas	78621	11409
Steve & Bobbie	Maldonado	808 N Ave H	Elgin	Texas	78621	57248
Sarah N & Robert R Flood	Zora Flood Trustee	810 N Ave H	Elgin	Texas	78621	57250

Attachment 4



January 6, 2015

NOTICE OF A ZONING CHANGE REQUEST

A REQUEST HAS BEEN SUBMITTED BY ROSEANNE CULLEN FOR A ZONING CHANGE FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS.

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 January 26, 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

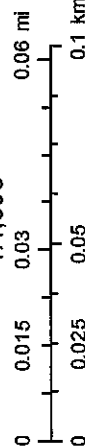
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Attachment 5

Parcels

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), Swis (Taiwan),

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-file ground survey and represents only the approximate relative location of property boundaries. Bastrop County Appraisal District & BIS Consulting - www.bisconsultants.com



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: PH-2 Proposed zoning change request from Micah and Michelle Erwin for 414 East 8th Street for a specific use permit.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Zoning change request for the property located at 414 East 8th Street for a specific use permit.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval for the specific use permit for the property located at 414 East 8th Street for 2 years.

ATTACHMENTS:

1. Agenda
2. Letter of request
3. Address list
4. 200ft. letter
5. Map

Attachment 1

PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR/SPECIAL MEETING
MONDAY JANUARY 26, 2015 - 6:30 PM
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DOROTHY McCARTHER
401 WILLIAMS
281-3645

GENO CHAVARRIA
608 EAST 2ND
281-2317

RUDY RAMIREZ
808 SOUTH MAIN

SCOTT MACKAY
839 CENTRAL
281-9495

JOE COTTLE
104 TERRA
281-4132

ANTONIO PRETE
702 EAST 2ND
281-2070

GARY N. COOKE
SECRETARY
P.O. BOX 591
281-0119

1. CALL TO ORDER

2. APPROVAL OF NOVEMBER 17, 2014 MINUTES.

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.

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5. ANNOUNCEMENTS

6. ADJOURN

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Gary N. Cooke, Director Planning & Development

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Attachment 2

MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING- REGULAR- SPECIAL MEETING
MONDAY JANUARY 26, 2015 - 6:30 PM

1. **CALL TO ORDER:** Ronnie Creppon called the meeting to order at 6:30 pm with the following present; Joe Cottle, Rudy Ramirez, Antonio Prete, Dorothy McCarther, Scott Mackay, Geno Chavarria, Gary Cooke, Pete Navejas, Janette Thompson

ABSENT: None

GUEST: Steve & Bobbie Maldonado, Lynn Cottle, Ronald Fisher, Micah & Michelle Erwin, Val DeCamp, Roseanne Cullen, Kieran Cullen McMarrow, Jules Assata, Sue Beckwith, Nathalie & Karl Engling

2. **MINUTES:** Scott Mackay made a motion to approve the November 17, 2014 minutes, Rudy Ramirez seconds, motion passed unanimously.

3. **REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.** Gary Cooke told the Commission staff did not receive any objection to rezone the property to R-1 residential. After a short discussion, Scott Mackay made a motion to recommend to City Council to approve the zoning change request from C-3 Commercial to R-1 Residential, Dorothy McCarther seconds, motion passed unanimously.

4. **REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY.** Gary Cooke presented to the Commission that the specific use permit typically could be for 1-3 years and at the end of that time they could reapply if there were no complaints or misuse of the permit. Ronnie Creppon asked Mr. Erwin to address the commission. He explained that there would be little if any impact to the area, there would be little impact on water and wastewater, and they would produce about 500 gallons a year and everything would be hand operated, he would have to adhere to the TABC and TDSH and ATTB besides the City of Elgin restrictions. Ronnie Creppon asked how long was he asking for the permit, Mr. Erwin thought that two years might be enough because they would like to eventually move to the downtown area. Ronnie Creppon asked for the residents that signed up to speak. Steve Maldonado spoke against the zoning change, he was afraid that it would bring down property values and bring in more unwanted traffic. The other residents, (Karl Engling, Jules Assata, Sue Beckwith) that signed up, had no problem with it. After a short discussion, Joe Cottle made a motion to recommend to City Council to approve the zoning change request for two years, Rudy Ramirez seconds, and motion fails 3 for 4 against. Dorothy McCarther made a motion to recommend to City Council to approve the zoning change request for three years, Scott Mackay seconds, motion passed unanimously.

5. **ANNOUCEMENTS:** The agenda will be in a new format and Jim Walenta, former P&Z chairman, had passed away.

6. **ADJOURN:** 7: 15 pm

Attachment 3

Micah and Michelle Erwin
414 E 8th ST
Elgin, TX 78621

December 8, 2014

City of Elgin Planning and Zoning Commission
c/o Gary Cooke, Director
Planning and Development Department
City of Elgin
1135 Swenson Boulevard
Elgin, TX 78621

RE: Request for specific use permit

Dear Planning and Zoning Commission:

We are writing to request a specific use permit to run a business on our property at 414 E 8th ST in Elgin. The proposed business is a small honey winery (or meadery), which will be operated in a 300 sq. ft. building currently located on the property behind the main house. The building has a separate entrance onto N Ave H and will have a separate mailing address.

The meadery will produce approximately 500 gallons of wine per year through use of small hand-operated equipment such as fermenters and storage tanks located within the building. The facility will be licensed by the Texas Alcoholic Beverage Commission, the Texas Department of State Health Services, and the federal Alcohol Tax and Trade Bureau. The business will operate as an LLC owned and managed by us and Micah's brother, Andrew Erwin.

The business will have little to no impact on the neighborhood. There will be no significant environmental impact, noise pollution, offensive smells, or strain on city resources. Manufacturing will consist of combining honey, water, yeast and other natural ingredients and allowing these to ferment over time. Waste will be very minimal and can be disposed of safely through normal trash and sewer services.

The business will create very little additional traffic. We do not plan to have employees on location. And because of our low production volume, at most one or two trucks per month will come to pick up product. Since the facility is small, we will not have a tasting room, so we do not anticipate significant tourist traffic to the neighborhood.

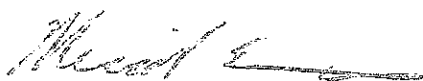
We have spoken with neighborhood stakeholders about our plans. We know of no current objections to the business, but we would be happy to answer any additional questions the commission or neighborhood residents might have. It is our hope that we will be able to relocate to a downtown location within a few years.

We can be reached by mail at our home address or by phone at 501-269-1538. Additionally, Micah's brother Andrew may also be reached for questions about the business at 202-674-3346.

Sincerely,

Micah Erwin

Michelle Erwin



Attachment 4

first	last	address	city	state	zip	prop #
Michelle N & Micah	Erwin	414 E 8th St	Elgin	Texas	78621	11364
St Peters Evan	Lutheran Church	P.O. Box 187	Elgin	Texas	78621	62802 11340
Charles W	Schultz	411 E 8th	Elgin	Texas	78621	11337
Rafael	Vega	706 N Ave H	Elgin	Texas	78621	11328
Harold D & judy	Layton	708 N Ave H	Elgin	Texas	78621	11415
Thomas & Barbara	Hollingsworth Jr.	184 Ragtime Ranch Rd	Elgin	Texas	78621	11334
Tahl A	Williamson	707 N Ave H	Elgin	Texas	78621	11349
Karl & Nathalie	Engeling	711 N Ave H	Elgin	Texas	78621	11355 11352
April M Dietz &	David W Burson	406 E 8th	Elgin	Texas	78621	11358
Susan M Beckwith & Julie	Assata	408 E 8th	Elgin	Texas	78621	11367
Mickey & Jeniffer	Concienne	412 E 8th	Elgin	Texas	78621	11370
James	Ferrier	801 N Ave H	Elgin	Texas	78621	11376
Ronald	Fisher	P.O. Box 1136	Elgin	Texas	78621	11424
Michael Dietrich	Kanzler	811 N Ave H	Elgin	Texas	78621	11409
Steve & Bobbie	Maldonado	808 N Ave H	Elgin	Texas	78621	57248
Sarah N & Robert R Flood	Zora Flood Trustee	810 N Ave H	Elgin	Texas	78621	57250

Attachment 5



January 6, 2015

NOTICE OF A ZONING CHANGE REQUEST

A REQUEST HAS BEEN SUBMITTED BY MICAH & MICHELLE ERWIN FOR A ZONING CHANGE FROM R-2 RESIDENTIAL TO SPECIFIC USE FOR THEIR PROPERTY LOCATED AT 414 E 8th STREET, GARRETT'S SECOND ADDITION BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS, FOR USE AS A MEADERY.

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 January 26, 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.

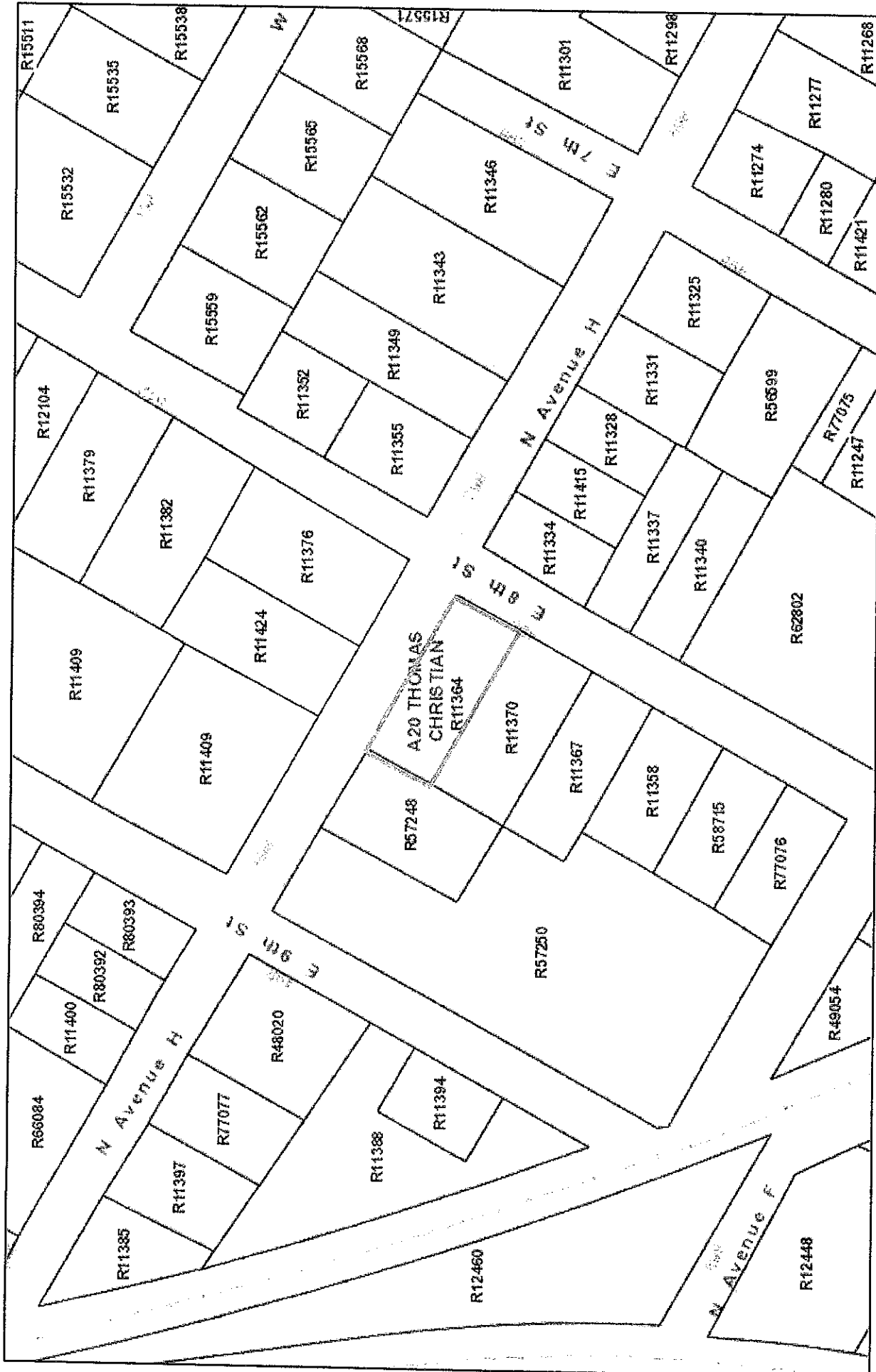
The attached map shows the area of the request. Property owners within two hundred (200') feet are required by law to be notified.

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

"This institution is an equal opportunity provider"

Attachment 6

414 E 8th



January 26, 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

0 0.015 0.03 0.06 mi

0 0.025 0.05 0.1 km

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

This product is for informational purposes and may not have 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.

Bastrop County Appraisal District & BIS Consulting - www.bisconsultants.com

PRESENTATIONS



DATE: January 27, 2015

COUNCIL AGENDA: February 3, 2015

ITEM: P-1 Presentation of Employee of the First Quarter 2015 Tina Guerrero

SOURCE PERSON(S): Sandy Ott, Library Director

SUMMARY: **Tina Guerrero, Police Department Dispatcher** was chosen as Employee of the First Quarter 2015 for October, November, and December 2014

RECOMMENDATION: No action required, informational only.

ATTACHMENTS: 1- Congratulatory Letter to nominee

Attachment 1



January 27, 2015

Tina Guerrero, Police Department Dispatcher

Dear Tina,

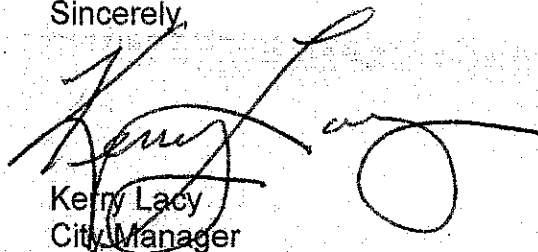
Congratulations! You have been selected as the Employee of the Quarter for the 1st Quarter of 2015. The Employee Awards Committee selected you for the following reasons:

"Tina is kind and compassionate to the citizens that call in. She spends extra time making sure the citizens are provided the best service possible. Tina is always prepared for work, and helps cover shifts anytime she is asked. Tina helps keep things in order in dispatch so that the department runs smoothly. She takes pride in her job, and always shows a positive attitude."

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 Human Resources know if you select the day off or the cash option. Please plan to attend the City Council meeting on Tuesday, February 3 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: Bonnie Crankshaw, Human Resources
Buck LaQuey, Finance Director

P.O. Box 591

310 North Main

Elgin, Texas 78621

Phone 512.281.5724



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: Presentation #2 Proclamation for Black History Month

RESOURCE PERSON(S): Marc Holm, Mayor
Amy Miller, Community Development Director

SUMMARY:

The National Association for the Advancement of Colored People Elgin Branch Number 6174, the Juneteenth Organization and the Elgin Sub-District Ministers join the nation in celebrating – National Black History Month.

The local branch will host a benefit for Monty Thomas.

Sister Rose Townsend will also be honored on February 7, 2015 at the Hatitude Event, in recognition of her dedication to the community.

Local churches will present Black History programs throughout the month.

Mrs. Bettye Lofton and Ms. Gwendolyn Johnson, with the members of the Juneteenth Organization and the National Association for the Advancement of Colored People Elgin Branch Number 6174 with the support of Reverend D. W. Townsend and the Pastors and Ministers of the city of Elgin is evident in the production of these events.

RECOMMENDATION(S): Present the proclamation for a photo.

ATTACHMENTS:

- 1- Proclamation
- 2- Hatitude flyer

Attachment 1

Proclamation Black History Month 2015

Whereas, the City of Elgin recognizes the National Association for the Advancement of Colored People Elgin Branch Number 6174, the Juneteenth Organization and the Elgin Sub-District Ministers as they join the nation in celebrating – National Black History Month; and

Whereas, local churches will present Black History programs throughout the month; and

Whereas, Sister Rose Townsend will be honored on February 7, 2015 at the Hatitude Event, in recognition of her dedication to the community; and

Whereas, the outstanding work of Mrs. Bettye Lofton and Ms. Gwendolyn Johnson, with the members of the Juneteenth Organization and the National Association for the Advancement of Colored People Elgin Branch Number 6174 with the support of Reverend D. W. Townsend and the Pastors and Ministers of the city of Elgin is evident in the production of these events,

NOW, THEREFORE, I, Marc Holm, Mayor do proclaim, that the City of Elgin hereby recognizes February as Black History Month in Elgin, Texas.

And encourage all citizens to participate in the observance of Black History Month by participating and supporting all festivities celebrating the proud heritage of African Americans.

***Marc Holm, Mayor
City of Elgin, Texas
February 3, 2015***

Attachment 2

Hatitute '2015' Salutes

Sister Rose Townsend

*The wife of Reverend D. W. Townsend
Pastor of Winn's Memorial Missionary Baptist Church*

Saturday, February 7, 2015

10:00 A. M.

Meet and Greet 9:30 A. M.

Pastry and Hat Time

Sister Sandi Duffas ~ Guest Speaker

Wife of Reverend Oswald Duffas

Associate Minister of Mount Moriah Baptist Church

Reverend Steven Ward, Pastor



Lady of Elegance

*Hats on display from
10:00 - 2:00*

Elgin Library Civic Center

404 North Main Street

Elgin, Texas

Celebrating Black History Month

Sponsored by

City of Elgin & Community Development

With the Support of the

Elgin Sub-District Ministry Wives

Sister Carolyn Carter, President

Pleasant Hill Missionary Baptist Church, Reverend Ronald Carter, Pastor



Lady of Elegance

*Hats on display from
10:00 - 2:00*

REPORTS



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: _____ Monthly Department Reports for December 2014.

SOURCE PERSON(S): Kerry Lacy, City Manager

SUMMARY: Enclosed for your information are monthly reports for various departments.

RECOMMENDATION: No action required, informational only.

ATTACHMENTS: 1- Department reports

Attachment 1



MONTHLY ACTIVITY REPORT

Your monthly activity report is **due the 10th of each month**. Please use this electronic version and email to mainstreet-reports@thc.state.tx.us.

CITY: Elgin

MONTH: December

DATE SUBMITTED: January 9, 2015

1. Main Street Program Details

Main Street Manager Name: Amy Miller

Number of Main Street Board Members: 8

Date(s) of Board Meeting(s): 3rd Thursdays at 7:30am

Number of Board Members Present: 7

Main Street Website: www.elgintx.com/historicdowntown.asp

Social Media Links (facebook/twitter/etc): City of Elgin Mayor's office on Facebook

Other Main Street Web Links: www.hogeyefestival.com

2. Please list **meeting dates and activities** for the following committees. Insert more rows as necessary. If the committee did not meet this month, please mark N/A. If you do not have a traditional committee structure, please report on projects/activities occurring under each of the four points and their outcomes.

ORGANIZATION:

Number of Committee Members: 6

Meeting Date(s) Must include Month and Day	Description of projects or activities	Outcome of Meeting
12-11-2014	Helping BRR with zoning overlay FAQ page for website and property owners	Work with graphic designer to complete FAQ

ECONOMIC RESTRUCTURING:

Number of Committee Members: 8

Meeting Date(s) Must include Month and Day	Description of projects or activities	Outcome of Meeting
12-10-2014	Zoning overlay mailing. FAQ flyer is in progress, along with a letter to property owners. Planning a property showcase for early 2015 Discussing Social Media training and support in spring 2015 and employee support for businesses.	Mailing planned for early January

PROMOTION

Number of Committee Members: 10

Meeting Date(s) Must include Month and Day	Description of projects or activities	Outcome of Meeting
12-4-2014	Shop small Saturday – good response from business owners, great sales. Sip shop stroll – plan to use balloons outside stores that are participating. Businesses encouraged to stay open til 8pm even if slow. Holiday by the tracks – includes vendors at farmers' market, pics with Santa, art show and store specials. Holiday concert by elementary school students downtown. Vintage road show – option for Elgin? Car club cruise in – located downtown on Saturdays. In discussions with car club to host this downtown in spring 2015. Window display contest – also included a people's choice award on Facebook.	Looking at feasibility of flags for sip shop stroll. Plan to have different themes each month to keep event fresh. Members will report on options for an event like this at the next meeting.

DESIGN

Number of Committee Members: 3

Meeting Date(s) Must include Month and Day	Description of projects or activities	Outcome of Meeting
	Met and discussed bike racks via email. Selected a design to present to the board at their December meeting Board reviewed proposed bike rack and asked committee to do a simple bike rack to secure bikes rather than a public art piece that can be a bike rack.	Work on basic rack

This monthly report is intended to help you, your stakeholders, and Main Street staff track how you are achieving Main Street goals under the Four Points. Your notes below should reflect that.

3. Highlights of the Month *(include accomplishments/ completed projects in the past month)*:

4. Challenges: *(list critical issues, problems, or concerns from the past month)*:

5. Partnerships *(Ongoing and New Relationships)*:

2nd Thursday in December Sip, Shop Stroll – well attended a great holiday shopping event
Holiday Concert December 5 – very successful brought 4th and 5th grade students and their family's downtown on a Friday evening.
Holiday By the Tracks December 6 in cooperation with River Valley Farmers market, the Tree farms Main Street and Chamber was well attended and stores reported increased customers and sales.

Santa visits were available four times in downtown Elgin during December and were successfully attended each time.

6. Outlook (*list goals and challenges for the future*):

Working on downtown zoning overlay mailing.

7. Public Improvement Projects. Describe any plans for upcoming projects (i.e. streetscapes); please provide anticipated timeline (Month/Year). *Note: this is intended to be a short description so that Texas Main Street Staff are prepared to assist you if needed. It is not intended to replace quarterly reinvestment reporting.*

H&TC Freight Depot slated for repairs and overall painting in January

8. Private Improvement Projects. Describe any private renovations/improvement projects happening in your downtown. *Note: this is intended to be a short description so that Texas Main Street Staff are prepared to assist you if needed. It is not intended to replace quarterly reinvestment reporting.*

9. Other Main Street Activities (*describe any other Main Street activities you participated in during the month*):

Sip, Shop & Stroll – 2nd Thursdays every month – preparing for the January event and new advertising for 2015.

10. Press Coverage of Your Main Street Program (*please list and provide links of any press coverage of your Main Street program or events/positive coverage / new developments happening in downtown*):

Coverage of the Owl's TDA Best Business award in Elgin Courier, coverage of holiday events in Austin American Statesman Metro section and in Elgin Courier

11. Upcoming Events. Please list any downtown events in the next two months to be included in the *Main Street Matters* e-newsletter. Please give date, time, title of event, short description, and web/social media links for more information (if applicable)

Sip Shop & Stroll events 2nd Thursdays January through June

Super Hero JDRF Fun Run Saturday March 7 in downtown

Art studio tour and Pearls of youth art show – April 18th

Purple and White Jubilee Saturday April 25

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

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



Memorandum

To: Kerry Lacy, City Manager
From: Amy Miller, Community Development Director
Date: January 27, 2015
Re: Parks & Community Development Department report December 2014

Projects

Zoning overlay FAQ page for website and mailing to property owners in the downtown area
Met with Capital Metro and CARTS to discuss transit and the Union Pacific property
Met with TXDOT to discuss the plans for Union Pacific property
Planning a property showcase for early 2015 with Bastrop County Board of Realtors
Met with possible buyers for 101 North Main Street and 19 North Main Street
Discussing Social Media training and support in spring 2015 and employee support for businesses.
Sip, Shop, Stroll - Businesses to stay open til 8pm and offer specials, samples, live music, every 2nd Thursday
Holiday by the tracks – included vendors at farmers' market, pics with Santa, art show and store specials. Well attended
Holiday concert by EISD elementary school students held at Veterans Memorial Park downtown, well attended
Vintage road show promotion tourism committee is researching this new event option
Car club cruise in working with Lone Star car Club to host downtown in spring 2015
Window display contest – also included a people's choice award on Facebook
Working on bike racks for downtown
City of Elgin E-News, City of Elgin Facebook page, Hogeye Facebook Page, Visit Elgin Facebook page

Boards & Committees

Historic Review Board
Main Street Board
Promotion Tourism committee
Organization Committee (Downtown 78621)
Design Committee
Business Retention & Recruitment Committee
City Council meeting

Upcoming events

Sip Shop & Stroll events 2nd Thursdays January through June
Super Hero JDRF Fun Run Saturday March 7 in downtown
Art Studio Tour and Pearls of Youth Art Show – April 18 and 19
Purple and White Jubilee Saturday April 25
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

Public Works- December 2014

Utility – Cut Street Repairs:

- 1 ea. Cedar Cove
- 1 ea. Thomas Street
- 1 ea. West 8 th Street
- 1 ea. Carver Street
- 1 ea. Madison Street
- 1 ea. Zaragoza Street

Crack Sealing : Various Streets and City owned Parking Lots,9,500 pounds have been applied in December.

Lawn Maintenance – City Owned Buildings:

- Elgin Public Library
- City Hall
- Elgin Police Department
- Elgin Industrial Park

Grounds Maintenance- Parks:

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

Miscellaneous:

Elgin Memorial Park Ball Field Light Replacement Construction continuing, project has encountered rain / weather delays.

Relocated Capital Metro Bus Stop from Main Street to new Bus Stop on Depot Street.

Delivered 225 tires to Bastrop County Recycling for disposal. Accumulation of illegally dumped tires over a one year period.

Roy Rivers Road project is ongoing, 51% complete.

Exterior repairs and repainting of The Greater Elgin Chamber of Commerce Building (Freight Depot Building) began.

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

UTILITY BILLING 2014**December**

Billed out	\$355,555.23	
Past due notices	665	\$72,760.71
Work orders-Cut offs	126	
Disconnected-not paid	67	
Turn off for non pmt	45	
Extension to pay 1st	38	
Meter tamper fee	2/\$100	\$200.00
After Hour turn on	1/\$50	\$50.00
Accounts set to final	10	for non pmt

Credit Card Fees:

In-house collected	\$22,759.23
In-house paid out	\$471.31
Online collected	\$65,954.31
Online paid out	\$1,485.14

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

THE TEXAS OFFICE OF COURT ADMINISTRATION

Court Activity Reporting and Directory System

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Municipal Court: Elgin

Judge: Larry Dunne

Clerk:

[Municipal Main Menu](#) > [Monthly Report Search](#) > Monthly Report

Criminal

Civil

Juvenile

Additional

720110200, Bastrop County, Elgin: December 2014

Report was Entered Successfully

CASES ON DOCKET	TRAFFIC MISDEMEANORS				NON-TRAFFIC MISDEMEANORS	
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
CASES PENDING FIRST OF MONTH (Equals total cases pending end of previous month.)	12875	11	0	2	2548	8
DOCKET ADJUSTMENTS	0	0	0	0	0	0
1. CASES PENDING FIRST OF MONTH (Adjusted)	12875	11	0	2	2548	8
a. Active Cases	9074	10	0	2	1420	2
b. Inactive Cases	3801	1	0	0	1128	6
No Activity ☒						
2. NEW CASES FILED (Include all new cases filed, including those that may also have been disposed this month.)	174	1	0	0	46	0
3. CASES REACTIVATED	21	0	0	0	6	0
4. ALL OTHER CASES ADDED	0	0	0	0	0	0
5. TOTAL CASES ON DOCKET (Sum of Lines 1a, 2, 3 & 4.)	9269	11	0	2	1472	2
DISPOSITIONS						
6. DISPOSITIONS PRIOR TO COURT						
APPEARANCE OR TRIAL						
a. Uncontested Dispositions (Disposed without appearance before a Judge (CCP Art. 27.14).)	126	0	0	0	25	1
b. Dismissed by Prosecution	0	0	0	0	0	0
7. DISPOSITIONS AT TRIAL						
a. Convictions						
1) Guilty Plea or Nolo						

Contendere	0	0	0	1	5	0
2) By the Court	0	0	0	0	0	0
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 (CCP, Art. 45.0511)	12					
b. After Deferred Disposition (CCP, Art. 45.051)	0	0	0	0	2	0
c. After Teen Court (CCP, Art. 45.052)	0	0	0	0	0	0
d. After Tobacco Awareness Course (HSC, Sec. 161.253)					0	
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)				0	0	
f. After Proof of Financial Responsibility (TC, Sec. 601.193)	3					
g. All Other Transportation Code Dismissals	2	0	0	0	0	0
9. ALL OTHER DISPOSITIONS	28	0	0	1	18	0
10. TOTAL CASES DISPOSED (Sum of Lines 6, 7, 8 & 9.)	171	0	0	2	50	1
11. CASES PLACED ON INACTIVE STATUS	18	0	0	0	10	0
12. CASES PENDING END OF MONTH (Sum of Lines 12a & 12b.)	12878	12	0	0	2544	7
a. Active Cases (Line 5 minus the sum of Lines 10 & 11.)	9080	11	0	0	1412	1
b. Inactive Cases (Line 1b minus Line 3, plus Line 11.)	3798	1	0	0	1132	6
13. SHOW CAUSE HEARINGS HELD	8	0	0	0	6	1
14. CASES APPEALED						
a. After Trial	0	0	0	0	0	0
b. Without Trial	0	0	0	0	0	0

Notes:

Prepared By: Y. DUQUE

Submit

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Judge: Larry Dunne

Clerk:

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Criminal

Civil

Juvenile

Additional

720110200, Bastrop County, Elgin: December 2014

Report was Entered Successfully

CASES ON DOCKET

TOTAL CASES

CASES PENDING FIRST OF MONTH

0

(Equals total cases pending end of previous month.)

DOCKET ADJUSTMENTS

0

1. CASES PENDING FIRST OF MONTH (Adjusted)

0

a. Active Cases

0

b. Inactive Cases

0

No Activity ☐

2. NEW CASES FILED

0

(Include all new cases filed, including those that may also have been disposed this month.)

3. CASES REACTIVATED

0

4. ALL OTHER CASES ADDED

0

5. TOTAL CASES ON DOCKET

0

(Sum of Lines 1a, 2, 3 & 4.)

DISPOSITIONS

6. UNCONTESTED CIVIL FINES OR PENALTIES

0

7. DEFAULT JUDGMENTS

0

8. AGREED JUDGMENTS

0

9. TRIAL/HEARING BY JUDGE/HEARING OFFICER

0

10. TRIAL BY JURY

0

11. DISMISSED FOR WANT OF PROSECUTION

0

12. ALL OTHER DISPOSITIONS

0

13. TOTAL CASES DISPOSED

0

(Sum of Lines 6 through 12.)

14. CASES PLACED ON INACTIVE STATUS

15. CASES PENDING END OF MONTH

(Sum of Lines 15a & 15b.)

a. Active Cases

(Line 5 minus the sum of Lines 13 & 14.)

b. Inactive Cases

(Line 1b minus Line 3, plus Line 14.)

0

0

0

0

16. CASES APPEALED

a. After Trial

0

b. Without Trial

0

There was no red camera appeals.

Notes:

Prepared By: Y. DUQUE

Submit

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[Municipal Main Menu](#) > [Monthly Report Search](#) > Monthly Report

Criminal

Civil

Juvenile

Additional

720110200, Bastrop County, Elgin: December 2014

Report was Entered Successfully

No Activity ☐

TOTAL CASES

1. TRANSPORTATION CODE CASES FILED	0
2. NON-DRIVING ALCOHOLIC BEVERAGE CODE CASES FILED	3
3. DRIVING UNDER THE INFLUENCE OF ALCOHOL CASES FILED	0
4. DRUG PARAPHERNALIA CASES FILED (HSC, Ch. 481)	0
5. TOBACCO CASES FILED (HSC, Sec. 161.252)	0
6. FAILURE TO ATTEND SCHOOL CASES FILED (Ed. Code, Sec. 25.094)	3
7. EDUCATION CODE (Except Failure to Attend) CASES FILED	0
8. VIOLATION OF LOCAL DAYTIME CURFEW ORDINANCE CASES FILED (Local Govt. Code, Sec. 341.905)	0
9. ALL OTHER NON-TRAFFIC, FINE-ONLY CASES FILED	2
10. TRANSFER TO JUVENILE COURT	
a. Mandatory Transfer (Fam. Code, Sec. 51.08(b)(1))	0
b. Discretionary Transfer (Fam. Code, Sec. 51.08(b)(2))	0
11. ACCUSED OF CONTEMPT AND REFERRED TO JUVENILE COURT (DELINQUENT CONDUCT) (CCP, Art. 45.050(c)(1))	0
12. HELD IN CONTEMPT BY CRIMINAL COURT (FINED AND/OR DENIED DRIVING PRIVILEGES) (CCP, Art. 45.050(c)(2))	0
13. JUVENILE STATEMENT MAGISTRATE WARNING	
a. Warnings Administered	0
b. Statements Certified (Fam. Code, Sec. 51.095)	0
14. DETENTION HEARINGS HELD (Fam. Code, Sec. 54.01)	0

15. ORDERS FOR NON-SECURE CUSTODY ISSUED

0

16. PARENT CONTRIBUTING TO NONATTENDANCE CASES FILED (Ed. Code, Sec. 25.093)

0

Notes:

Prepared By: Y. DUQUE

Submit

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Criminal

Civil

Juvenile

Additional

720110200, Bastrop County, Elgin: December 2014

Report was Entered Successfully

No Activity ☐

	NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
1. MAGISTRATE WARNINGS		
a. Class C Misdemeanors	28	
b. Class A and B Misdemeanors	15	12
c. Felonies	7	3
		TOTAL
2. ARREST WARRANTS ISSUED		
a. Class C Misdemeanors		28
b. Class A and B Misdemeanors		0
c. Felonies		0
3. CAPIASES PRO FINE ISSUED		11
4. SEARCH WARRANTS ISSUED		0
5. WARRANTS FOR FIRE, HEALTH AND CODE INSPECTIONS FILED (CCP, Art. 18.05)		0
6. EXAMINING TRIALS CONDUCTED		0
7. EMERGENCY MENTAL HEALTH HEARINGS HELD		0
8. MAGISTRATE'S ORDERS FOR EMERGENCY PROTECTION ISSUED		2
9. MAGISTRATE'S ORDERS FOR IGNITION INTERLOCK DEVICE ISSUED (CCP, Art. 17.441)		2
10. ALL OTHER MAGISTRATE'S ORDERS ISSUED REQUIRING CONDITIONS FOR RELEASE ON BOND		0
11. DRIVER'S LICENSE DENIAL, REVOCATION OR SUSPENSION HEARINGS HELD (TC, Sec. 521.300)		0

12. DISPOSITION OF STOLEN PROPERTY HEARINGS HELD (CCP, Ch. 47)	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	3
15. CASES IN WHICH FINE AND COURT COSTS SATISFIED BY JAIL CREDIT	17
16. CASES IN WHICH FINE AND COURT COSTS WAIVED FOR INDIGENCY	0
17. AMOUNT OF FINES AND COURT COSTS WAIVED FOR INDIGENCY (Round to the nearest dollar)	0
18. FINES, COURT COSTS AND OTHER AMOUNTS COLLECTED (Round to the nearest dollar)	
a. Kept by City	16972
b. Remitted to State	13374
c. Total	30346

Notes:

Prepared By: Y. DUQUE

Submit

Monthly Report to Administrative Manager
Building Department
For the Month of DECEMBER 2014

Type of Inspections:	Dec 2013	Dec 2014	Fiscal Yr. To Date	Calendar Yr. To Date
Building	16	47	93	230
Electrical	18	49	89	239
Plumbing	14	48	146	270
Gas	8	22	32	120
Mechanical	14	23	38	108
TOTAL	70	189	398	967
Building Permits	6	20	63	198
Value	\$387,104	\$1,592,455	\$5,891,430	\$15,829,435.85
Fees	\$2,719.75	\$11,334.85	\$40,462.90	\$105,498.11
Electrical Permits	6	18	42	112
Fees	\$782.50	\$3,802.50	\$7,750	\$18,212.50
Plumbing Permits	3	11	49	101
Fees	\$345	\$1,972.50	\$9,142.50	\$17,619.50
Gas Permits	5	10	44	86
Fees	\$445	\$1,040	\$4,737.50	\$8,797.50
Mechanical Permits	1	12	44	88
Fees	\$117.50	\$1,952.50	\$7,070	\$12,430
Total All Fees	\$4,409.75	\$20,102.35	\$69,162.90	\$162,557.61

**Dec 2014
Building Permits**

Number of Permits		Type/Classification	Permit Fees		Valuation	
Dec 2013	Dec 2014		Dec 2013	Dec 2014	Dec 2013	Dec 2014
1	12	New Single Family	\$279.50	\$11,015.85	\$35,000	\$1,577,280
		New Duplex				
		New Manufactured				
		New Multi-Family				
1		New Commercial	\$376.75		\$40,000	
		New Industrial				
		New Swimming Pools				
		Moving Permit				
1	4	New Signs	\$236.50	\$151.25	\$22,915	\$5,975
1	3	Residential	\$71.50	\$71.50	\$2,189	\$3,500
2	1	Non-Residential	\$1,755.50	\$96.25	\$287,000	\$5,700
		Demolitions				
6	20		\$2,719.75	\$11,334.50	\$387,104	\$1,592,455
ZBOA* Request		None				
Zoning Request		None				
Code Enforcement		ACTIVE Dec 2013	ACTIVE Dec 2014		CLOSED Dec 2013	CLOSED Dec 2014
Abandoned/Junked Vehicles			2		1	5
Animal Control					1	
Beer Permits						
Environmental						17
Fire Code					2	5
Health and Sanitation			1			
Illegal Signs			1		25	69
Property Maintenance					8	2
Unsafe Structures			3			
Water/Sewer		1			2	4
Zoning		1			3	2
Total		2	7		42	104

*Zoning Board of Adjustments

Submitted By: Jim Cazares

Date: Jan. 8, 2015

60

Library Report for December 2014

Circulation was up in December 10% with the increased use in E books and videos.

Collection remains level at 38,035 items. Our assigned population from the Texas State Library is 30,316 so we are well ahead of the requirement of "have at least one item of library materials per capita".

Grants: The final grant reports for Trull Foundation and Texas Book Festival grants were completed and sent in.

Programs: Gingerbread House building, Breakfast with Santa, and the library's Building Birthday Bash were well attended special programs. Regular children's programming continued with Lap-Sit, Storytime, Crafts, and Family Movie Night. The Afternoon Book Club read different Christmas books. The Dual Language Books to Movie class is finished with completion of Texas Book Festival Literacy Initiative grant December 8th. The teachers have volunteered to do a beginning Dual Language class starting January 26th. The ESL class is going steadily two evenings a week with volunteer teachers. Arrangements have been made for Affordable Care Act presentations and navigators at the library January 7, 14, 28, and February 11 from 6-8 and February 4 from 2-4.

Staff: Several staff members took vacation with the holidays; remaining staff were busy maintaining the circulation desk.

Categories	Units	Dec. '13	Dec. '14	Fiscal YTD'14	Fiscal YTD '15
Total Circulation		7,179	7,886	22,509	23,331
+ or - Same month previous year	Percent	23%+	10%+		
Additions					
Interlibrary Loans	Each	1	1	8	6
New Patrons	Each	71	63	225	224
Collection					
Items Added	Each	317	309	976	997
Items Withdrawn	Each	352	227	787	802
Total Collection	Each	38,783	38,035	38,783	38,035
General Statistics					
Gate Count		3,581	3,784	13,528	12,031
Hours Open	Each	152	148	468	461
Library Tours	Each	0	0	1	0
Program Visitors	Each	449	638	2,003	1,720
Public Computer Use	Hours	995	567	2,366	1,742
Patrons using computers	Each	498	538	1,887	1,711
Volunteer Hours	Each	381	392	991	1,115
Receipts					
		\$3,742	\$1,022	\$5,251	\$4,293
Civic Center Use					
City	Each	3	3	12	9
Library	Each	12	13	47	38
Public Rental	Each	4	2	12	4
Other - not for profit	Each	3	5	20	23
Total Civic Center Use		22	23	91	74

Elgin Police Department
Monthly Report December 2014

CATEGORY	2014 December	2013 December	2012 December	2011 December	2010 December
Calls for Service					
Total Calls for Service	971	742	624	735	720
Police calls	657	491	440	477	460
Fire calls	52	39	31	36	60
Animal calls	86	63	39	55	30
Activity logs	161	145	114	165	165
City calls	15	4	0	2	5
Offense Reports					
Total Offense Reports	80	66	78	68	71
Active (Open) cases	25	3	25	24	27
Cases Inactivated	22	21	17	22	18
Cases Closed	2	4	4	2	7
Documentation (no crime)	0	1	2	0	1
Other	2	2	0	0	0
Unfounded	3	1	0	0	0
Referred to other agency	0	0	3	0	0
Citations					
Total Citations	227	362	64	225	323
Citations for violations	153	160	40	95	156
Warnings	74	202	24	130	167
Collisions					
Total Accidents	22	24	30	30	21
Major accidents (with injury)	2	2	18	2	2
Minor accidents (no injury)	14	19	7	21	15
Leaving the scene accidents	6	3	5	7	4
Alarms					
Business alarms	9	12	6	15	14
Residential alarms	16	3	2	16	4
Fire alarms	5	1	4	3	4
Arrests					
Felony arrests	5	9	8	5	7
Misdemeanor arrests	20	25	20	14	21
Other arrests	2	4	1	2	0
Animal Control					
Total Animal Control calls	86	66	39	55	30
Animal Cruelty calls	0	0	0	0	0
Canine Impounds	15	10	8	10	15
Feline Impounds	7	2	2	0	4
Citations issued	11	0	0	1	1
Bite Cases	2	0	0	1	1
Dead animal calls	0	0	4	12	4
Wildlife calls	12	0	3	6	0
Rabies cases	0	0	0	0	0
Rabies cases positive	0	0	0	0	0

TO: Elgin City Council and City Manager

RE: Economic Development Corp. Monthly Report by Joe Newman

Date: Tuesday, February 3, 2015 council meeting

- Amy Miller and I spent a very cold day showing downtown buildings to a prospective developer. He really liked the old Lundren (Real Estate) building on Main and made an offer that was accepted by the bank. Remodeling should begin soon. He is also considering other downtown properties. He plans to apply for one of the Elgin EDC's Mega Grants of \$25,000 since the remodeling will be much more than \$200,000.
- I met with the new owner of the former CVS Pharmacy building. He is busy remodeling and considering an expansion of the current footprint to include space for medical doctors to rent. His first tenant is an optometrist.
- The Elgin EDC Board of Directors met and approved a preliminary grant to the developer of the Lundren Real Estate building pending approval of the Historic Review Committee and completion of the remodeling.
- The Elgin Chamber Annual Banquet was a tremendous success even with all the cold, wet weather. Congratulations to all the deserving award winners.
- The LCRA Regional Council met and installed new directors and officers. Our speaker was Don Brent, LCRA V.P. of Resilience & Grid Security.
- The City & EDC's sales tax revenues continue upward. January 2015 was up 20.74% over last January.
- City Manager Kerry Lacy and I attended the Bastrop County Board of Realtor's Annual Banquet at ColoVista near Bastrop. The Bastrop County area continues to be a seller's market and the group mentioned that very few homes are currently for sale. Over 100 plaques and special awards were presented to the group and Sandy Menley was top producer in listings and sales in the county. Jeanette Shelby received the Top Property Management Award.
- I'm expecting exciting new projects in the next couple of months. I hope everyone is ready for the positive changes that are coming our way.

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

JNewman@ci.elgin.tx.us

Monthly Reports December 2014

Department 023 Water Treatment

Well # 10	9,726,000 Gallons
Well # 11	0 Gallons
Well # 14	16,890,000 Gallons
Well # 15	4,620,000 Gallons
Water loss due to leaks or flushing	50,000 Gallons
Total Water Pumped	26,566,000 Gallons

Chemicals Used

Chlorine	678 Pounds
Sequest	300 Pounds

Distribution Samples

Bacteriological Samples Taken	10
Average Chlorine Residual	1.87 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	2
Service Line Breaks	4
Miscellaneous Repairs/Complaint Calls	15
New Connections/Taps	0
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	3
Service Lines	23
After Hours Call-Outs	15

Line Repairs/New Installations

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

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)	0
Floats Cleaned/Replaced	0
Grass/Weed Maintenance	0
After Hours Call Outs	3

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	0
Pumps Installed	0
Motors Pulled	0
Motors Installed	0
Control System/Electrical Repairs	1
Cleaned Wet Well Floats	2
Miscellaneous Repairs	8
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	555,200 Gallons
Maximum Daily Flow	1,068,200 Gallons
Average Daily Flow	661,100 Gallons
Total Monthly Flow	20,429,900 Gallons

Effluent DO (Dissolved Oxygen) Average	7.39
Effluent Chlorine Residual Average	1.79 mg/l
Effluent pH Average	7.23
Total Phosphorus Average	0.231
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	3.08
TSS (Total Suspended Solids) Average	2.5
Ammonia/Nitrates Average	0.216

Remarks

Well #15 is out of service due to broken pump shaft at 290 feet deep. Pumping equipment

has been removed and inspected. We have a well ailment survey scheduled and will discuss option after results are known.



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: Report Quarterly Investment Report ending December 31, 2014

RESOURCE PERSON(S): Buck LaQuey, CPA, Finance Director
Laura Schwartz, Purchasing Agent Finance Assistant

SUMMARY: Attached for your consideration is the Quarterly Investment Report for the Quarter ending December 31, 2014

RECOMMENDATION(S): Receive Quarterly Investment Report

ATTACHMENT: 1-Quarterly Investment Report

Attachment 1

FUND	TYPE	ACCOUNT NAME	Ending 9/30/2014	Total of Deposits / (Withdrawals)	Interest	Ending 12/31/2014	Collateral	Average Monthly Yield
002	Tex Pool	CUSTOMER DEPOSITS	39,915.08	0.00	3.29	39,918.37		0.04300%
002	Tex Pool	UTILITY BOND RESERVE	227,225.57	0.00	18.56	227,244.13		0.04300%
002	Tex Pool	COMMUNITY IMPACT FEES-WATER	89,844.69	0.00	7.37	89,852.06		0.04300%
002	Tex Pool	COMMUNITY IMPACT FEES-SEWER	30,619.25	0.00	2.48	30,621.71		0.04300%
018	Tex Pool	ECONOMIC DEVELOPMENT CORP	341,349.15	0.00	27.87	341,377.00		0.04300%
003	Tex Pool	GENERAL FUND DEBT SERVICE	54,897.77	0.00	4.52	54,902.29		0.04300%
90	Tex Pool	CONSOLIDATED OPERATING	547,175.64	0.00	44.69	547,220.33		0.04300%
	Tex Pool	Sub-total	1,331,027.11	0.00	108.78	1,331,135.89	N/A	
01	Tex Star	GENERAL FUND	391,015.77	0.00	41.88	391,057.65		0.05010%
02	Tex Star	WWW FUND	652,102.18	0.00	69.80	652,171.98		0.05010%
1	Tex Star	2013 CO GENERAL	86,451.71	0.00	9.24	86,460.95		0.05010%
2	Tex Star	2013 W/WW	160,687.72	0.00	17.21	160,704.93		0.05010%
	Tex Star	Sub-total	1,290,257.38	0.00	138.13	1,290,395.51	N/A	
		TOTAL - INVESTMENTS	2,621,284.49	0.00	246.91	2,621,531.40		
99	Clearing Account	Clearing Account	2,770,915.43	752,899.15	1,761.29	3,505,575.85		0.250%
001	Court Security	Court Security	31,405.14	0.00	19.79	31,424.93		0.250%
001	Police Equipment	Police Equipment	3,112.17	0.00	2.76	3,114.93		0.250%
001	Court Technology	Court Technology	6,225.84	0.00	5.92	6,225.76		0.250%
002	Community Impact Fees-Water	Community Impact Fees-Water	102,350.17	0.00	64.51	102,414.68		0.250%
002	Community Impact Fees-Sewer	Community Impact Fees-Sewer	58,501.25	0.00	36.87	58,538.10		0.250%
005	General Fund Debt Service	General Fund Debt Service	5,620.58	0.00	3.54	5,624.12		0.250%
44	CDBG 711272	CDBG 711272	0.00	0.00	0.00	0.00		0.250%
2	USDA RURAL DEV PAYMENT ACCOUNT	USDA RURAL DEV PAYMENT ACCOUNT	8,729.48	0.00	0.00	8,729.48		0.250%
72	General - ATS Clearing	General - ATS Clearing	770,846.56	123,525.38	495.00	894,866.94		0.250%
018	Economic Development Corp.	Economic Development Corp.	364,027.77	(11,342.96)	227.09	352,911.90		0.250%
018	EDC Sales Tax Reserve	EDC Sales Tax Reserve	34,148.19	0.00	21.52	34,169.71		0.250%
		TOTAL - DEPOSITS	4,135,882.56	845,081.55	2,636.29	5,003,600.40		
		GRAND TOTAL	\$ 6,777,167.65	\$ 845,081.55	\$ 2,883.20	\$ 7,625,131.80		

Signature

Sidney LaQuey CPA
Finance Director



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: Report Quarterly Financial Report ending December 31, 2014

RESOURCE PERSON(S): Buck LaQuey, CPA, Finance Director
Laura Schwartz, Purchasing Agent Finance Assistant

SUMMARY: Attached for your consideration is the Quarterly Financial Report for the Quarter ending December 31, 2014

RECOMMENDATION(S): Receive Quarterly Financial Report

ATTACHMENT: 1-Quarterly Financial Report

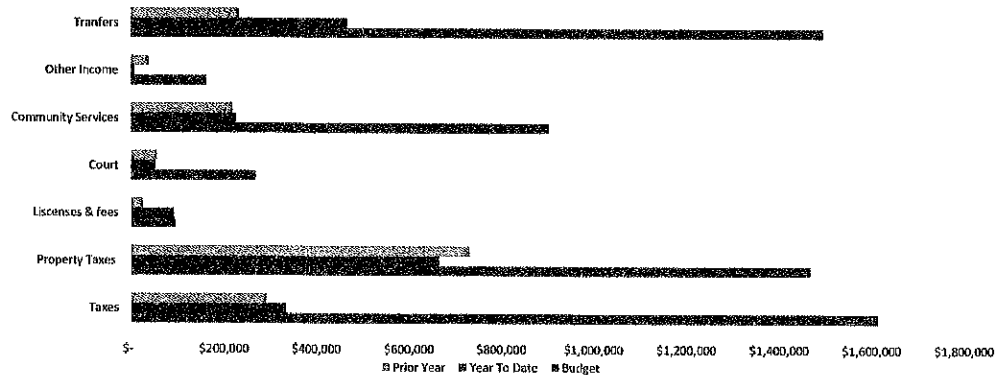
Attachment 1

Fund	1
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GENERAL FUND

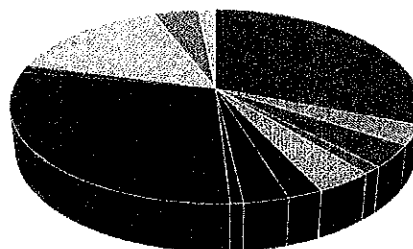
From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	QUATER TO DATE ACTUAL	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
4200	4999	Taxes	\$ 1,615,461	\$ 1,615,461	\$ 334,751	\$ 334,751	79.28%	\$ 292,598
4050	4150	Property Taxes	\$ 1,468,738	\$ 1,468,738	\$ 666,204	\$ 666,204	54.64%	\$ 732,604
5000	5999	Liscenses & fees	\$ 95,585	\$ 95,585	\$ 92,453	\$ 92,453	3.28%	\$ 26,452
6000	6999	Court	\$ 270,000	\$ 270,000	\$ 52,864	\$ 52,864	80.42%	\$ 57,251
7000	7999	Community Services	\$ 905,295	\$ 905,295	\$ 227,280	\$ 227,280	74.89%	\$ 220,131
8000	8999	Other Income	\$ 163,200	\$ 163,200	\$ 8,100	\$ 8,100	95.04%	\$ 38,954
9000	9999	Tranfers	\$ 1,497,820	\$ 1,497,820	\$ 469,857	\$ 468,857	68.70%	\$ 233,611
Total:			\$ 6,016,099	\$ 6,016,099	\$ 1,850,508	\$ 1,850,508	69.24%	\$ 1,601,602

General Fund Revenues



Department No	EXPENDITURES: Description	ADOPTED BUDGET	AMENDED BUDGET	QUATER TO DATE ACTUAL	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
0	NON-DEPARTMENTAL	\$ -	\$ 50,000	\$ 22,445	\$ 22,445		\$ 957
1	GENERAL ADMINISTRATION	\$ 1,947,046	\$ 1,945,546	\$ 210,609	\$ 210,609	89.17%	\$ 372,250
2	CITY MANAGER	\$ 207,307	\$ 207,307	\$ 45,437	\$ 45,437	78.08%	\$ 36,504
3	FINANCE	\$ 231,986	\$ 231,986	\$ 33,572	\$ 33,572	85.53%	\$ 24,149
4	CITY SECRETARY	\$ 82,466	\$ 82,466	\$ 16,715	\$ 16,715	79.73%	\$ 12,407
5	LIBRARY	\$ 244,100	\$ 244,100	\$ 50,201	\$ 50,201	79.43%	\$ 54,532
7	ECONOMIC DEVELOPMENT	\$ 147,405	\$ 147,405	\$ 33,510	\$ 33,510	77.27%	\$ 31,813
8	MUNICIPAL COURT	\$ 189,157	\$ 189,157	\$ 34,187	\$ 34,187	81.93%	\$ 44,168
9	ANIMAL CONTROL	\$ 56,478	\$ 56,478	\$ 11,612	\$ 11,612	79.44%	\$ 1,909
10	POLICE	\$ 1,808,690	\$ 1,808,690	\$ 370,991	\$ 370,991	79.49%	\$ 389,700
11	FIRE	\$ -	\$ -	\$ -	\$ -		\$ -
12	HUMAN RESOURCES	\$ 77,484	\$ 77,484	\$ 922	\$ 922		\$ 17,206
13	SUPERVISION	\$ -	\$ -	\$ -	\$ -		\$ -
14	FLEET MAINTENANCE	\$ -	\$ -	\$ -	\$ -		\$ -
15	PUBLIC WORKS	\$ 966,906	\$ 938,406	\$ 173,439	\$ 173,439		\$ 170,779
16	PARKS	\$ -	\$ -	\$ -	\$ -		\$ -
17	PARKS & COMMUNITY DEV.	\$ 269,912	\$ 249,912	\$ 50,140	\$ 50,140	79.94%	\$ 56,239
18	SWIMMING POOL	\$ 99,846	\$ 99,846	\$ 2,910	\$ 2,910	97.09%	\$ 4,264
20	FLEMING COMMUNITY CENTER	\$ 11,450	\$ 11,450	\$ 921	\$ 921	91.95%	\$ 34
Total		\$ 6,328,784	\$ 6,328,784	\$ 1,056,689	\$ 1,056,689	83.30%	\$ 1,216,878

General Fund



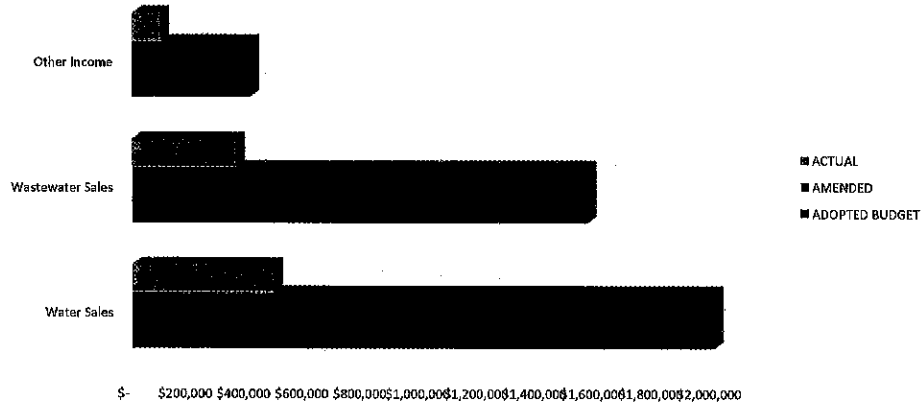
- NON-DEPARTMENTAL
- GENERAL ADMINISTRATION
- CITY MANAGER
- FINANCE
- CITY SECRETARY
- LIBRARY
- ECONOMIC DEVELOPMENT
- MUNICIPAL COURT
- ANIMAL CONTROL
- POLICE
- FIRE
- HUMAN RESOURCES
- SUPERVISION
- FLEET MAINTENANCE
- PUBLIC WORKS
- PARKS
- PARKS & COMMUNITY DEV.
- SWIMMING POOL

Fund	2
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UTILITY FUND

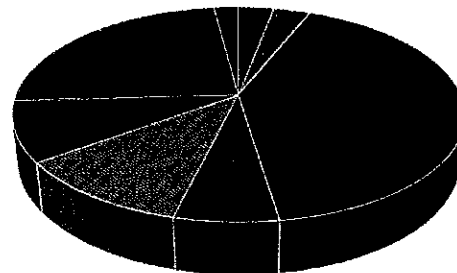
From	To	REVENUES:	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
7500	7500	Water Sales	\$ 1,994,758	\$ 1,994,758	\$ 482,021	75.84%	\$ 471,448
7550	7550	Wastewater Sales	\$ 1,557,417	\$ 1,557,417	\$ 353,912	77.28%	\$ 359,720
7551	9030	Other Income	\$ 401,480	\$ 401,480	\$ 95,600	76.19%	\$ 895,805
Total:			\$ 3,953,654	\$ 3,953,654	\$ 931,533	76.44%	\$ 1,726,972

Utility Fund



EXPENDITURES:		ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
Department No	Description					
0	NON-DEPARTMENTAL	\$ -	\$ -	\$ -		\$ -
12	CODE ENFORCEMENT	\$ 145,836	\$ 145,836	\$ 23,687		\$ 8
21	PLANNING & DEVELOPMENT	\$ 154,898	\$ 154,898	\$ 31,214	79.85%	\$ 35,100
22	UTILITY ADMINISTRATION	\$ 1,950,575	\$ 2,009,802	\$ 500,009	75.12%	\$ 274,313
23	WATER TREATMENT	\$ 304,718	\$ 304,718	\$ 67,601	77.82%	\$ 92,759
24	WATER DISTRIBUTION	\$ 601,919	\$ 542,692	\$ 102,776	81.06%	\$ 101,557
25	WASTEWATER COLLECTION	\$ -	\$ -	\$ -		\$ -
26	WASTEWATER TREATMENT	\$ 432,955	\$ 432,955	\$ 66,810	84.57%	\$ 120,613
27	PRINCIPAL AND INTEREST	\$ 1,166,146	\$ 1,166,146	\$ 750	99.94%	\$ 500
28	COLLECTION/WASTE WATER	\$ 98,130	\$ 98,130	\$ 18,844		\$ -
29	NON-DEPARTMENTAL					
54	NON-DEPT WATER IMPACT					
55	NON-DEPT SEWER IMPACT					
Total:		\$ 4,855,178	\$ 4,855,178	\$ 811,691	83.28%	\$ 624,849

Utility Fund



- NON-DEPARTMENTAL
- CODE ENFORCEMENT
- PLANNING & DEVELOPMENT
- UTILITY ADMINISTRATION
- WATER TREATMENT
- WATER DISTRIBUTION
- WASTEWATER COLLECTION
- WASTEWATER TREATMENT
- PRINCIPAL AND INTEREST
- COLLECTION/WASTE WATER

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	\$ 580,503	59.16%	\$ 645,938
Total:			\$ 1,421,339	\$ 1,421,339	\$ 580,503	59.16%	\$ 645,938

EXPENDITURES:		ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
Department No	Description					
0	NON-DEPARTMENTAL	\$ -	\$ -	\$ -		\$ -
30	PRINCIPAL & INTEREST	\$ 1,214,431	\$ 1,214,431	\$ 37,963	96.87%	\$ 16,966
		\$ 1,214,431	\$ 1,214,431	\$ 37,963		\$ 16,966

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	\$ 7,079	85.67%	\$ 15,518
7	4001	9999	COURT TECHNOLOGY, SECURITY	\$ 13,900	\$ 13,900	\$ 2,795	79.89%	\$ 4,147
11	4001	9999	COMM IMPACT FEES - WATER	\$ 2,600	\$ 2,600	\$ 129,772	-4891.23%	\$ 74
12	4001	9999	COMM IMPACT FEES - SEWER	\$ 26,000	\$ 26,000	\$ 92,539	-255.92%	\$ (1,460)
70	4001	9999	SUBSCRIBER FEE CABLE FRANCHISE	\$ 6,570	\$ 6,570	\$ -	100.00%	\$ -
72	4001	9999	RED LIGHT CAMERA FUND	\$ 480,516	\$ 480,516	\$ 222,895	53.61%	\$ 173,977
				\$ 578,986	\$ 578,986	\$ 455,080		\$ 192,256

FUND	EXPENDITURES:	ADOPTED BUDGET	AMENDED BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT	PREVIOUS YEAR TO DATE ACTUAL
	Description					
4	HOTEL MOTEL TAX FUND	\$ 51,410	\$ 51,410	\$ 9,227	82.05%	\$ 10,094
7	COURT TECHNOLOGY, SECURITY	\$ 12,512	\$ 12,512	\$ 205	98.36%	\$ 1,676
11	COMM IMPACT FEES - WATER	\$ -	\$ -	\$ 6,750		\$ -
12	COMM IMPACT FEES - SEWER	\$ -	\$ -	\$ -		\$ -
70	SUBSCRIBER FEE CABLE FRANCHISE	\$ 1,800	\$ 1,800	\$ -	100.00%	\$ -
72	RED LIGHT CAMERA FUND	\$ 972,936	\$ 972,936	\$ 22,964	97.64%	\$ 23,897
		\$ 51,410	\$ 51,410	\$ 9,227	87.05%	\$ 10,094

CAPITAL PROJECTS

FUND	From	To	REVENUES:	BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT
			CAPITAL PROJECTS GENERAL FUND	\$ 7,801,631	\$ 23	100.00%
44	2900	99000		\$ 307,664	\$ 17	99.99%
45	2900	99000	CAPITAL PROJECTS WATER/WASTEWA	\$ 8,109,295	\$ 40	

FUND	EXPENDITURES:	BUDGET	YEAR TO DATE ACTUAL	% BUDGET LEFT
	Description			
44	CAPITAL PROJECTS GENERAL FUND	\$ 1,494,500	\$ 179,858	87.97%
45	CAPITAL PROJECTS WATER/WASTEWA	\$ 4,529,524	\$ 36,657	99.19%
		\$ 6,024,024	\$ 179,858	97.01%

CONSENT AGENDA



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C 1 Approval of minutes of the regular meeting January 6, 2015.

SOURCE PERSON(S): Lucretia Alvarez, City Secretary

SUMMARY: Presented for review and approval are the minutes of the regular meeting January 6, 2015.

RECOMMENDATION: Approve the minutes of the regular meeting January 6, 2015.

ATTACHMENTS: 1- Minutes of January 6, 2015

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 6, 2015, 7:00 P.M.
CITY HALL COUNCIL CHAMBERS-- 310 NORTH MAIN STREET
ELGIN, TEXAS 78621

CALL TO ORDER

Mayor Marc Holm called the regular meeting at 7:08 p.m. with the following members:

Marc Holm, Mayor
Chris Cannon, Mayor Pro-Tem
Keith Joesel, Council Member
Sue Brashar, Council Member
Edward Maldonado, Council Member
Juan Gonzalez, Council Member
Mary Penson, Council Member
Jessica Bega, Council Member
Craig Fromme, Council Member

INVOCATION

Council Member Mary Penson gave the invocation.

PUBLIC COMMENT

Vince May, 9022 Ingrid Drive, Elgin

Road improvements are much better on Highway 290. Improvements in Manor include three lanes of traffic, changes in red lights, speed limit changes and synchronization. These have all improved traffic between Austin and Elgin. Thanks for supporting highway improvements.

New Business: Hope to see more road improvements along Highway 290, and also new transit buses between Austin and Elgin.

Kim Pena, 112 Terra Drive, Elgin

New Business: Treasurer of the Elgin Petitioners Committee. Citizens would like to have a say in the matter of this petition.

PRESENTATIONS

None

REPORTS

1. Monthly Department Reports for November Council Informational Monthly Updates.
Kerry Lacy, City Manager, stated department monthly reports are for informational purpose only.
2. Update and discussion on recent robberies in the Elgin area.
Chris Cannon, Mayor Pro-Tem

Chris Bratton, Police Chief, stated the Elgin Police Department is working with Texas Department of Public Safety, Bastrop County Sheriff's office, Texas Rangers and using all resources available with similar robbery cases in the Central Texas area. At this time there is not enough evidence or positive identification for arrests, but we are getting are very close in the next few days. Officers are watching the stores and following all leads reported.

Mayor Pro-Tem Chris Cannon left the meeting at 7:25 p.m.

CONSENT AGENDA

1. Approval of minutes of the regular meeting December 2, 2014.
 Lucretia Alvarez, City Secretary
2. Approval of minutes of the special meeting December 9, 2014
 Lucretia Alvarez, City Secretary
3. Approval of waiving the open container ordinance on Main Street from Second Street to Austin Street; Second Street, First Street, Depot Street, Central Avenue and Austin Street from the Union Pacific Railroad tracks to Avenue B on Thursdays January 8, February 12, March 12, April 9, May 14 and June 11 from 5:00 p.m. to 8:00 p.m. for Sip Shop and Stroll.
 Amy Miller, Parks and Community Development Director
4. Approval of waiving the open container ordinance on Depot Street between North Main Street and Avenue C and in Veterans Memorial Park, on Saturday, April 25, 2015 from 3:00 p.m. to 9:00 p.m. for the Purple and White Jubilee Street Dance.
 Amy Miller, Parks and Community Development Director
5. Approval of street closure on Depot Street between North Main Street and Avenue C on Saturday, April 25, 2015 for the Purple and White Jubilee from 3:00 p.m. to 9:00 p.m.
 Amy Miller, Parks and Community Development Director

Council Member Sue Brashar made a motion to approve the consent agenda as presented, Council Member Edward Maldonado seconded, and motion approved unanimously.

UNFINISHED BUSINESS

1. Discussion and action approving an Ordinance amending Chapter 42, Utility, Article II Water Service Regulations fee schedules of the City of Elgin Code of Ordinances.
 Dodie Thomas, Utility Billing Supervisor
 Buck LaQuey, Finance Director

Council Member Sue Brashar made a motion to approve Ordinance 2015-1-6-1 as presented, Council Member Craig Fromme seconded, and motion approved unanimously.

ORDINANCE NO. 2015-1-6-1

AN ORDINANCE AMENDING CHAPTER 42, SECTIONS 41 AND 42, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, REGARDING WATER AND WASTEWATER FEE ADJUSTMENTS; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

2. Discussion and action approving an Ordinance amending Chapter 46, Zoning Regulations, City of Elgin Code of Ordinances.
 Gary Cooke, Planning and Development Director
 Kerry Lacy, City Manager
 Chris Cannon, Mayor Pro-Tem

Council Member Keith Joesel made a motion to approve Ordinance 2015-1-6-2 with the contingency on Section 46-335 adding 25 percent of parking to be covered parking for multi-family, Council Member Sue Brashar seconded, and motion approved unanimously.

ORDINANCE NO. 2015-1-6-2

AN ORDINANCE AMENDING CHAPTER 46, SECTION 46.1, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, TO AMEND THE DEFINITION OF "MASONRY CONSTRUCTION"; AMEND GARAGE RESTRICTIONS, AND TO DELETE THE DEFINITION OF "ROOF PITCH/SLOPE"; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

NEW BUSINESS

1. **Discussion and action to accept a petition filed by the Elgin Petitioners Committee for an election to amend Article II of the Elgin City Charter to add the following:**
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.
Lucretia Alvarez, City Secretary

Council Member Juan Gonzalez made a motion to accept the petition, Council Member Craig Fromme seconded, and motion approved unanimously.

EXECUTIVE SESSION

None

ANNOUNCEMENTS

- Police Department thanks everyone who remembered them over the holidays with extra snacks.
- Bastrop County Future Farmers of America Livestock Show
- Sip Shop Stroll on Thursday 5-8 pm
- City of Elgin was awarded a \$150,000 grant for sidewalk projects on the south end of downtown.
- MLK Walk will be in Smithville on Monday, January 19.
- Craig Fromme's family welcomed a new baby girl, Gatlin Belle, on December 30.

ADJOURNMENT

Mayor Marc Holm adjourned the meeting at 7:58 p.m.

MARC HOLM
Mayor of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ
City Secretary of Elgin, Texas



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-2 Approval of an Agreement to Conduct Joint Election between the City of Elgin and Elgin Independent School District for the May 9, 2015 Election.

SOURCE PERSON(S): Lucretia Alvarez, City Secretary

SUMMARY:

This Agreement is to Conduct Joint Election between the City of Elgin and Elgin Independent School District pursuant to Section 31.092 and Chapter 271 of the Texas Election Code.

RECOMMENDATION: Approval of Agreement to Conduct Joint Election between the City of Elgin and Elgin Independent School District for the May 9, 2015 Election.

ATTACHMENT: 1- Agreement

**AGREEMENT TO CONDUCT JOINT ELECTION BETWEEN
THE CITY OF ELGIN AND
ELGIN INDEPENDENT SCHOOL DISTRICT
FOR THE MAY 9, 2015 ELECTION**

**THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §**

This Agreement to Conduct Joint Election (this “**Contract**”) is entered into by and among City of Elgin, a political subdivision of the State of Texas (the “**CITY**”), and Elgin Independent School District, a political subdivision of the State of Texas, (the “**ISD**”), individually, a “**Party**” or, collectively, the “**Parties**,” pursuant to Section 31.092 and Chapter 271 of the Texas Election Code.

RECITALS

WHEREAS, the CITY and the ISD each expect to call an election to be held on May 9, 2015; and

WHEREAS, the CITY and the ISD desire to conduct such elections jointly pursuant to Chapter 271 of the Texas Election Code, and

WHEREAS, the CITY and the ISD desire to enter into a contract setting out the respective responsibilities of the Parties;

NOW, THEREFORE, the Parties agree as follows:

**ARTICLE I
PURPOSE**

1.01 The Parties have entered into this Contract to conduct a joint election on May 9, 2015. The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of the Parties.

**ARTICLE II
JOINT ELECTION**

2.01 The Parties agree to conduct their respective May 9, 2015 elections jointly pursuant to Chapter 271 of the Texas Election Code.

ARTICLE III TERM

6.01 Except as hereinafter set out, the term of this Contract shall be from the time of execution until all items with respect to this Contract have been completed.

ARTICLE VII COST OF SERVICE AND BILLING

7.01 All costs incurred by the Parties attributable to the coordination, supervision, and running of the election and incurred on behalf of the Parties, including expenses for supplies in connection with the election school(s), election supplies, wages paid for election workers, any paper ballots to be used for the election, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of direct recording electronic voting devices and audio ballots shall be shared by the Parties and each Party will be billed their pro-rata portion.

ARTICLE VIII GENERAL PROVISIONS

8.01 This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Bastrop County, Texas.

8.02 In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision, and this Contract shall be construed as if the invalid, illegal, or unenforceable provision had never been a part of the Contract.

8.03 This Contract constitutes the only agreement of the Parties hereto and supersedes any prior understanding or written or oral agreement between the parties respecting the written subject matter.

8.04 No amendment, modification, or alteration of this Contract shall be binding unless it is in writing, dated subsequent to the date of the Contract and duly executed by all of the Parties.

8.05 Any notice to be given hereunder by any party to the other shall be in writing and may be affected by personal delivery, by certified mail, or by common carrier. Notice to a party shall be addressed as follows:

ISD:

Dr. Jodi Duron
Superintendent of Schools
Elgin Independent School District
PO Box 351
Elgin, TX 78621

CITY:

Marc Holm
Mayor
City of Elgin
PO Box 591
Elgin, TX 78621

Notice by hand-delivery is deemed effective immediately, notice by certified mail is deemed effective three days after deposit with a U.S. Postal Office or in a U.S. Mail Box, and notice by a common carrier, is deemed effective upon receipt. Each party may change the address for notice to it by giving notice of such change in accordance with the provisions of this Section.

Executed to be effective the ____ day of _____, 2015.

DISTRICT:

BY: _____
Dr. Jodi Duron, Superintendent
Elgin Independent School District

Executed to be effective the ____ day of _____, 2015.

CITY:

BY: _____
Marc Holm, Mayor
City of Elgin



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-3

Approval of a Contract for Election Services between the Elections Administrator of Bastrop County and the City of Elgin for the May 9, 2015 Election.

SOURCE PERSON(S): Lucretia Alvarez, City Secretary

SUMMARY: The City of Elgin has contracted with the Council in past years and staff recommended the same be done this year. The cost for contracting this service is shared by all entities that are holding elections. This year the City of Elgin and the Elgin Independent School District will hold elections and the City of Elgin estimated cost will be \$5,873.43.

RECOMMENDATION: Approval of Contract for Election Services between the Elections Administrator of Bastrop County and the City of Elgin for the May 9, 2015 Election.

ATTACHMENT: 1- Contract

CONTRACT FOR ELECTION SERVICES
BETWEEN
THE ELECTIONS ADMINISTRATOR OF BASTROP COUNTY
AND
THE CITY OF ELGIN
FOR THE MAY 9, 2015 ELECTION

THIS CONTRACT is made and entered into by and between Bridgette Escobedo, the Elections Administrator of Bastrop County, Texas, hereinafter referred to as "Contracting Officer," and the City of Elgin, hereinafter referred to as the "CITY," pursuant to the authority under Section 31.092(a) of the Texas Election Code and Chapter 791 of the Texas Government Code. In consideration of the mutual covenants and promises hereinafter set forth, the parties agree to this interlocal agreement with regard to the coordination, supervision, and running of the CITY's May 9, 2015 Election, hereinafter referred to as "the election". The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places and election procedures to assist the voters of the CITY.

I. RESPONSIBILITIES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the election:

A. *Notification to Presiding and Alternate Judges; Appointment of Clerks.*

1. The Contracting Officer shall notify each presiding judge and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election school(s), the eligibility requirements that pertain to them and to the selection of election day clerks, the date and time of the election, the rate of compensation, the number of election clerks the presiding judge may appoint, and the name of the presiding or alternate judge, as appropriate.

2. The Contracting Officer shall ensure that the presiding judges make the appropriate election clerk appointments and notify the clerks of their appointments. The recommendations of the CITY will be the accepted guidelines for the number of clerks secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours. Election judges shall be secured by the Contracting Officer with the approval of the CITY.

3. Notification to the election judges and alternates shall be made no later than April 24, 2015.

B. Contracting with Third Parties. In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third persons for election services and supplies. The cost of such third-person services and supplies will be paid by the Contracting Officer and reimbursed by the CITY as agreed upon on Exhibit "C."

C. Election School(s). The Contracting Officer shall be responsible for conducting one or more, at her discretion, election schools to train the presiding judges, alternate judges, election clerks, and early voting clerks, and Early Voting Ballot Board members in the conduct of elections, including qualifying voters, provisional voting, and the counting of ballots. The Contracting Officer shall determine the date, time, and place for such school(s) and notify the presiding judges, alternate judges, and election clerks of such. The Contracting Officer may hold the election school(s) on a Saturday in order to increase its availability to election workers who are employed during the regular work week. If at all possible, such election schools shall be conducted within the CITY territory.

D. Publication/Posting of Election Notice. The Contracting Officer shall be responsible for having the required election notice under Section 4.003(a)(1) of the Texas Election Code published in the newspaper as required by State law. The Contracting Officer shall also be responsible for posting the notice required under Section 4.003(b) of the Texas Election Code as required by law and may require the assistance of the CITY in having such notice posted.

E. Election Supplies. The Contracting Officer shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day and the Early Voting Ballot Board (and to the Deputy Early Voting Clerks during Early Voting) the following election supplies: election kits from third-party vendors (including the appropriate envelopes, sample ballots, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code); pens; pencils; tape; markers; paper clips; ballot box seals; sample ballots; tacks, and all consumable-type office supplies necessary to hold an election.

F. Registered Voter List. The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law. The Election Day list of registered voters shall be arranged in alphabetical order by each precinct.

G. Ballots. The Contracting Officer shall be responsible for the programming of the direct recording electronic voting devices (referred to as DRE's) and the printing of ballots requested by mail or used for early voting or

election day. The Contracting Officer shall be responsible for distributing the DRE's along with the election supplies.

H. *Early Voting.* In accordance with Sections 31.096 and 31.097(b) of the Texas Election Code, the Contracting Officer will serve as Early Voting Clerk for the election.

1. As Early Voting clerk, the Contracting Officer shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. The Contracting Officer shall work with the CITY in securing personnel to serve as Early Voting Deputies.

The Contracting Officer shall, upon request, provide the CITY a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations listed in Exhibit "A," attached hereto and made a part of this contract.

3. The Contracting Officer shall receive mail ballot applications on behalf of the CITY. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or her deputies at 804 Pecan Street, Bastrop, Texas 78602. Any requests for early voting ballots to be voted by mail received by the CITY shall be forwarded immediately to the Contracting Officer for processing.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be secured and maintained by the Contracting Officer and delivered by her or her deputy for counting in accordance with Chapter 87 of the Texas Election Code to the Early Voting Ballot Board at the Bastrop County Courthouse on Election Day, May 9, 2015.

I. *Election Day Polling Locations.* The Election Day polling locations are those listed in Exhibit "B," attached hereto and made a part of this contract. The Contracting Officer shall arrange for the use of all Election Day polling places and shall arrange for the setting up of all polling locations for Election Day, including ensuring that each polling location has the necessary tables, chairs, and voting booths.

J. *Central Counting Station.* The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tally the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Bridgette Escobedo. The Tabulation Supervisor shall be Kristin Miles. The tabulation

supervisor shall handle ballot tabulation in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.

Election night reports will be available to the CITY at the Central Counting Station on election night and will provide individual polling location totals.

K. *Manual Counting.* The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the CITY in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

L. *Election Reports.* The Contracting Officer shall prepare the unofficial tabulation of precinct results under Section 66.056(a) of the Texas Election Code and shall provide a copy of the tabulation to the CITY as soon as possible after the Contracting Officer has received the precinct returns on Election Day night. Provisional ballots will be tabulated after election night in accordance with state laws.

M. *Custodian of Voted Ballots.* The Contracting Officer is hereby appointed the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

II. RESPONSIBILITIES OF THE CITY. The CITY shall assume the following responsibilities:

A. *Election School(s).* At the request of the Contracting Officer, and at no cost to the Contracting Officer, the CITY will make available space in an CITY building to hold the election school(s), if applicable.

B. *Polling Locations.* The CITY shall pay the respective cost of all employee services required to provide access, security, or custodial services for the polling locations.

C. *Applications for Mail Ballots.* The CITY shall date stamp and then immediately hand deliver to the Contracting Officer all original mail ballot applications for mail ballots that it receives.

D. *Election Orders, Election Notices, Canvass.* The CITY shall prepare the election order, resolutions, notices, official canvass, and other pertinent documents for adoption by the CITY's governing body. Promptly after approval of election order, resolutions, notices, official canvass, and other pertinent documents by the CITY's governing body and within such time so as not to impede the orderly conduct of the election, the CITY shall return said documents to the Contracting Officer for proper posting and recordkeeping. The CITY

assumes the responsibility of promoting the schedules for Early Voting and Election Day

E. *Paper Ballots.* In advance of the March 25, 2015 date on which the Texas Secretary of State's Office encourages the mailing out of ballots for early voting by mail, the Contracting Officer shall arrange with a third party to prepare the necessary optical paper ballots for the election. The ballots shall be in English with the Spanish translation included.

The CITY shall furnish the Contracting Officer a list of candidates and/or propositions showing the order and the exact manner in which their names or proposition(s) are to appear on the official ballot (including bilingual titles and text). This list shall be delivered to the Contracting Officer as soon as possible after ballot positions have been determined. The CITY shall perform the duties required for drawing for place on the ballot by candidates. The CITY shall be responsible for proofreading and approving the ballot insofar as it pertains to the authority's candidates and/or propositions.

III. SPECIAL PROVISIONS RELATING TO ELECTION WORKERS

A. *Compensation.* The parties agree that presiding judges and alternate judges will be compensated at a rate of \$10.00/hr, and election clerks will be compensated at a rate of \$8.00/hr. They will be compensated for all hours actually worked, including the time to set up the polling location and the time to complete the counting and to wrap up the paper work, but not to exceed one hour before and two hours after the polling location is open for voting. The presiding judge, or the election worker at the polling location that he or she designates, who picks up the election supplies on May 9, 2015 from the Contracting Officer and who returns the remaining supplies, ballot boxes, and all other election records from the polling location to the Contracting Officer will be compensated with a delivery fee of \$25 at the same time that payment is made for the hours worked. The Contracting Officer will pay the election workers directly and be reimbursed for such by the CITY.

B. *Number of Election Workers.* The parties agree that at all polling locations there will be a minimum of three election workers, consisting of the presiding judge, alternate judge, and one clerk.

IV. JOINT EXPENSES AND PAYMENT

A. *Expenses Incurred and Billing.* The participating authorities agree to share actual costs incurred to the extent that the costs and expenses are incurred in connection with a polling location used by more than one local political subdivision, such as (without limitation) the cost of renting polling locations and voting equipment, programming the voting equipment, supplies needed for the

polling place, wages and salaries of election workers. Election expenses shall be pro-rated equally among the participants.

The parties agree, for those polling locations used solely by the CITY and not shared by any other participating authority, that the CITY will pay the wages, salaries, and other applicable election costs and expenses directly related to such polling location.

It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.

Billing. As soon as reasonably possible after Election Day, the Contracting Officer will submit an itemized invoice to the CITY for (1) actual expenses directly attributable to the coordination, supervision, and running of the election and incurred on behalf of the CITY by the Contracting Officer, including expenses for supplies in connection with the election school(s), publication and printing of election notices, election supplies, wages paid to the Contracting Officer's employees for services under this contract performed outside of normal business hours, election workers, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of DREs and audio ballots, and (2) the Contracting Officer's fee under Section 31.100(d) of the Texas Election Code and as provided in Section IV.E below. Expenses related to wages shall be supported by compensation sheets. Other expenses shall be supported by invoices or receipts, except that the price of items coming out of the Contracting Officer's stock of election supplies shall be supported by the Contracting Officer's certificate about the number of items used and the unit cost therefore according to the vendor's standard price list.

B. *Payment.* The CITY shall pay the Contracting Officer's invoice within 30 days from the date of receipt to: **Bastrop County, Attn: Bridgette Escobedo, Elections Administrator, 804 Pecan Street, Bastrop, TX 78602.** If the CITY disputes any portion of the invoice, the CITY shall pay the undisputed portion of the invoice, and the parties will discuss in good faith a resolution of the disputed portion. All payments shall be made from current revenues available to the CITY.

C. *Expense Item Larger than \$500.* If a single election expense exceeds \$500, the Contracting Officer reserves the right to invoice the CITY for such expense at the time it is incurred, supported by an invoice or receipt, rather than waiting until after Election Day. The CITY shall pay such invoice within 30 days from the date of receipt.

D. *Estimated Cost of Services.* A cost estimate for election expenses is attached hereto and made a part of this contract as Exhibit "C." The parties agree that this is an estimate only and that the CITY is obligated to pay their respective portion of the actual expenses of the election as set forth herein. The Contracting Officer agrees to advise the CITY if it appears that the actual expenses incurred by the Contracting Officer will exceed by 20% or more the estimated expenses to be paid initially by the Contracting Officer and reimbursed jointly by the CITY.

E. *Administrative Fee.* The CITY shall pay the Contracting Officer a 10 % administrative fee, pursuant to the Texas Election Code, Section 31.100.

V. GENERAL PROVISIONS

A. *Nontransferable Functions.* In accordance with Section 31.096 of the Texas Election Code, nothing in this contract shall be construed as changing

1. the authority required by state law to order the election;
2. the authority with whom applications of candidates for a place on the ballot are filed;
3. the authority with whom documents relating to political funds and campaigns under Title 15 of the Texas Election Code are filed; or
4. the authority to serve as custodian of voted ballots or other election records, except that the Contracting Officer, if requested in writing by the CITY, will become the custodian of the voted ballots.

B. *Joint Election.* The parties acknowledge that the Contracting Officer may contract with other entities holding elections at the same time as the CITY on May 9, 2015.

C. *Cancellation of Election.* If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall only be entitled to receive the actual expenses incurred before the date of cancellation in connection with the election and an administrative fee of \$75. The Contracting Officer shall submit an invoice for such expenses (properly supported as described in **IV. PAYMENT** above) as soon as reasonably possible after the cancellation and the CITY shall make payment therefore in a manner similar to that set forth in **IV. PAYMENT** above. The Contracting Officer agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the CITY authorizes such major costs in writing. An entity canceling an election will not be liable for any further costs incurred by the Contracting Officer in conducting the May 9, 2015 Joint Election.

D. Contract Copies to Treasurer and Auditor. In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this contract with the County Treasurer of Bastrop County, Texas and the County Auditor of Bastrop County, Texas.

E. Representatives. For purposes of implementing this contract and coordinating activities hereunder, the CITY and the Contracting Officer designate the following individuals, and whenever the contract requires submission of information or documents or notice to the CITY or the Contracting Officer, respectively, submission or notice shall be to these individuals:

For the CITY:

Marc Holm
Mayor At-Large
City of Elgin
310 N. Main St./PO Box 591
Elgin, TX 78621
Tel: (512) 281-5724
Fax: (512) 285-5962
Email: mayor@ci.elgin.tx.us

For the Contracting Officer:

Bridgette Escobedo
Elections Administrator
Bastrop County
804 Pecan Street
Bastrop, TX 78602
Tel: (512) 581-7160
Fax: (512) 581-4260
Email: elections@co.bastrop.tx.us

F. Amendment/Modification. Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent, or employee of the County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Bastrop County, Texas. No official, representative, agent, or employee of the CITY has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the CITY. Both the Contracting Officer and the CITY may propose necessary amendments or modifications to this Agreement in writing in order to conduct a Joint Election smoothly and efficiently, except that any such proposals must be approved by the Commissioners Court of the County and the governing body of the Participating Entity, respectfully.

G. Entire Agreement. This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

H. Severability. If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement; and, parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

I. Third Party Beneficiaries. Except as otherwise provided herein, nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto, any benefits, rights or remedies under or by reason of this Agreement.

J. Mediation. Any controversy, claim or dispute arising out of or relating to this contract, shall be settled through mediation by the parties. The parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.023 of the Texas Civil Practice and Remedies Code unless both parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term "confidential" as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2015.

Marc Holm
Mayor At-Large
City of Elgin
Elgin, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2015.

Paul Pape
County Judge
Bastrop County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2015.

Bridgette Escobedo
Elections Administrator
Bastrop County, Texas

EXHIBIT "A"

EARLY VOTING DATES, TIMES, AND LOCATIONS

Time Period:

Monday, April 27, 2015 through Tuesday, May 5, 2015.

Main Location:

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
27 8:00 am – 5:00 pm	28 8:00 am – 5:00 pm	29 8:00 am – 5:00 pm	30 8:00 am – 5:00 pm	1 7:00 am – 7:00 pm
4 8:00 am – 5:00 pm	5 7:00 am – 7:00 pm	6	7	8

Voting by Mail:

Bridgette Escobedo, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, TX 78602

EXHIBIT "B"

CITY OF ELGIN ELECTION DAY POLLING LOCATION

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

EXHIBIT "C"
ESTIMATED COST OF MAY 9, 2015 ELECTION
JOINT ELECTION WITH ELGIN ISD

CITY OF ELGIN

Newspaper Publication Expenses	\$ 405.00
Optical Ballots and Programming Expenses	\$1,508.24
Rental Fee for AutoMARK and Vote Tabulator (voting equipment)	\$3,226.24
Staff Time and Mileage, Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	\$ 200.00
SUBTOTAL	\$5,339.48
10% ADMINISTRATIVE FEE	<u>\$ 533.95</u>
TOTAL	<u>\$5,873.43</u>

EXHIBIT "C"
ESTIMATED COST OF MAY 9, 2015 ELECTION
WITHOUT JOINT ELECTION

CITY OF ELGIN

Newspaper Publication Expenses	\$ 405.00
Optical Ballots and Programming Expenses	\$ 1,508.24
Rental Fee for AutoMARK and Vote Tabulator (voting equipment)	\$ 8,603.31
Staff Time and Mileage, Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	\$ 200.00
SUBTOTAL	\$10,716.55
10% ADMINISTRATIVE FEE	<u>\$ 1,071.66</u>
TOTAL	<u>\$11,788.21</u>



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-4

Approval of appointments to Library Advisory Board.

SOURCE PERSON(S): Sandy Ott, Library Director

SUMMARY: The Library Advisory Board has 3 members, Patsy Hoffman, Kay Silkenson, and Sandy Smith, who would like to be reappointed to the board for a two-year term. Staff recommends that these currently active members be reappointed. The members are library patrons, volunteer their time in the library, and are knowledgeable of how the library functions.

As we have an opening on the board, and Lois Horstmann has applied to serve on this board. Staff recommends that Lois Horstmann be appointed to the board as she is an active user and volunteer of the library. She certainly understands how it works as she has volunteered at the circulation desk for several years as well as participating in many programs and classes.

Board members serve two year terms.

RECOMMENDATION:

Reappoint Patsy Hoffman, Kay Silkenson, and Sandy Smith for terms expiring 12-31-2016.
Appoint Lois Horstmann for a term expiring 12-31-2016.

ATTACHMENTS: 1- Requests for reappointments
2- Application

Attachment 1

Lucretia Alvarez

From: Patsy Hoffman <patsy@advocacyoutreach.org>
Sent: Tuesday, November 18, 2014 8:59 AM
To: Lucretia Alvarez
Subject: City Board Renewals

Good Morning Lucretia,

I will not renew my position on the
Historic Review Board. I will remain
on the Library Advisory Board.

If you need anything else from me
email or call me.

Regards,

Patsy

Lucretia Alvarez

From: Sandy Smith <sandysmithrealtor@gmail.com>
Sent: Thursday, December 4, 2014 1:23 PM
To: Lucretia Alvarez
Subject: Library Advisory Board - volunteer

Please be advised that I would like to continue serving on the Elgin Library Advisory Board for another 2 years.

Thank you!

SANDY SMITH, REALTOR
Jeanette Shelby Realty
Office - 512-281-3412
Mobile - 512- 913-5604
Fax - 512-281-9608

The statements in this email do not create a binding agreement for any parties.

www.trec.state.tx.us/pdf/contracts/op-k.pdf

Texas Law requires all real estate licensees to give the above information about brokerage services.

Attachment 2



CITY OF ELGIN APPLICATION FOR COMMUNITY BOARDS



Please Type or Print Clearly

NAME: Lais Horstmann

TELEPHONE: 512-281-4100 (H) _____ (W) _____

(Cell #) 512-993-8525 * 1st

ADDRESS (Residence): 896 B Lower Elgin Rd

(Mailing): Elgin, Texas 78621

E-MAIL ADDRESS: alabirdlady1@juno.com

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

WHICH OF THE FOLLOWING COMMISSION/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

☒ Economic Development Corporation

☒ Envision Elgin

☒ Historic Review Board

☒ Library Advisory Board

☒ Main Street Board

☒ Parks & Recreation Board

☐ Planning & Zoning Commission

☐ Public Safety Advisory

Committee

LIST THREE REFERENCES: (Name, Address & Contact Information for each) Patricia Pope, 11519 Oak Knoll Dr, Austin, TX 78725, 512-996-8090, em(PatriciaPope@Hotmail.com)

Angelia Holbrook, 107A Nature's Way, Elgin, TX 78621, 512-274-7449, angelia.holbrook@yahoo.com

Inez Price, 832 East 37th St, Austin, TX 78705-1806, 512-387-8468, beeprice@Grandcom.net

OCCUPATION AND/OR AREA(S) OF EXPERTISE (If retired, please indicate former occupation or profession) Florist, Guest Teacher.

EDUCATION: (High School, College, etc.) UT Austin, BA Liberal Arts

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: _____

- * 1. Library Advisory Board
2. Parks & Recreation Board
3. Envision Elgin

4. Economic Development Corp.
5. Main Street Board
6. Historic Review Board

- * Are you a registered Voter? YES ☒ NO ☐
- * Are you currently serving on any other City of Elgin Board/Commission/Committee?
YES ☐ NO ☒ If yes, please indicate name of Board or Commission _____
- * 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? _____
- * How did you hear of the available position(s)? Sandy Ott, Paper (Elgin Courier)
- * Why would you like to serve on the selected Board or Commission? _____
- * Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ☐ NO ☒
- * Do you have your employer's support to serve on a Board or Commission? YES ☐ NO ☐
- * Do you agree to complete any training necessary for the Board or Commission to which you are applying? YES ☒ NO ☐
- * Completing/submitting this application does not guarantee placement!

Lisa Horstmann
Signature of Applicant

9/6/14
Date

If you have any questions, please contact Shirley Garvel, 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!

Reference:

- ① Patricia Pope, 11519 Oak Knoll Dr. Austin, Texas 78759
em (patriciapope@hotmail.com)
- ② Angelia Holbrook 103A Nature's Way, Elgin, TX 78621
512-229-7449 (angelia-holbrook@yahoo.com)
- ③ Inez Price, 832 East 37th Street, Austin, Texas 78705-
512-587-8468 (beeprice@Grande.com.net 1806)

Lois Horstmann

896 Lower Elgin Road #B
Elgin, Texas 78621

152-993-8525
alhbirdlady1@juno.com

Objective

To use my creative community outreach skills to work as a team member on current programs and help to promote and expand other programs for Seniors, Families, Teens, and Youth in new meaningful ways for their enjoyment.

Professional Highlights

- Elgin Independent School District, Elgin, Texas 2013-Present
Guest Teacher in K-12
- Manor High School, Manor Independent School District, Manor, Texas 2006-2007
Worked as Assistant Teacher in the
Special Education Department in Content Mastery section
- East Rural Travis County Advisory Board, Inc., Manor, Texas 2007-2010
Board member working in all areas to help raise community
awareness for the Community Centers various programs
- Austin Independent School District, Austin, Texas. Guest Teacher 1995-2006
Most positions were in all content areas at Crockett and Reagan High School.
- Austin Symphony Orchestra, Inc., Austin, Texas 1986-2012
Friday Night Balcony, Floor Manager/Assistant over 16 ushers
and around 600 patrons, to ensure their safety at the performance
- Travis County Elections, Austin, Texas 1964-2010
Judge, Alternated Judge, and Clerk

Administrative Functions

- Billing arrangements/record spreadsheets
- Strong organizational skills
- Sales experience: - Retail-business-to-business - large groups
- Computer Skills: Microsoft 2010, Excel

Education / Training

- Bachelor's Degree Liberal Arts, The University of Texas at Austin, Texas
- Floral Design Certificate, Mr. Benz School of Floral Design, Houston, Texas

Interests

- Knitting, crocheting, floral arrangements, gardening, and music.



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-5 Reappointments of Parks and Recreation Advisory Board members Emily Brown, James Sides, Tara Minor and Erin Flores for terms expiring December 31, 2016.

RESOURCE PERSON(S):

**Mayor Marc Holm,
Michael Gonzalez, Parks and Recreation Program Manager**

SUMMARY: The Parks and Recreation Advisory Board reviews parks development projects, program policy and programming items. The Parks Board also schedules park improvement days, coordinates volunteers for a variety of special events in the community and provides advising to the Program Manager. This Board is staffed by Michael Gonzalez, Parks and Recreation Program Manager. The board typically meets on the 4th Tuesday of the month at 7:00 p.m. at the Fleming Community Center unless otherwise announced.

RECOMMENDATION(S):

Reappoint Parks and Recreation Advisory Board members Emily Brown, James Sides, Tara Minor and Erin Flores for terms expiring December 31, 2016.

ATTACHMENTS: 1) Requests for reappointments

Attachment 1

Michael Gonzalez

From: James Sides <james_g_sides@hotmail.com>
Sent: Tuesday, December 23, 2014 5:04 PM
To: Tara Minor; Erin Flores; Steve Van Landingham; Michael Gonzalez; Debbie Gaston; pjilltatum@gmail.com; Emily Brown
Subject: Request to stay on Parks board

Michael,

This is my notice/request to remain on the Elgin Parks and Rec board.

Regards,

James Sides

Sent from my iPhone

Michael Gonzalez

From: Emily Brown <emily_ann_brown@yahoo.com>
Sent: Friday, January 2, 2015 8:49 AM
To: Michael Gonzalez
Subject: Parks Board

Michael,
Happy New Year! I would love to continue to serve on the parks board in whatever capacity you need.
Emily

Michael Gonzalez

From: Tara Minor <patandtara@aol.com>
Sent: Wednesday, December 24, 2014 12:09 PM
To: 'James Sides'; 'Erin Flores'; 'Steve Van Landingham'; Michael Gonzalez; 'Debbie Gaston'; pjilltatum@gmail.com; 'Emily Brown'
Subject: RE: Request to stay on Parks board

I will be happy to continue to serve on the board.

Tara

-----Original Message-----

From: James Sides [mailto:james_g_sides@hotmail.com]
Sent: Tuesday, December 23, 2014 5:04 PM
To: Tara Minor; Erin Flores; Steve Van Landingham; Michael Gonzalez; Debbie Gaston; pjilltatum@gmail.com; Emily Brown
Subject: Request to stay on Parks board

Michael,

This is my notice/request to remain on the Elgin Parks and Rec board.

Regards,

James Sides

Sent from my iPhone

I have an interest in serving on the Parks and Recreation advisory board until 2016.

Erin Flores

ERIN FLORES

Michael Jones

PARKS MANAGER



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-6 Appointments to the Elgin Main Street Board.

RESOURCE PERSON(S): Marc Holm, Mayor

SUMMARY:

The Elgin Main Street Board is appointed by the City Council to coordinate the downtown revitalization program following the Main Street Four Point Approach and is staffed by Amy Miller, Community Development Director. Jamie Hausladen and Dorothy McCarther currently serve on the board and are interested in continuing their service. The board has one vacant position.

Terms for the board are three year terms. Applications were received from Stacey Gruetzner and Neil Stone. Stacey has been an active volunteer with the Hogeye Festival. In 2014, she coordinated 1) the festival souvenirs, 2) the sales of the souvenirs, 3) hogunteer recruitment, and 4) hogunteer staffing for the festival. Neil is a volunteer with the Texas Treasures applications.

The Main Street Board has four committees and these are some of the current projects: Business Retention & Recruitment – zoning overlays to address questions of more flexible use in downtown and options for residential uses downtown– Texas Treasures applications- recognizing businesses in continuous operation for 50 years or more, business training classes on topics such as social media, business hours, customer service. Organization – the Downtown 78621 publication that is sent three times per year to 10,000 households in 78621 area Design committee - bike racks, sign ordinance review Promotion tourism – Art Studio Tour April 12, Wine Swirl, Music series, River Valley Farmers Market Hogeye Festival Committee – planning & Implementing the Hogeye festival which is held each 4th Saturday of October

The board typically meets on the 3rd Thursday of the month at 7:30am.

This program is part of the Texas Main Street Program under the Texas Historic Commission and is affiliated with the National Main Street office with the National Trust for Historic Preservation.

The board includes the following members:

Ed Rivers, Bastrop Abstract (board president)

Cristin Embree, archeologist

Dorothy McCarther, owner Dorothy's Jewelry and Gifts

Theresa McShan, family business & property, McShan's Barbershop, special event volunteer

Renee Girling, property owner, business owner

Stacey Van Landingham, Texas Monthly graphic designer

Bob Haisler, special events volunteer, Elgin ISD

Jamie Hausladen, Elgin Funeral Home

RECOMMENDATION(S):

Reappoint Jamie Hausladen, Dorothy McCarther, and appoint Stacey Gruetzner to the Elgin Main Street Board for terms that will expire on December 31, 2017

ATTACHMENTS:

- 1) Board applications

Attachment 1



CITY OF ELGIN APPLICATION FOR COMMUNITY BOARDS



Please Type or Print Clearly

NAME: Staray Gruetzner

TELEPHONE: (512) 731-7872 (H) (512) 281-5744 (W)

_____(Cell #)

ADDRESS (Residence): 805 N. Main St Elgin

(Mailing): Same

E-MAIL ADDRESS: Sgruetzner @ brick.com

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

WHICH OF THE FOLLOWING COMMISSION/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 | ☐ Economic Development Corporation | ☐ Envision Elgin |
| ☐ Historic Review Board | ☐ Library Advisory Board | ☒ Main Street Board |
| ☐ Parks & Recreation Board | ☐ Planning & Zoning Commission | ☐ Public Safety |
| | | ☐ Advisory Committee |

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

<u>Jaime + Brian Lundgren</u>	<u>1004 Main Street</u>	<u>(512) 281-0999</u>
<u>Linda Mogonye</u>	<u>172 Cedar Hills Dr.</u>	<u>(512) 549-2722</u>
<u>Carl Newstrom</u>	<u>116 Pecan</u>	<u>(512) 773-1050</u>

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

Administrative Assistant w/ Acme Brick Company for 18 years

Currently serving as the Chair for Relay of Life - Elgin

EDUCATION: (High School, College, etc.) Pflugerville H.S.

ADDITIONAL PERTINENT INFORMATION

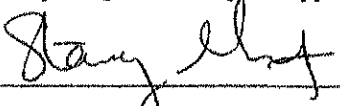
- ♦ Do you reside within the City Limits of Elgin? YES ☒ NO _____

If yes, how long? 40 years 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: _____

- Are you a registered Voter? YES ☒ NO ☐
 - Are you currently serving on any other City of Elgin Board/Commission/Committee?
YES ☐ NO ☒ If yes, please indicate name of Board or Commission _____
 - 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? _____
 - How did you hear of the available position(s)? Elgin Courier
 - Why would you like to serve on the selected Board or Commission? I have deep roots in the community and am very proud to call Elgin home. It would be an honor and a blessing to serve the community and be a voice for the citizens.
 - Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ☐ NO ☒
 - Do you have your employer's support to serve on a Board or Commission? YES ☒ NO ☐
 - Do you agree to complete any training necessary for the Board or Commission to which you are applying? YES ☒ NO ☐
 - Completing/submitting this application does not guarantee placement!
-  1/26/15
 Signature of Applicant 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:

NEIL STONE

TELEPHONE: 512 285-4878 (H) _____ (W) _____

____ (Cell #)

ADDRESS (Residence): 166 WAYSIDE DR. ELGIN, TX 78621
(Mailing): P.O. BOX 1177

E-MAIL ADDRESS: NSTONE2000@YAHOO.COM

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

WHICH OF THE FOLLOWING COMMISSION/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 | ☒ 1 Economic Development Corporation | ☒ 3 Envision Elgin |
| ☐ Historic Review Board | ☐ Library Advisory Board | ☒ 2 Main Street Board |
| ☐ Parks & Recreation Board | ☐ Planning & Zoning Commission | ☐ Public Safety
Advisory Committee |

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

ALREADY ON PUBLIC SAFETY BOARD since Dec 2012

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

FILM & TV

FINANCE

EDUCATION

EDUCATION: (High School, College, etc.) COLLEGE +

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: _____

♦ Are you a registered Voter? YES ☒ NO ☐

♦ Are you currently serving on any other City of Elgin Board/Commission/Committee?

YES ☒ NO ☐ If yes, please indicate name of Board or Commission SAFETY

♦ 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? _____

♦ How did you hear of the available position(s)? CITY SEC'Y.

♦ Why would you like to serve on the selected Board or Commission? RETIRED,
INTERESTED IN PUBLIC SERVICE, ELGIN IS MY HOME.

♦ Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ☐ NO ☒

♦ Do you have your employer's support to serve on a Board or Commission? YES ☐ NO ☒ N/A

♦ Do you agree to complete any training necessary for the Board or Commission to which you are applying? YES ☒ NO ☐

♦ Completing/submitting this application does not guarantee placement!

Neil Stone
Signature of Applicant

5/21/2014
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!



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-7 Appointment to the Historic Review Board

RESOURCE PERSON(S): Marc Holm, Mayor

SUMMARY:

Melissa Cole currently serves on the Historic Review Board and is willing to continue to serve on this board. The board reviews any changes to the exterior of a property in the district that is visible from a public right of way. The board meets on the 4th Tuesdays at 7:30 a.m.

Board members include Molly Alexander, Ed Rivers, Cristin Embree, Annie Lee Haywood, Margo Sawyer and Vicki Goodrich.
The board currently has two vacancies.

RECOMMENDATION(S):

Approve reappointment of Melissa Cole to a term for the Historic Review Board expiring December 31, 2017.

ATTACHMENTS: 1- Request for reappointment

Attachment 1

Lucretia Alvarez

From: Melissa Cole <meliscole@gmail.com>
Sent: Monday, December 08, 2014 8:54 PM
To: Lucretia Alvarez
Cc: Amy Miller
Subject: HRB

I understand that my term on the Historic Review Board of Elgin ends on December 31 of this year. I am happy to continue with this role for another term should it be of service to the community.

Melissa Cole.

Melissa Cole
PO Box 391
Elgin , TX 78621



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-8 Appointments to Board of Adjustments.

RESOURCE PERSON(S):

Marc Holm, Mayor

Gary Cooke, Planning and Development Director

SUMMARY: Currently there are two vacancies on the Board of Adjustments.
Roy Pruneda has applied and qualifies to serve on this board.
Other members to be reappointed for serving two year term.

RECOMMENDATION(S):

Reappoint Frank Boettcher, Ruby Simms, Shifton McShan terms expiring 6/1/2016
Lynn Cottle, Brenda Pina terms expiring 6/1/2017

Appoint Roy Pruneda term expiring 6/1/2017

ATTACHMENTS: 1) Application

Attachment 1



CITY OF ELGIN APPLICATION FOR COMMUNITY BOARDS



Please Type or Print Clearly

NAME:

Roy Pruneda

TELEPHONE: 512-304-0033 (H) 512-281-2509 (W)

(Cell #)

ADDRESS (Residence): 1108 N. Main St. Elgin

(Mailing): P.O. Box 413

E-MAIL ADDRESS: roypuneda@aol.com

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

WHICH OF THE FOLLOWING COMMISSION/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 | ☐ Economic Development Corporation | ☐ Envision Elgin |
| ☐ Historic Review Board | ☐ Library Advisory Board | ☐ Main Street Board |
| ☐ Parks & Recreation Board | ☐ Planning & Zoning Commission | ☐ Public Safety |
| | | ☐ Advisory Committee |

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

Sam Baki P.E. 361-288-5848

Mirza Baig P.E. 512-238-6422

Ed Awad Developer 512-627-7353

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

(16 years) Residential/Commercial Construction - General Contractor.
Land Development and Law Enforcement (23 years)

EDUCATION: (High School, College, etc.) 12 years

ADDITIONAL PERTINENT INFORMATION

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

If yes, how long? 3

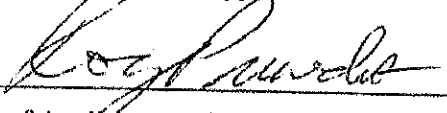
What Ward?

- ♦ 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: Pruneda Construction

167 Old Sagers Rd.
Elgin, TX

- ♦ Are you a registered Voter? YES ☒ NO ☐
 - ♦ Are you currently serving on any other City of Elgin Board/Commission/Committee?
YES ☐ NO ☒ If yes, please indicate name of Board or Commission _____
 - ♦ 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? _____
 - ♦ How did you hear of the available position(s)? Gary Cook
 - ♦ Why would you like to serve on the selected Board or Commission? Either
 - ♦ Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? YES ☐ NO ☒
 - ♦ Do you have your employer's support to serve on a Board or Commission? YES ☒ NO ☐
 - ♦ Do you agree to complete any training necessary for the Board or Commission to which you are applying? YES ☒ NO ☐
 - ♦ Completing/submitting this application does not guarantee placement!
- 
1-27-15
 Signature of Applicant 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!



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-9 Review with discussion and possible action regarding partial street closure of Main Street, First Street, and Avenue C Sunday, March 7, 2015 for the Volunteer Fire Department Annual BBQ plate fundraiser from 11:00a.m. to 1:00p.m.

RESOURCE PERSON(S): Amy Miller, Community Development Director
Joe Parten, Public Works Director
Chris Bratton, Police Chief

SUMMARY:

The Volunteer Fire Department Annual BBQ plate fundraiser provides plates via a drive thru set up on Avenue C at the Fire Department building. The line for those plates uses Main Street from Second Street to First Street and First Street from Main Street to Avenue C from 11am to 1pm. Cars lining up for the plates use the parking spaces on these streets. Avenue C is closed to traffic from First Street to Second Street.

RECOMMENDATION(S):

Approve partial street closure of Main Street, First Street, and Avenue C Sunday, March 7, 2015 for the Volunteer Fire Department Annual BBQ plate fundraiser from 11:00a.m. to 1:00p.m.

ATTACHMENTS:

- 1) Map





DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM C-10

Request from Friends of Elgin Parks to waive the open container ordinance in Veterans' Memorial Park for Music in the Park series on May 15, May 22 and May 29, June 5, and June 19, 2015 from 4:00 p.m. until 10:00 p.m.

RESOURCE PERSON(S): Michael Gonzalez, Parks and Recreation Program Manager

SUMMARY:

The Friends of Elgin Parks are sponsoring a free concert in Veterans' Memorial Park as part of their Music in the Park series. The concert is free and open to the public. The Friends of Elgin Parks organization is requesting the council to waive the open container ordinance for the spring music series.

RECOMMENDATION(S): Approve request from Friends of Elgin Parks to waive the open container ordinance in Veterans' Memorial Park for Music in the Park series on May 15, May 22 and May 29, June 5, and June 19, 2015 from 4:00 p.m. until 10:00 p.m.

ATTACHMENTS: None



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM C-10

Request from Friends of Elgin Parks to waive the open container ordinance in Veterans' Memorial Park for Music in the Park series on May 15, May 22, May 29, June 5, and June 19, 2015 from 4:00 p.m. until 10:00 p.m.

RESOURCE PERSON(S): Michael Gonzalez, Parks and Recreation Program Manager

SUMMARY:

The Friends of Elgin Parks are sponsoring a free concert in Veterans' Memorial Park as part of their Music in the Park series. The concert is free and open to the public. The Friends of Elgin Parks organization is requesting the council to waive the open container ordinance for the spring music series.

RECOMMENDATION(S): Approve request from Friends of Elgin Parks to waive the open container ordinance in Veterans' Memorial Park for Music in the Park series on May 15, May 22, May 29, June 5, and June 19, 2015 from 4:00 p.m. until 10:00 p.m.

ATTACHMENTS: None



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: C-11

Review with discussion and possible action regarding contract with the Bastrop YMCA to provide swim lessons at Morris Memorial Park and Pool for the summer 2015 pool season.

RESOURCE PERSON(S):

Michael Gonzalez, Parks & Recreation Manager
Amy Miller, Community Development Director

SUMMARY:

The Bastrop YMCA provided swim lessons during the 2013 and 2014 swim season. This contract allows them to use the Morris Memorial Park pool for the 2015 swim season to provide swim lessons and a swim league option. The City provides lifeguard services and the pool. The YMCA provides certified instructors and handles all registration.

RECOMMENDATION(S):

Approve contract with YMCA for swim lessons and swim league for the 2015 pool season.

ATTACHMENTS:

1- Contract with Bastrop YMCA

Attachment 1

**AGREEMENT BETWEEN CITY OF ELGIN, TEXAS
AND YMCA Austin**

THIS AGREEMENT is made and entered into on the ____ day of _____, 2015, by and between the City of Elgin, Texas (the "City") and the YMCA Austin (the "YMCA").

RECITALS:

WHEREAS, the City owns and operates the Elgin Municipal Pool in Morris Memorial Park in Elgin, Texas (the "Pool"); and

WHEREAS, the YMCA has certified instructors who teach swimming lessons; and

WHEREAS, the parties desire to cooperate to allow the YMCA swim instructors to utilize the Pool to give swimming lessons to YMCA members and non-members; and

WHEREAS, the parties desire to enter into this Agreement to set forth in writing all of their respective rights, duties and obligations hereunder:

NOW THEREFORE, in consideration of the mutual promises contained herein, it is mutually agreed by and between the parties as follows:

1.0 TERM

1.1 The term of this Agreement will be from June 8, 2015 until August 14, 2015.

2.0 USE OF POOL

2.1 YMCA should provide YMCA or American Red Cross certified instructors to teach swimming lessons and swim league to YMCA and non-YMCA members during the Term of the Agreement.

2.2 YMCA will conduct eight (8) sessions, weather permitting, with the first session beginning June 8, 2015 at the Pool. The sessions shall be on Monday thru Thursday for two (2) consecutive weeks between 6pm and 8pm each evening.

2.3 YMCA shall provide online registration for swim classes and provide at least one two hour sign up session in Elgin with YMCA staff at a time and place to be agreed upon by the parties.

2.4 Each class shall be 40 minutes long. The YMCA shall place students in different classes based on age and skill level. These classifications will be agreed upon by the parties prior to June 8, 2015.

2.5 Each class must have at least four (4) persons participating. If less than four (4) persons attend a class, the class may be cancelled by either party, and, if cancelled, the YMCA is not entitled to any payments for the cancelled class.

2.6 If more than one class per session is cancelled due to inclement weather, said classes will be rescheduled by the YMCA with approval by the City.

2.7 City will provide lifeguards during all classes and the YMCA instructors shall have no duty to monitor any swimmers other than those registered for the swim classes.

2.8 City will continue to be responsible for the operation and maintenance of the Pool during classes. Lessons may be cancelled if pool cannot open due to bath house construction.

3.0 FEES

3.1 The registration fee for all classes shall be \$88.00 per student for non-YMCA members and \$40.00 per student for YMCA members is rate available until April 5, after April 5 rates will be \$100.00 per student for non-YMCA members and \$50.00 per student for YMCA members. YMCA shall be solely responsible for the collection of all fees.

3.2 YMCA will pay the City half of the class registrations over 4 registrations per class.

4.0 INDEPENDENT CONTRACTOR

4.1 YMCA, its employees, agents or sub-contractors are independent contractors and are not employees of the City.

5.0 INDEMNIFICATION

5.1 YMCA hereby holds harmless City, and its officers, agents, and employees, from any and all claims, demands, causes of action, and judgments for injury to or death of any person or damage to any property that arises directly or indirectly from any act or omission of YMCA or its officers, agents or employees, in the performance of this Agreement, or that arise directly or indirectly from any act or omission of a person or official participating in YMCA's activities or programs, or a person who is attending YMCA's activities or programs at the invitation of or with the permission of YMCA.

6.0 INSURANCE

6.1 YMCA must obtain a policy or policies of insurance from a company that is authorized to do business in the State of Texas and is acceptable to City. The insurance must have limits of liability of at least \$500,000.00 per person for bodily injury or death and \$1,000,000.00 per occurrence, and at least \$200,000.00 for property damage per occurrence, providing coverage for injury or death of any person (including the officers, agents and employees of City) and damage to property (including the Pool Facility and other property of City) that may result during the course of any activity or program of YMCA that occurs on City property. City must be named as an additional insured on the policy or policies of insurance, and YMCA must provide City with a

certificate of insurance that evidences the required coverage. The insurance may not be canceled without at least thirty (30) days' written notice to City.

7.0 TERMINATION

7.1 Either party may terminate this Agreement for any reason by giving the other party seven (7) days' written notice.

8.0 NOTICE

8.1 All notices required by this Agreement must be given by mail or must be delivered in person as indicated below:

To YMCA:

To City:

City Manager, City of Elgin
PO Box 591
Elgin, Texas _____

9.0 MISCELLANEOUS PROVISIONS

9.1 This Agreement may not be assigned by either party and any assignment by either party is null and void without the other party's prior written consent. City may withhold its consent for any reason.

9.2 This Agreement will be construed under the laws of the State of Texas, and all obligations of the parties are performable in Bastrop County, Texas. Exclusive venue shall lie in Bastrop County, Texas. No right, remedies, or warranties available to City under this Agreement or by operation of law are waived or modified unless expressly waived or modified by City in writing.

9.3 If any of the provisions of this Agreement are held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability will not affect any other provision and this Agreement will be construed as if the invalid, illegal or unenforceable provision was never contained in it.

9.4 This Agreement may be executed in multiple counterparts, which taken together shall be considered one original.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereafter indicated.

CITY OF ELGIN, TEXAS

Attest:

By: _____
Marc Holm, Mayor

Lucretia Alvarez, City Secretary

Date Signed: _____

YMCA:

By: _____
Title: _____
Date Signed: _____

NEW BUSINESS



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-1

DISCUSSION AND ACTION for an Ordinance Calling an Election on May 9, 2015 for the purpose of Electing Certain City Officials, Designating Election Precincts and Polling Places, Providing for Early Voting and Providing for Performance of Required Administrative Duties.

SOURCE PERSON(S): Lucretia Alvarez, City Secretary

SUMMARY: This Ordinance calls the City of Elgin General Election for May 9, 2015 for the purpose of electing city officials for the positions of Council Member seat for Ward 1, Ward 2, Ward 3 and Ward 4, designating election precincts, polling place, providing early voting and providing for performance of required administrative duties.

RECOMMENDATION: Approval of Ordinance 2015-02-03-3 Calling an Election on May 9, 2015 for the purpose of Electing Certain City Officials, Designating Election Precincts and Polling Places, Providing for Early Voting and Providing for Performance of Required Administrative Duties.

ATTACHMENTS: 1- Ordinance 2015-02-03-3

ORDINANCE NO. 2015-2-3-3

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING A GENERAL ELECTION ON MAY 9, 2015 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION.

WHEREAS, the City Council of the City of Elgin, Texas, wishes to order a general city election on May 9, 2015 for the purpose of electing members for Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council has determined that May 9, 2015 is the appropriate date for holding the election for electing members for Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council wishes to encourage all registered voters in the city to vote in this election; Now, Therefore,

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

Section 1. ELECTION DATE, PRECINCTS AND POLLING PLACES, AND ELECTION JUDGES.

Election Date. An election shall be held on Saturday, May 9, 2014⁵ in accordance with the attached Order of Election, which Order of Election is labeled as Exhibit "A" and incorporated herein by reference for all purposes.

Precincts and Polling Places. The City hereby designates the election precincts and polling places designated by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court, for such Election Day voting. Further, the City hereby designates the early voting polling places and the temporary polling places designated by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court, for early voting in such election.

Election Judges. The Bastrop County Elections Administrator is conducting such election for the City pursuant to the terms of an Election Services Contract. The City Council hereby appoints, for the term of such election, the presiding election judge(s) and

alternate election judge(s) as being those designated by the Bastrop County Elections Administrator.

Section 2. ELECTION CLERKS.

The presiding election judge is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the election, and such election clerks shall be qualified voters of the City of Elgin, Texas. If the election is conducted by the regularly appointed presiding election judge, then the alternate presiding election judge shall be appointed to serve as one of the clerks. The appointment of such clerks shall include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election.

Section 3. EARLY VOTING.

Early Voting Clerk. The City Council hereby appoints the Bastrop County Elections Administrator as the City of Elgin Election Officer and Early Voting Clerk. The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is as follows:

Bridgette Escobedo
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballots by mail must be received no later than 5:00 p.m. on Thursday, April 30, 2015.

Dates for Early Voting. Early voting shall commence on Monday, April 27, 2015 and continue through Tuesday, May 5, 2015, as provided by the Texas Election Code and as shown on attached exhibits.

Places for Early Voting. Early voting shall be conducted by personal appearance at the Elgin Public Library, 404 North Main Street, Elgin, Texas, and/or at such other places as shall be designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court.

Times for Early Voting. During the period in which early voting is required or permitted by law, that being April 27, 2015 through May 5, 2015, the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court.

Section 4. EARLY VOTING BALLOT BOARD.

An Early Voting Ballot Board is hereby created to process early voting results, and the City hereby appoints the presiding judge of the Early Voting Ballot Board as appointed by the Bastrop County Elections Administrator. Such presiding judge shall appoint not less than two (2) other qualified members to serve on such Board.

Section 5. CUSTODIAN OF ELECTION RECORDS.

Pursuant to the Texas Election Code and the applicable Election Services Contract, the Bastrop County Elections Administrator shall serve as the custodian of voted ballots, and the City Secretary of Elgin, Texas shall be appointed as custodian of all other election records.

Section 6. CANDIDATE FILING PERIOD.

In accordance with Section 143.007 of the Texas Election Code, the first day of filing is 8:00 a.m. Wednesday, January 28, 2015 and the deadline for filing an application for a place on the ballot for this election is declared to be 5:00 p.m. Friday, February 27, 2015.

Section 7. VOTERS.

All resident, qualified voters of the City shall be entitled to vote at the election.

Section 8. NOTICE.

Posting. Notice of this election, including a Spanish translation hereof, shall be given by posting the appropriate documentation on the bulletin board used for posting notices of City Council meetings, and same shall be posted not later than Friday, April 17, 2015 and shall remain posted through Election Day.

Publication. Notice of this election, including a Spanish translation hereof, shall be published once in a newspaper of general circulation in the City, the publication to appear not earlier than April 19, 2015 nor later than April 29, 2015.

Authorization to City Secretary. The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

Section 9. VOTING DEVICES.

Pursuant to the Election Code and the applicable Election Services Contract, the Bastrop County Elections Administrator may use electronic voting systems and corresponding voting devices and equipment in conducting the election. The Bastrop County Elections Administrator is currently using election systems and software certified by the Texas Secretary of State.

The City Council of the City of Elgin, Texas, finds as follows:

Section 61.012, Texas Election Code, requires that at least one accessible voting station must be provided in each polling place used in a Texas election on or after January 1, 2006. Such system must comply with state and federal laws setting the requirements for voting systems that (i) fully comply with applicable laws relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provide a practical and effective means for voters with physical disabilities to cast a secret ballot. The Office of the

Texas, Secretary of State has certified that the DRE - Election Systems and Software iVotronic is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035, Texas Election Code, authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. As chief elections officer for the City of Elgin, the Bastrop County Elections Administrator shall provide at least one DRE - Election Systems and Software iVotronic in each polling place at every polling location used to conduct any election ordered on or after January 1, 2006. The DRE - Election Systems and Software iVotronic may be acquired by any legal means available to the City of Elgin, including but not limited to lease or rental from Bastrop County or from any other legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

The Bastrop County Elections Administrator may also utilize a central counting station as provided by Texas Election Code § 127.000 *et seq.*, as amended.

Section 10. CONDUCT ACCORDING TO STATUTES.

In all substantive respects, the election shall be conducted in accordance with applicable provisions of the Texas Election Code, any other applicable statutes, and the City of Elgin's Home Rule Charter.

Section 11. ELECTION RESULTS.

The Bastrop County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on May 9, 2015. The official canvass, tabulation and declaration of the results of the election shall be conducted by the City Council at a regular or special council meeting held in accordance with provisions of the Texas Election Code.

Section 12. MISCELLANEOUS.

The provisions of this ordinance are severable; and in case any one or more of the provisions of this ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

By motion duly made, seconded and passed with an affirmative vote of the City Council members present, the requirement for reading this ordinance was dispensed.
READ, PASSED and ADOPTED on first reading on this 3rd day of February, 2015.

Mayor, City of Elgin, Texas

ATTEST:

City Secretary, City of Elgin, Texas

EXHIBIT "A"
ORDER OF ELECTION

CITY OF ELGIN, TEXAS

An Election is hereby ordered to be held on May 9, 2015 for the purpose of electing members for Ward 1, Ward 2, Ward 3, and Ward 4.

Applications for a place on the ballot will be accepted beginning 8:00 a.m. on January 28, 2015 and must be received no later than 5:00 p.m. on February 27, 2015.

Election Day voting shall be conducted at the polling places for the precincts designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are shown on "Exhibit A to the Order of Election" which is incorporated herein by reference and made a part hereof for all intents and purposes. The polls at the designated polling places shall be open on Election Day from 7:00 a.m. to 7:00 p.m.

The Bastrop County Elections Administrator is hereby appointed as the Election Officer and Early Voting Clerk and Custodian of Election Records for this election. The presiding judge(s) for each of said polling places are those designated by the Bastrop County Elections Administrator, and they are hereby authorized to appoint additional election clerks (not less than two and not more than six) to assist in conducting said election.

Early voting by personal appearance will be conducted at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on the attached "Exhibit B to the Order of Election" which is incorporated herein by reference and made a part hereof for all intents and purposes.

Applications for a ballot by mail shall be mailed to:

Bridgette Escobedo
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballots by mail must be received no later than 5:00 pm on Thursday, April 30, 2015.

Issued this the 3rd day of February, 2015.

Marc Holm, Mayor City of Elgin, Texas

EXHIBIT "B"

EARLY VOTING DATES, TIMES, AND LOCATIONS

Time Period:

Monday, April 27, 2015 through Tuesday, May 5, 2015.

Main Location:

City of Elgin Public Library, 404 N. Main St., Elgin, TX 78621

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
27 8:00 am – 5:00 pm	28 8:00 am – 5:00 pm	29 8:00 am – 5:00 pm	30 8:00 am – 5:00 pm	1 7:00 am – 7:00 pm
4 8:00 am – 5:00 pm	5 7:00 am – 7:00 pm	6	7	8

Issued this the 3rd day of February, 2015.

Marc Holm, Mayor City of Elgin, Texas



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB - 2

DISCUSSION AND ACTION for an Ordinance Calling a Special Election on May 9, 2015 for the purpose of Submitting to Voters a Proposed Charter Amendment to the Home Rule Chapter of the City, Designating Election Precincts and Polling Places, Providing for Early Voting and Election Day Voting, Making Provisions for the Conduct of such Election, Certifying Provision of required accessible voting systems at each polling place, and Providing for Performance of Required Administrative Duties.

SOURCE PERSON(S): Lucretia Alvarez, City Secretary

SUMMARY: Ordinance Calling a Special Election on May 9, 2015 for the purpose of Submitting to Voters a Proposed Charter Amendment to the Home Rule Chapter of the City, Designating Election Precincts and Polling Places, Providing for Early Voting and Election Day Voting, Making Provisions for the Conduct of such Election, Certifying Provision of required accessible voting systems at each polling place, and Providing for Performance of Required Administrative Duties.

RECOMMENDATION: Approval of Ordinance 2015-02-03-4 Calling a Special Election on May 9, 2015 for the purpose of Submitting to Voters a Proposed Charter Amendment to the Home Rule Chapter of the City... as presented.

ATTACHMENTS: 1- Ordinance 2015-02-03-4

ORDINANCE NO. 2015-2-3-4

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING A SPECIAL ELECTION FOR MAY 9, 2015 FOR THE PURPOSE OF SUBMITTING TO VOTERS A PROPOSED CHARTER AMENDMENT TO THE HOME RULE CHARTER OF THE CITY; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATED TO SUCH ELECTION.

STATE OF TEXAS

§
§
§
§
§
§

COUNTY OF BASTROP

KNOW ALL BY THESE PRESENTS:

CITY OF ELGIN

WHEREAS, the City Council of the City of Elgin, Texas, wishes to order a special election on May 9, 2015 for the purpose of submitting to the voters a proposed amendment to the Home Rule Charter of the City of Elgin; and

WHEREAS, Article X, Section 6, of the Charter for the City of Elgin provides that proposed amendments to the Home Rule Charter may be "framed and submitted to the voters of the City in the manner proved by V.T.C.A., Local Government Code, and its successor statutes;" and

WHEREAS, Vernon's Texas Codes Annotated, Local Government Code, Section 9.004(a) provides that a "governing body shall submit a proposed charter amendment to the voters for their approval at an election if the submission is supported by a petition signed by a number of qualified voters of the municipality equal to at least five percent of the number of qualified voters of the municipality or 20,000 whichever number is the smaller;" and

WHEREAS, a petition for a proposed charter amendment with the requisite number of qualified voters has been submitted to the City Council; and

WHEREAS, pursuant to Section 9.004(a), the City Council proposes for submission to the voters of the City of Elgin a charter amendment, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

WHEREAS, the City Council has determined that May 9, 2015 is the appropriate date for holding the charter amendment election; and

WHEREAS, the City Council wishes to encourage all register voters in the city to vote in this election:

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

Section 1. ELECTION DATE, PRECINCTS AND POLLING PLACES, AND ELECTION JUDGES.

Election Date. A special charter amendment election shall be held between the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 9, 2015, in accordance with the attached Order of Election, which Order of Election is labeled as Exhibit "A," attached hereto and incorporated herein by reference for all purposes.

Precincts and Polling Places. The City hereby designates the election precincts and polling places designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court for Election Day voting, and same are delineated on Exhibit "A-1" attached to the Order of Election and incorporated herein by reference for all purposes.

Election Judges. The Bastrop County Elections Administrator is conducting such election for the City pursuant to the terms of a Contract for Election Services. The City Council hereby appoints, for the term of such election, the presiding election judge(s) and alternate election judge(s) as being those designated by the Bastrop County Elections Administrator.

Section 2. ELECTION CLERKS.

The presiding election judge is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the election, and such election clerks shall be qualified voters of the City of Elgin, Texas. If the election is conducted by the regularly appointed presiding election judge, then the alternate presiding election judge shall be appointed to serve as one of the clerks. The appointment of such clerks shall include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election.

Section 3. EARLY VOTING.

Early Voting Clerk. The City Council hereby appoints the Bastrop County Elections Administrator as the City of Bastrop Election Officer and Early Voting Clerk. The Early Voting Clerk's mailing address to which applications for ballots by mail may be sent, for voters residing in Bastrop County, is as follows:

Bridgette Escobedo
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballots by mail must be received not later than 5:00 p.m. on Thursday, April 30, 2015.

Dates for Early Voting. Early voting shall commence on Monday, April 27, 2015 and continue through Tuesday, May 5, 2015, as provided by the Texas Election Code and as shown on attached the attached exhibits.

Places for Early Voting. Early voting shall be conducted by personal appearance and by mail at the early voting polling places and temporary polling places designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court for early voting, and same are delineated on Exhibit "A-2" attached to the Order of Election and incorporated herein by reference for all purposes.

Times for Early Voting. During the period in which early voting is required or permitted by law, that being April 27, 2015 through May 5, 2015, the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court.

Section 4. EARLY VOTING BALLOT BOARD.

An Early Voting Ballot Board is hereby created to process early voting results, and the City hereby appoints the presiding judge of the Early Voting Ballot Board as appointed by the Bastrop County Elections Administrator. Such presiding judge shall appoint not less than two (2) other qualified members to serve on such Board.

Section 5. CUSTODIAN OF ELECTION RECORDS.

Pursuant to the Texas Election Code and the applicable Contract for Election Services, the Bastrop County Elections Administrator shall serve as the custodian of voted ballots, and the City Secretary of Elgin, Texas shall be appointed as custodian of all other election records.

Section 6. VOTERS.

All resident, qualified voters of the City shall be entitled to vote at the election.

Section 7. NOTICE.

Posting. Notice of this election, including a Spanish translation hereof, shall be given by posting the appropriate documentation on the bulletin board used for posting notices of City Council meetings, and same shall be posted not later than Friday, April 17, 2015 and shall remain posted through Election Day.

Publication. Notice of this election, including a Spanish translation hereof, shall be published once in a newspaper of general circulation in the City, the publication to appear not earlier than April 9, 2015 or later than April 29, 2015.

Authorization to City Secretary. The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

Section 8. CHARTER AMENDMENTS.

At the charter amendment election, the proposed amendments to amend the City Charter shall be set forth substantially in the form contained herein, and said proposed charter amendments shall be submitted to the qualified voters in accordance with applicable law.

The official ballots for this charter amendment election shall be prepared so as to permit the qualified electors to vote on a proposed charter amendment by ballot title. The ballot title of a proposed charter amendment may differ from its legal title and shall be a clear, concise statement describing the substance of the proposed charter amendment without argument or prejudice. The official ballots for this charter amendment election shall be prepared so as to permit the qualified electors to vote "Yes" or "No" on the proposed charter amendments. Said proposed charter amendments shall be combined with other allowable matters on the same ballots, said ballots to contain such provisions, markings and language as required by law.

Section 9. VOTING DEVICES.

Pursuant to the Election Code and the applicable Contract for Election Services, the Bastrop County Elections Administrator may use electronic voting systems and corresponding voting devices and equipment in conducting the election. The Bastrop County Elections Administrator is currently using election systems and software certified by the Texas Secretary of State.

The Bastrop County Elections Administrator may also utilize a central counting station as provided by Texas Election Code Section 127.000 *et seq.*, as amended.

The City Council of the City of Elgin, Texas, finds as follows:

Section 61.012, Texas Election Code, requires that at least one accessible voting station must be provided in each polling place used in a Texas election. Such system must comply with state and federal laws setting the requirements for voting systems that (i) fully comply with

applicable laws relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provide a practical and effective means for voters with physical disabilities to cast a secret ballot. The Office of the Texas Secretary of State has certified that the DRE - Election Systems and Software iVotronic is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035, Texas Election Code, authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. As chief elections officer for the City of Elgin, the Bastrop County Elections Administrator shall provide at least one DRE - Election Systems and Software iVotronic in each polling place at every polling location used to conduct any election. The DRE - Election Systems and Software iVotronic may be acquired by any legal means available to the City of Elgin, including but not limited to lease or rental from Bastrop County or from any other legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

Section 10. CONDUCT ACCORDING TO STATUTES.

In all substantive respects, the election shall be conducted in accordance with applicable provisions of the Texas Election Code, any other applicable statutes, and the City of Elgin's Home Rule Charter.

Section 11. ELECTION RESULTS.

The Bastrop County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on May 9, 2015.

The official canvass, tabulation and declaration of the results of the election shall be conducted by the City Council at a regular or special council meeting held in accordance with provisions of the Texas Election Code.

Section 12. MISCELLANEOUS.

The provisions of this Ordinance are severable; and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

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 were discussed, considered and formally acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ and **APPROVED** on first reading this the _____ day of _____,
2015.

READ, APPROVED, and ADOPTED on second and final reading this the _____ day of
_____, 2015.

ATTEST:

CITY OF ELGIN, TEXAS

Lucretia Alvarez, City Secretary

Marc Holm, Mayor

EXHIBIT "A"

**CITY OF ELGIN, TEXAS
SPECIAL CHARTER AMENDMENT ELECTION
MAY 9, 2015**

A special election is hereby ordered to be held on Saturday, May 9, 2015, at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on Exhibit "A-1" attached hereto and incorporated herein by reference for all purposes, for the purpose of submitting to the voters the following proposed amendment to the Home Rule Charter of the City of Elgin:

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 []

No []

Early voting by personal appearance will be conducted at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on Exhibit "A-2" attached hereto and incorporated herein by reference for all purposes.

Applications for ballots by mail shall be mailed to:

Bridgette Escobedo
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballot by mail must be received no later than 5:00 pm on Friday, April 30, 2015.

Issued this 3rd day of February 2015.

Marc Holm, Mayor
City of Elgin, Texas

EXHIBIT "A-1"
(ANEXO "A-1")

BASTROP COUNTY ELECTION DAY PRECINCTS AND POLLING PLACES

Time Period:

Monday, April 27, 2015 through Tuesday, May 5, 2015.

Main Location:

City of Elgin Public Library, 404 N. Main St., Elgin, TX 78621

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
27 8:00 am – 5:00 pm	28 8:00 am – 5:00 pm	29 8:00 am – 5:00 pm	30 8:00 am – 5:00 pm	1 7:00 am – 7:00 pm
4 8:00 am – 5:00 pm	5 7:00 am – 7:00 pm	6	7	8

EXHIBIT "A-2"
(Anexo "A-2")

BASTROP COUNTY EARLY VOTING LOCATIONS, DATES AND TIMES

Time Period:

Saturday, May 9, 2015 7:00 a.m. - 7:00 p.m.

Main Location:

City of Elgin Public Library, 404 N. Main St., Elgin, TX 78621



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM:NB -3 **Approval of LOGIC Investment Pool as an Authorized Investment**

RESOURCE PERSON(S): Buck LaQuey, CPA, Finance Director

SUMMARY: The City Manager and the Finance Director are requesting permission to participate in a more aggressive, and higher earnings potential, governmental investment pool called: Logic, that is owned and operated by TexStar. Included in the agenda exhibit is information pertaining to the application. It is recommended that the Council approve the application as submitted to provide an additional investment option emphasizing safety, liquidity and diversification

RECOMMENDATION(S): *Resolution 2015-2-3-1*
**Recommendation to Approve an Application for Participation
in the Local Government Investment Cooperative (LOGIC).**

ATTACHMENTS: 1-Enrollment Packet
2-Party agreement – Party form
3-City of Elgin - Logic

Attachment 1



**Welcome to LOGIC, the premier investment service for
Texas local governments**

LOGIC was created by Texas local government officials with a distinct understanding of the specific needs and challenges of investing public funds.

LOGIC is administered by First Southwest Company and JPMorgan Asset Management. Together, these organizations bring to the LOGIC program the powerful partnership of two leaders in financial services with a proven track record in local government investment pool management.

LOGIC is a conservatively managed investment vehicle, rated AAAm by Standard & Poor's and operated in full compliance with the Texas Public Funds Investment Act. LOGIC invests in U.S. treasury and agency securities, repurchase agreements fully collateralized with U.S. treasury and agency securities and highly rated commercial paper.

LOGIC participants have access to a Texas-based personalized customer service staff with extensive experience in servicing state and local government entities. In addition, LOGIC utilizes a proven operating platform providing internet transaction systems with extended transaction deadlines until 4 p.m. for same and next day settlement.

We look forward demonstrating how LOGIC will fulfill and enhance your cash management needs.

LOGIC Participant Services
First Southwest Company
325 North St. Paul Street, Suite 800
Dallas, Texas 75201
1-800-895-6442
www.logic.org
E-mail: logic@firstsw.com

FirstSouthwest 

J.P.Morgan
Asset Management

Attachment 2



Local Government Investment Cooperative (LOGIC) Participation Agreement

THIS PARTICIPATION AGREEMENT (together with any amendments and supplements, referred to as this "Agreement") dated as of March 1, 1999 is made and entered into by and among each of those government entities initially executing this Agreement and any other government entity that is eligible and becomes a party hereto (collectively, the "Participants").

WHEREAS, the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, as amended (the "PFIA") authorizes the entities described in the PFIA to invest their funds in an eligible public funds investment pool;

WHEREAS, each of the Participants qualifies as an entity described in the PFIA;

WHEREAS, the Participants desire to establish and maintain a public funds investment pool for the purpose of pooling their local funds for joint investment in accordance with the PFIA and the terms hereof and providing assistance to each other on investment alternatives and on other issues of concern to the Participants;

WHEREAS, the Participants desire that the public funds investment pool be entitled Local Government Investment Cooperative (the "Cooperative") and the Cooperative be managed and operated by a board of directors, which shall be an advisory board under the PFIA;

WHEREAS, each of the Participants has duly taken all official action necessary and appropriate to become a party to this Agreement, including the adoption of a rule, order, ordinance, or resolution, as appropriate;

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements contained herein, the Participants mutually agree as follows:

ARTICLE I

Definitions and Rules of Construction

Section 1.01. Definitions. Except as otherwise provided in this Agreement, the capitalized terms used herein shall have the following meanings unless the context otherwise requires:

Account - any account established by a Participant.

Additional Party Agreement - a document substantially in the form attached hereto as an Appendix which, when attached to a copy of this Agreement and executed by an Authorized Representative of a Government Entity, constitutes a valid and binding counterpart of this Agreement and results in the Government Entity becoming a party to this Agreement.

Administrator - Any person, firm or organization approved by the Board and under contract to provide administrative assistance in connection with the management and operation of the Cooperative.

Advisor - The registered investment advisor or advisors selected by or at the direction of the Board to provide advice regarding investment of Cooperative assets pursuant to this Agreement and subject to applicable law.

Local Government Investment Cooperative (LOGIC)
Participation Agreement

Authorized Investments - those investments which are authorized from time to time to be purchased, sold and invested in under PFIA or other applicable law and further defined in the Investment Policies.

Authorized Representative - an individual authorized to execute documents and take other necessary actions, pursuant to this Agreement, on behalf of a Government Entity or other person, firm or organization, as evidenced by a duly adopted resolution or bylaw of the governing body of such Government Entity or other person, firm or organization, a certified copy of which is on file with the Administrator. In the case of a Government Entity that is a combination of political subdivisions under the Act, the Authorized Representatives of any administrative agency appointed by such combination of political subdivisions shall be deemed to be Authorized Representatives for such Government Entities.

Board - the governing body of the Cooperative, known as The Board of Directors of Local Government Investment Cooperative.

Bylaws - the bylaws adopted by the Board, as the same may be amended from time to time, subject to the requirements of this Agreement.

Cooperative - the public funds investment cooperative created pursuant to this Agreement.

Custodian - any person, firm or organization selected by or at the direction of the Board to have custody of all money, investments and other assets of the Cooperative pursuant to this Agreement and subject to applicable law.

General Manager - any person, firm or organization which has contracted with the Board to provide general management services to the Board.

Government Entity - a local government of the State of Texas, as defined in the PFIA, a state agency, as defined in the PFIA, and a nonprofit corporation acting on behalf of a local government or a state agency, including but not limited to an incorporated city or town, a county, a public school district, a district or authority created under art. III, Section 52(b)(1) or (2) of the Texas Constitution, or art. XVI, Section 59 of the Texas Constitution, an institution of higher education as defined by Section 61.003 of the Education Code, a hospital district, or a fresh water supply district.

Information Statement - the information statement or any other document distributed to Participants and potential Participants to provide them with a description of the management and operation of the Cooperative, as the same may be amended from time to time, subject to the requirements of this Agreement.

Interlocal Act - the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as the same may be amended from time to time.

Investment Officer - one or more officers or employees of the Board designated as investment officers by the Board.

Investment Policies - the written Investment Policies adopted and approved by the Board governing investment and management of Cooperative assets of different Portfolios, as the same may be amended from time to time, subject to the requirements of this Agreement.

Marketing Representative - any person, firm or organization authorized by the Board to promote the Cooperative.

Local Government Investment Cooperative (LOGIC)
Participation Agreement

Participants - the Government Entities that are the initial parties to this Agreement and the Government Entities which subsequently become parties to this Agreement.

PFIA - the Public Funds Investment Act, Chapter 2256, Texas Government Code, as the same may be amended from time to time.

Portfolio - a portfolio of assets in the Cooperative which are held separate from other assets of the Cooperative and which are invested with a defined investment objective which may be different from other Portfolios in the Cooperative, and in which a Participant may elect to invest its funds.

State - the State of Texas.

Units - equal proportionate units of undivided beneficial interest in the assets of the Cooperative or of any Portfolio of the Cooperative from time to time, including fractions of units as well as whole units.

Section 1.02. General Rules of Construction.

- (a) Whenever in this Agreement the context requires: (1) a reference to the singular number shall include the plural and vice versa; and (2) a word denoting gender shall be construed to include the masculine, feminine, and neuter.
- (b) The titles given to any article or section of this Agreement are for convenience only and are not intended to modify the article or section.

ARTICLE II

Creation of the Cooperative; Purpose and Objective

Section 2.01. Creation of the Board.

- (a) The initial Participants hereby agree to jointly invest their funds in a public funds investment pool, to be known as Local Government Investment Cooperative (the "Cooperative") and to create and establish a board of directors of the Cooperative (the "Board"), as an advisory board pursuant to the PFIA and an administrative agency pursuant to the Interlocal Act, to supervise the Cooperative.
- (b) The Participants delegate to the Cooperative through its Board, the authority to hold legal title to and manage all money, investments and other assets transferred to or acquired by the Cooperative pursuant to this Agreement.
- (c) The Board shall have the authority to employ personnel, engage in other administrative activities and provide other administrative services necessary to accomplish the purpose of this Agreement.

Section 2.02. Purpose and Objective.

- (a) The first purpose of the Cooperative is to provide Government Entities with a variety of investment vehicles to best suit their investment needs, with each Portfolio tailored to meet a specific investment need.

Local Government Investment Cooperative (LOGIC)
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- (b) The second purpose of the Cooperative is to provide Government Entities with a forum for discussion of, and to provide education concerning, investments and other issues of concern in public finance. In all cases, however, the Cooperative will have the following investment objectives in order of priority: safety of principal; liquidity in accordance with the operating requirements of the Participants; and the highest rate of return.
- (c) In order to accomplish the Cooperative's objective, each Participant agrees that the money transferred to a Portfolio within the Cooperative will be commingled with other money transferred to the Portfolio by other Participants for the purpose of making Authorized Investments, subject to the terms of this Agreement, the Investment Policies and applicable law, thereby taking advantage of investment opportunities and cost benefits available to larger investors.

ARTICLE III

Cooperative Administration

Section 3.01. The Board and the Bylaws

- (a) The business and affairs of the Cooperative shall be managed by the Board as governing body of the Cooperative.
- (b) The Board is authorized to adopt Bylaws which shall set forth, among other things, the initial Board members, the procedures governing the selection of the members of the Board, the procedure for holding meetings, the election of officers, and other matters necessary or desirable for governance by the Board, and the right of the Board, the General Manager, and other consultants to be indemnified for damages arising from their actions in connection with the Cooperative. By executing this Agreement, the Participant consents to the Bylaws. By maintaining funds in the Cooperative after any amendment to the Bylaws becomes effective, the Participant consents to the Bylaws, as amended. The Board has the right to amend any term or provision of the Bylaws, provided that notice is sent to each Participant at least 30 days prior to the effective date of any change which, in the opinion of the Board, is a material change to the Bylaws.

Section 3.02. Powers and Duties of the Board.

- (a) Subject to applicable law and the terms of this Agreement, the Board shall have full and complete power to take all actions, do all things and execute all instruments as it deems necessary or desirable in order to carry out, promote or advance the investment objective, interests and purposes of the Cooperative to the same extent as if the Board was the sole and absolute owner of the Cooperative.
- (b) The Board shall adopt and maintain Investment Policies, consistent with the general objective of the Cooperative, which shall provide more detailed guidelines for investment and management of Cooperative assets. By executing this Agreement, the initial Participants consent to the proposed Investment Policies, and the subsequent Participants consent to the Investment Policies then in effect. By maintaining funds in the Cooperative after any amendment to the

Local Government Investment Cooperative (LOGIC)
Participation Agreement

Investment Policies becomes effective, the Participant has consented to the Investment Policies, as amended. The Board shall, subject to the terms of this Agreement, have the authority to amend any term or provision of the Investment Policies, provided that notice is sent to each Participant at least 30 days prior to the effective date of any change which, in the opinion of the Board, will have a material effect on such Participant's investment in the Cooperative.

- (c) The Board shall adopt and maintain Operating Procedures, which shall provide more detailed information on the procedures for depositing and withdrawing funds from the Cooperative. By executing this Agreement, the initial Participants consent to the proposed Operating Procedures, and the subsequent Participants consent to the Operating Procedures then in effect. By maintaining funds in the Cooperative after any amendment to the Operating Procedures becomes effective, the Participant has consented to the Operating Procedures, as amended. The Board shall, subject to the terms of this Agreement, have the authority to amend any term or provision of the Operating Procedures provided that notice is sent to each Participant at least 30 days prior to the effective date of any change which, in the opinion of the Board, will have a material effect on such Participant's investment in the Cooperative.
- (d) The Board shall designate one or more Investment Officers for the Cooperative who shall be responsible for the investment of Cooperative assets.
- (e) The Board shall prepare, or direct the preparation of an Information Statement that describes how the Cooperative will operate in accordance with the terms of this Agreement and the Investment Policies. Subject to the terms of this Agreement and the Investment Policies, the Information Statement may be amended or supplemented, notice of which will be provided to Participants in accordance with the disclosure requirements of the PFIA.
- (f) The Board shall, subject to the limitations established in the Investment Policies, have full and complete power and authority to appoint a general manager and any other service providers deemed necessary or helpful in the operation of the Cooperative.
- (g) The Board shall provide, through peer review, seminars, computer mail systems, or other means, information and educational opportunities to Participants on investing and on other issues in the area of public finance.
- (h) The Board shall have full and complete power to use, or direct the use of, Cooperative assets for the following purposes: (1) incur and pay any expenses which, in its opinion, are necessary or incidental to or proper for carrying out any of the purposes of this Agreement; (2) reimburse others for the payment thereof; (3) pay appropriate compensation or fees to persons with whom the Cooperative has contracted or transacted business; and (4) charge a Participant's Account for any special fees or expenses related specifically to transactions in such Account.
- (i) The Board shall have full power to compromise, arbitrate, or otherwise adjust claims in favor of or against the Cooperative.

Local Government Investment Cooperative (LOGIC)
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to supervise the Cooperative, (3) approving the investment policies of the Cooperative (as amended from time to time by the Board) and directing that any conflicting local investment policies shall not apply to Cooperative investments of the Participant, (4) designating Authorized Representatives of the Participant, (5) designating the Investment Officers appointed from time to time by the Board as the Participant's investment officers who shall be responsible for investing the share of Cooperative assets representing local funds of the Participant, (6) designating the depository and custodian appointed from time to time by the Board as the Government Entity's depository and custodian for purposes of holding the share of Cooperative assets representing funds of the Government Entity, and consenting to the terms and conditions specified on the website in order to use the online transaction system; and

- (b) The Government Entity must become a party to this Agreement by executing an Additional Party Agreement and delivering the same to the Cooperative, together with a certified copy of the resolution referred to in subsection (a) of this Section, an application in form and substance satisfactory to the Board, and such other information as may be required by the Board.
- (c) No entity except a Government Entity may be a Participant. The Board shall have sole discretion to determine whether a Government Entity is eligible under Texas law to be a Participant and to designate categories of Government Entities eligible to be Participants in any Portfolio of the Cooperative.

Section 4.02. Participant Accounts.

- (a) While available local funds of Participants may be commingled for purposes of common investment and operational efficiency, one or more separate Accounts for each Participant in each Portfolio in the Cooperative designated by the Participant will be established in accordance with the Participant's application to join the Cooperative and maintained by the Cooperative.
- (b) Each Participant shall own an undivided beneficial interest in the assets in the Portfolios in which it invests, calculated as described in the Investment Policies.
- (c) The Participant agrees that all Cooperative fees shall be directly and automatically assessed and charged against the Participant's Account. The basic services fee shall be calculated as a reduction in the daily income earned and only the net income shall be credited to the Participant's Account. Fees for special services shall be charged to each Participant's Account as they are incurred or performed. Use of Cooperative assets for fees shall be made from current revenues available to the Participant.

Section 4.03. Reports. The Cooperative shall submit a written report a least once per month to each Participant. Such report will indicate: (1) the balance in each Account of a Participant as of the date of such report, (2) yield information, (3) all account activity since the previous report, and (4) other information required by the PFIA.

Section 4.04. Termination.

- (a) A Participant may withdraw all funds from an Account in accordance with the Investment Policies and Operating Procedures. A Participant may cease to be a

Local Government Investment Cooperative (LOGIC)
Participation Agreement

Participant under this Agreement, with or without cause, by providing written notice to the Cooperative at least 10 days prior to such termination.

- (b) The Board may terminate a Participant's participation in this Agreement upon at least 30 days notice if Texas law changes so that such Participant is no longer entitled to join in an eligible public funds investment pool under PFIA, the Interlocal Act, or other applicable law.
- (c) Upon the vote of a majority of its full membership, the Board may order the termination of this Agreement by directing that all outstanding operating expenses of the Cooperative be paid and remaining assets of the Cooperative be distributed to Participants in accordance with their respective pro rata interests.

ARTICLE V

Cooperative Assets

Section 5.01. Cooperative Investments. Cooperative assets shall be invested and reinvested by the Cooperative only in Authorized Investments in accordance with the Investment Policies.

Section 5.02. Custody. All money, investments and assets of the Cooperative shall be held in the possession of the Custodian.

ARTICLE VI

Miscellaneous

Section 6.01. Severability.

- (a) If any provision of this Agreement shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provisions contained herein or render the same invalid, inoperative or unenforceable to any extent whatsoever.
- (b) Any participation in this Agreement or transfer of assets to the Cooperative that is not qualified for any reason shall not terminate this Agreement or the participation of other Participants or otherwise adversely affect the Cooperative.

Section 6.02. Limitation of Rights. This Agreement does not create any right, title or interest for any person other than the Participants and any person who has a contract to provide services to the Cooperative, and nothing in or to be implied from this Agreement is intended or shall be construed to give any other person any legal or equitable right, remedy or claim under this Agreement.

Section 6.03. Execution of Counterparts. This Agreement may be executed in several separate counterparts, including by Additional Party Agreement, each of which shall be an original and all of which shall constitute one and the same instrument.

Section 6.04. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State.

Section 6.05. Term. This Agreement shall have an initial term beginning with the effective date set forth below and ending March 31, 1995 and shall be automatically renewed for one year

3270158.8

Local Government Investment Cooperative (LOGIC)
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on such date and each anniversary of such date, except with respect to any Government Entity that may have terminated itself as a Participant or as otherwise provided in Section 4.05.

Section 6.06. Notices. Any notices or other information required or permitted to be given hereunder shall be sent: (a) to the Cooperative as set forth in the Information Statement, and (b) to a Participant as set forth in its application to become a Participant or as otherwise provided by written notice to the Administrator.

Section 6.07. Entire Agreement; Amendments. This Agreement represents the entire agreement and understanding of the Participants and supersedes the Interlocal Agreement dated as of April 4, 1994. This Agreement may be amended with the approval of the Board, provided that notice of any such amendment is sent to all Participants at least 60 days prior to the effective date thereof.

* * * * *

Originally executed between Fort Bend County and City of Wichita Falls, Texas as of April 4, 1994, and amended by the Board and effective March 1, 1999.

* * * * *

Local Government Investment Cooperative (LOGIC)
Participation Agreement

Additional Party Agreement

The Government Entity of the State of Texas named below, acting by and through the undersigned Authorized Representative, hereby agrees to become a party to that certain Participation Agreement to which this page is attached, and thereby become a Participant in the Local Government Investment Cooperative, subject to all of the terms and provisions of such Agreement. The undersigned hereby represents that it is a Government Entity as defined in such Agreement.

Executed this _____ day of _____, 20_____.

Name of Government Entity _____

**OFFICIAL SEAL OF APPLICANT
Required Below**

By: _____
Authorized Representative

Printed Name and Title

Attest: _____
Authorized Representative

Printed Name and Title

Approved and accepted:

LOCAL GOVERNMENT INVESTMENT COOPERATIVE {LOGIC}

By: FIRST SOUTHWEST ASSET MANAGEMENT, INC.,
Participant Services Administrator

By: _____ Date: _____

Authorized Signer

Attachment 3

Local Government Investment Cooperative Resolution 2015-2-3-1

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT FOR PARTICIPATION IN A PUBLIC FUNDS INVESTMENT COOPERATIVE (THE "COOPERATIVE"), DESIGNATING THE BOARD OF DIRECTORS OF THE COOPERATIVE AS AN AGENCY AND INSTRUMENTALITY TO SUPERVISE THE COOPERATIVE, APPROVING INVESTMENT POLICIES OF THE COOPERATIVE, APPOINTING AUTHORIZED REPRESENTATIVES AND DESIGNATING INVESTMENT OFFICERS.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, as amended (the "Interlocal Act"), permits any "local government" to contract with one or more other "local governments" to perform "governmental functions and services," including investment of public funds (as such phrases are defined in the Interlocal Act);

WHEREAS, the Interlocal Act authorizes the contracting parties to any interlocal agreement to contract with agencies of the State of Texas, within the meaning of Chapter 771 of the Government Code,

WHEREAS, the Act permits the contracting parties to any interlocal agreement to create an administrative agency to supervise the performance of such interlocal agreement and to employ personnel and engage in other administrative activities and provide other administrative services necessary to execute the terms of such interlocal agreement;

WHEREAS, the Public Funds Investment Act, Chapter 2256 of the Texas Government Code, as amended (the "PFIA"), authorizes the entities described in Subsection (a) of the PFIA to invest their funds in an eligible public funds investment pool, and the Local Government Investment Cooperative intends to become and remain an eligible public funds investment pool, under the terms and conditions set forth in PFIA;

WHEREAS, City Of Elgin (the "Government Entity") desires to enter into that certain Interlocal Agreement (the "Agreement"), a copy of which is presented with this Resolution and is incorporated herein by reference, and to become a participant in a public funds investment pool created thereunder and under PFIA, to be known as Local Government Investment Cooperative (the "Cooperative");

WHEREAS, the Government Entity is a Government Entity as defined in the Agreement; and

WHEREAS, the Government Entity desires to cause administration of the Cooperative to be performed by a board of directors (the "Board"), which shall be an administrative agency created under the Interlocal Act; and

WHEREAS, the Government Entity desires to designate the Board as its agency and instrumentality with authority to supervise performance of the agreement, employ personnel and engage in other administrative activities and provide other administrative services necessary to execute the terms of the Agreement;

WHEREAS, each capitalized term used in this Resolution and not otherwise defined has the same meaning assigned to it in the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

1. The Agreement is hereby approved and adopted and, upon execution thereof by an Authorized Representative (defined below) and receipt of the Government Entity's application to join the Cooperative by the Administrator, the Government Entity shall become a Participant in the Cooperative for the purpose of investing its available funds therein from time to time in accordance with its terms.

2. The Board is hereby designated as an agency and instrumentality of the Government Entity, and the Board shall have the authority to supervise performance of the Agreement and the Cooperative, employ personnel and engage in other administrative activities and provide other administrative services necessary to execute the terms of the Agreement.

3. The investment policies of the Cooperative, as set forth in the document entitled Investment Policies, as summarized in the Information Statement, and as may be amended from time to time by the Board, are hereby adopted as investment policies of the Government Entity with respect to money invested in the Cooperative, and any existing investment policies of the Government Entity in conflict therewith shall not apply to investments in the Cooperative.

4. The following officers, officials or employees of the Government Entity are hereby designated as "Authorized Representatives" within the meaning of the Agreement, with full power and authority to: execute the Agreement, an application to join the Cooperative and any other documents required to become a Participant; deposit money to and withdraw money from the Government Entity's Cooperative account from time to time in accordance with the Agreement and the Information Statement; to agree to the terms for use of the website for online transactions and take all other actions deemed necessary or appropriate for the investment of funds of the Government Entity:

1. Name:	Sidney LaQuey	Title:	Finance Director
Signature:	_____	Phone:	512-281-2621
		Email:	blaquey@ci.elgin.tx.us
2. Name:	Marc Holm	Title:	Mayor
Signature:	_____	Phone:	512-285-5724
		Email:	mholm@ci.elgin.tx.us
3. Name:	Kerry Lacy	Title:	City Manager
Signature:	_____	Phone:	512-285-5724
		Email:	_____
4. Name:	_____	Title:	_____
Signature:	_____	Phone:	_____
		Email:	_____

In accordance with Cooperative procedures, an Authorized Representative shall promptly notify the Cooperative in writing of any changes in who is serving as Authorized Representatives.

5. **{Required}** List the name of the Authorized Representative listed above that will be designated as the Primary Contact and will receive all LOGIC correspondence including transaction confirmations and monthly statements

Name: Sidney LaQuey _____

6. **{Optional}** In addition, the following additional Participant representative (not listed above) is designated as an Inquiry Only Representative authorized to obtain account information:

Name: _____ Title: _____

Signature: _____ Phone: _____

Email: _____

Applicant may designate other authorized representatives by written instrument signed by an existing Applicant Authorized Representative or Applicant's chief executive officer.

7. **{Required}** Taxpayer Identification Number.

Applicant's taxpayer identification number is 7 4 6 0 0 0 8 2 2

8. **{Required}** Contact Information.

Applicant primary mailing address:

PO Box 591, Elgin, TX 78621

Applicant physical address (if different):

310 N Main St, Elgin, TX 78621

Applicant main phone number:

512-285-5721

Applicants main fax number:

512-285-3016

In addition to the foregoing Authorized Representatives, each Investment Officer of the Cooperative appointed by the Board from time to time is hereby designated as an investment officer of the Government Entity and, as such, shall have responsibility for investing the share of Cooperative assets representing funds of the Government Entity. Each depository and custodian appointed by the Board from time to time are hereby designated as a depository and custodian of the Government Entity for purposes of holding the share of Cooperative assets representing funds of the Government Entity.

PASSED AND APPROVED this _____ day of _____, 20____

By: _____ Attest: _____

Printed Name and Title

Printed Name and Title

OFFICIAL SEAL OF PARTICIPANT
(*REQUIRED*)



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB 4 Discussion and possible action regarding proposed zoning change request from Roseanne Cullen for 515 North Highway 95 from C-3 commercial to R-1 residential.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Zoning change request from Roseanne Cullen for the property located at 515 North Highway 95 from C-3 commercial to R-1 residential.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval for the zoning change request for the property located at 515 North Highway 95 from C-3 commercial to R-1 residential.

ATTACHMENTS:

1. Agenda & Minutes
2. Letters of request
3. Address list
4. 200ft. letter
5. Map

Attachment 1

PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR/SPECIAL MEETING
MONDAY JANUARY 26, 2015 – 6:30 PM
CITY HALL ANNEX
310 NORTH MAIN STREET, ELGIN, TEXAS

ACTION/ DISCUSSION ON THE FOLLOWING:

RONNIE CREPPON
CHAIRPERSON
705 WEST 11TH
281-9474

DOROTHY McCARTHER
401 WILLIAMS
281-3645

GENO CHAVARRIA
608 EAST 2ND
281-2317

RUDY RAMIREZ
808 SOUTH MAIN

SCOTT MACKAY
839 CENTRAL
281-9495

JOE COTTLE
104 TERRA
281-4132

ANTONIO PRETE
702 EAST 2ND
281-2070

GARY N. COOKE
SECRETARY
P.O. BOX 591
281-0119

1. CALL TO ORDER

2. APPROVAL OF NOVEMBER 17, 2014 MINUTES.

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.

4. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY.

5. ANNOUNCEMENTS

6. ADJOURN

Meeting of the Planning and Zoning Commission was posted on the bulletin board at City Hall, 310 North Main Street, Elgin, Texas on January 7, 2015. The Elgin City Council will hold a public hearing on item 3 & 4 in the City Council Chambers at the Elgin City Hall Annex, 310 N. Main Street, Elgin, Texas on February 3, 2015.



Gary N. Cooke, Director Planning & Development

NOTICE OF ASSISTANCE AT A PUBLIC MEETING

The City of Elgin is committed to compliance with the Americans with Disability Act. The Council Chambers are wheelchair accessible and special marked parking is available in front of the building. 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 (48) hours notice.

Para informacion en espanol favor de llamar 512-281-5724. Servicios de traduccion disponible en la reunion.

"This institution is an equal opportunity provider"

MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING- REGULAR- SPECIAL MEETING
MONDAY JANUARY 26, 2015 - 6:30 PM

1. CALL TO ORDER: Ronnie Creppon called the meeting to order at 6:30 pm with the following present; Joe Cottle, Rudy Ramirez, Antonio Prete, Dorothy McCarther, Scott Mackay, Geno Chavarria, Gary Cooke, Pete Navejas, Janette Thompson

ABSENT: None

GUEST: Steve & Bobbie Maldonado, Lynn Cottle, Ronald Fisher, Micah & Michelle Erwin, Val DeCamp, Roseanne Cullen, Kieran Cullen McMarrow, Jules Assata, Sue Beckwith, Nathalie & Karl Engling

2. MINUTES: Scott Mackay made a motion to approve the November 17, 2014 minutes, Rudy Ramirez seconds, motion passed unanimously.

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL. Gary Cooke told the Commission staff did not receive any objection to rezone the property to R-1 residential. After a short discussion, Scott Mackay made a motion to recommend to City Council to approve the zoning change request from C-3 Commercial to R-1 Residential, Dorothy McCarther seconds, motion passed unanimously.

4. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY. Gary Cooke presented to the Commission that the specific use permit typically could be for 1-3 years and at the end of that time they could reapply if there were no complaints or misuse of the permit. Ronnie Creppon asked Mr. Erwin to address the commission. He explained that there would be little if any impact to the area, there would be little impact on water and wastewater, and they would produce about 500 gallons a year and everything would be hand operated, he would have to adhere to the TABC and TDSH and ATTB besides the City of Elgin restrictions. Ronnie Creppon asked how long was he asking for the permit, Mr. Erwin thought that two years might be enough because they would like to eventually move to the downtown area. Ronnie Creppon asked for the residents that signed up to speak. Steve Maldonado spoke against the zoning change, he was afraid that it would bring down property values and bring in more unwanted traffic. The other residents, (Karl Engling, Jules Assata, Sue Beckwith) that signed up, had no problem with it. After a short discussion, Joe Cottle made a motion to recommend to City Council to approve the zoning change request for two years, Rudy Ramirez seconds, and motion fails 3 for 4 against. Dorothy McCarther made a motion to recommend to City Council to approve the zoning change request for three years, Scott Mackay seconds, motion passed unanimously.

5. ANNOUNCEMENTS: The agenda will be in a new format and Jim Walenta, former P&Z chairman, had passed away.

6. ADJOURN: 7: 15 pm

Attachment 2

Roseanne Cullen MD
2606 Briarcrest Drive
Austin, Texas 78704

September 11, 2014

Gary Cooke, Director
City of Elgin, Planning & Development Department
1135 Swenson Boulevard
[Elgin Business Park]
(512) 281-0119

Dear Mr. Cooke,

As per our conversation on September 7th we discussed how I retired from the practice of medicine in November 2011. My former office at 515 North Hwy 95, Elgin TX, has been vacant since then. During the three years I made many attempts to find another medical professional to purchase or lease the property. We also worked with two Elgin realtors, Sandy Menley and Jeanette Shelby, to find buyers.

Because this process has been unsuccessful, and due to the financial strain of having a vacant property(tax , maintenance and insurance) I would like to, as we discussed, rent the property to a residential tenant. You mentioned that although the property currently has C-1 commercial zoning, the temporary presence of a residential tenant would be permissible.

I would be happy to meet with you or your staff if there is anything further that needs to be discussed.

Sincerely,



Roseanne Cullen

Dr. Roseanne Cullen
2606 Briarcrest Drive
Austin, Texas 78704

December 1, 2014

Gary Cooke, Director
City of Elgin, Planning & Development Department
1135 Swenson Boulevard
[Elgin Business Park]
(512) 281-0119

Dear Mr. Cooke,

As we discussed back in September, and in my letter to you dated September 11, 2014, after my retirement from my medical practice at 515 North Hwy 95 in Elgin, I attempted to find another medical professional to lease or purchase the property. I worked with Jeanette Shelby's real estate office to find other types of commercial buyers.

However, as I was unsuccessful in that search, I had to return the property to residential use. I have leased it to a couple who are enjoying the space very much. The lease rate is lower than I had hoped, but in view of how long the property had been vacant, it was important to get it occupied with reliable tenants.

In light of this change in use, I would respectfully ask for your assistance in following the appropriate process of getting the zoning changed back to residential (at is originally was, before I converted it to a medical office).

Later on I will need to contact Bastrop County Appraisal District office about requesting that the tax rate be adjusted to more closely align with the other residential properties in that area. Currently the tax is \$7866 which makes it impossible to cover costs.

I would appreciate the opportunity to meet with you if needed. My mobile phone number is (512) 300-6133. Home (512) 707-8928

Many thanks to you and your staff for the many considerations which greatly helped my work in Elgin.

Sincerely,

Roseanne Cullen

Roseanne Cullen

Attached: Letter dated Sept. 11, 2014

Attachment 3

first	last	address	city	state	zip	prop #
Michelle N & Micah	Erwin	414 E 8th St	Elgin	Texas	78621	11364
St Peters Evan	Lutheran Church	P.O. Box 187	Elgin	Texas	78621	62802 11340
Charles W	Schultz	411 E 8th	Elgin	Texas	78621	11337
Rafael	Vega	706 N Ave H	Elgin	Texas	78621	11328
Harold D & judy	Layton	708 N Ave H	Elgin	Texas	78621	11415
Thomas & Barbara	Hollingsworth Jr.	184 Ragtime Ranch Rd	Elgin	Texas	78621	11334
Tahl A	Williamson	707 N Ave H	Elgin	Texas	78621	11349
Karl & Nathalie	Engeling	711 N Ave H	Elgin	Texas	789621	11355 11352
April M Dietz &	David W Burson	406 E 8th	Elgin	Texas	78621	11358
Susan M Beckwith & Julie	Assata	408 E 8th	Elgin	Texas	78621	11367
Mickey & Jeniffer	Concienne	412 E 8th	Elgin	Texas	78621	11370
James	Ferrier	801 N Ave H	Elgin	Texas	78621	11376
Ronald	Fisher	P.O. Box 1136	Elgin	Texas	78621	11424
Michael Dietrich	Kanzler	811 N Ave H	Elgin	Texas	78621	11409
Steve & Bobbie	Maldonado	808 N Ave H	Elgin	Texas	78621	57248
Sarah N & Robert R Flood	Zora Flood Trustee	810 N Ave H	Elgin	Texas	78621	57250

Attachment 4



January 6, 2015

NOTICE OF A ZONING CHANGE REQUEST

A REQUEST HAS BEEN SUBMITTED BY ROSEANNE CULLEN FOR A ZONING CHANGE FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS.

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 January 26, 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.

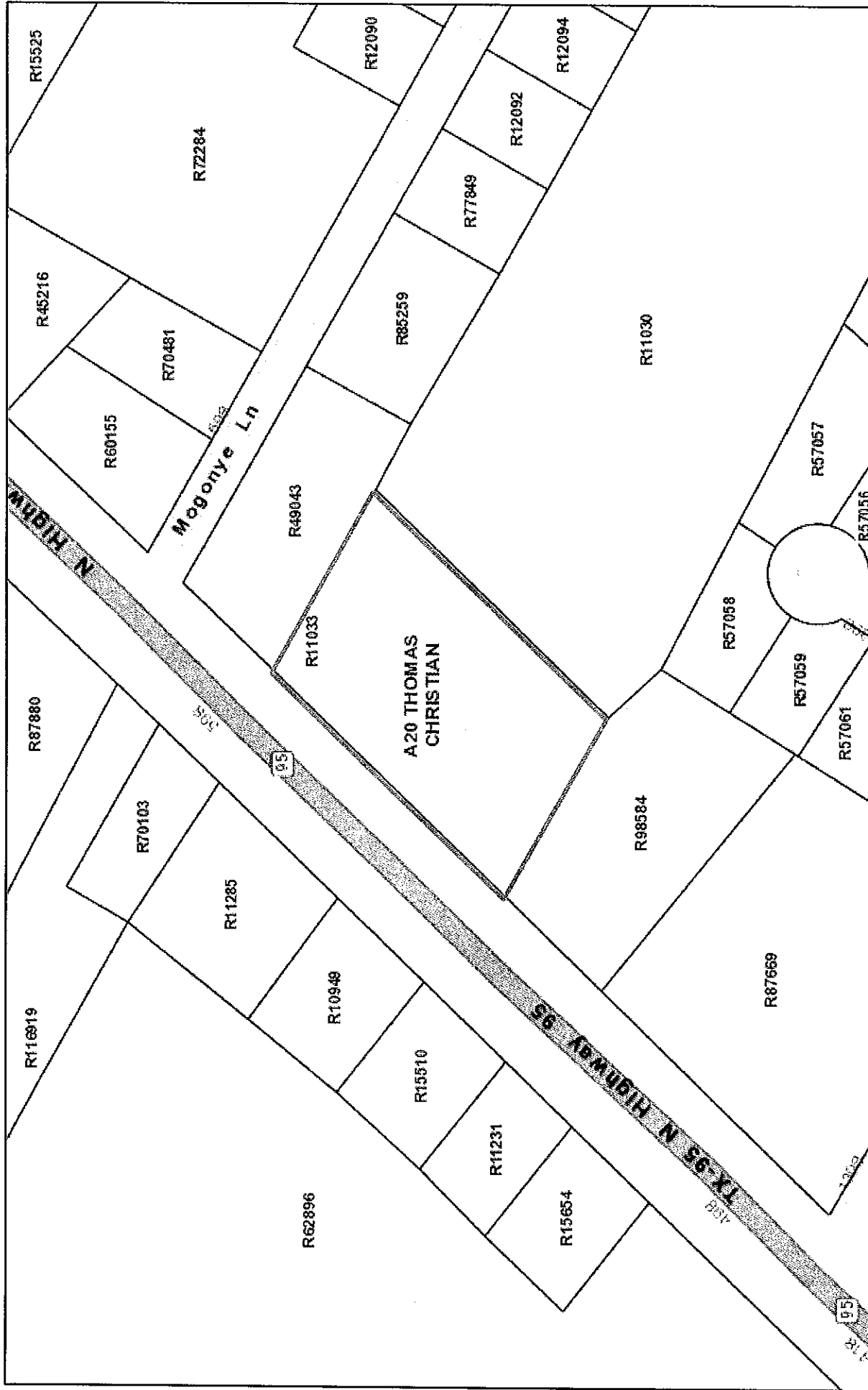
The attached map shows the area of the request. Property owners within two hundred (200') feet are required by law to be notified.

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

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Attachment 5

515 Hwy 95 North



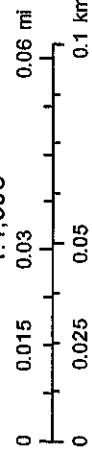
January 30, 2015

☐ 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),



DATE: January 26, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-05

Discussion and possible action regarding proposed zoning change request from Micah and Michelle Erwin for 414 East 8th Street for a specific use permit.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY:

Zoning change request for the property located at 414 East 8th Street for a specific use permit.

RECOMMENDATION(S): Planning and Zoning Commission recommends the approval for the specific use permit for the property located at 414 East 8th Street for 2 years.

ATTACHMENTS:

1. Agenda
2. Letter of request
3. Address list
4. 200ft. letter
5. Map

Attachment 1

PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR/SPECIAL MEETING
MONDAY JANUARY 26, 2015 – 6:30 PM
CITY HALL ANNEX
310 NORTH MAIN STREET, ELGIN, TEXAS

ACTION/ DISCUSSION ON THE FOLLOWING:

RONNIE CREPPON
CHAIRPERSON
705 WEST 11TH
281-9474

1. CALL TO ORDER

DOROTHY McCARTHER
401 WILLIAMS
281-3645

2. APPROVAL OF NOVEMBER 17, 2014 MINUTES.

GENO CHAVARRIA
608 EAST 2ND
281-2317

3. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.

RUDY RAMIREZ
808 SOUTH MAIN

4. REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY.

SCOTT MACKAY
839 CENTRAL
281-9495

5. ANNOUNCEMENTS

JOE COTTLE
104 TERRA
281-4132

6. ADJOURN

ANTONIO PRETE
702 EAST 2ND
281-2070

Meeting of the Planning and Zoning Commission was posted on the bulletin board at City Hall, 310 North Main Street, Elgin, Texas on January 7, 2015. The Elgin City Council will hold a public hearing on item 3 & 4 in the City Council Chambers at the Elgin City Hall Annex, 310 N. Main Street, Elgin, Texas on February 3, 2015.

GARY N. COOKE
SECRETARY
P.O. BOX 591
281-0119



Gary N. Cooke, Director Planning & Development

NOTICE OF ASSISTANCE AT A PUBLIC MEETING

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Para informacion en espanol favor de llamar 512-281-5724. Servicios de traduccion disponible en la reunion.

"This institution is an equal opportunity provider"

Attachment 2

MINUTES
PLANNING AND ZONING COMMISSION
PUBLIC HEARING- REGULAR- SPECIAL MEETING
MONDAY JANUARY 26, 2015 - 6:30 PM

1. **CALL TO ORDER:** Ronnie Creppon called the meeting to order at 6:30 pm with the following present; Joe Cottle, Rudy Ramirez, Antonio Prete, Dorothy McCarther, Scott Mackay, Geno Chavarria, Gary Cooke, Pete Navejas, Janette Thompson

ABSENT: None

GUEST: Steve & Bobbie Maldonado, Lynn Cottle, Ronald Fisher, Micah & Michelle Erwin, Val DeCamp, Roseanne Cullen, Kieran Cullen McMarrow, Jules Assata, Sue Beckwith, Nathalie & Karl Engling

2. **MINUTES:** Scott Mackay made a motion to approve the November 17, 2014 minutes, Rudy Ramirez seconds, motion passed unanimously.

3. **REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY DR. ROSEANNE CULLEN FOR HER PROPERTY LOCATED AT 515 NORTH HIGHWAY 95, THOMAS CHRISTIAN A20 SURVEY, CITY OF ELGIN, BASTROP COUNTY, TEXAS TO CHANGE THE PROPERTY FROM C-3 COMMERCIAL TO R-1 RESIDENTIAL.** Gary Cooke told the Commission staff did not receive any objection to rezone the property to R-1 residential. After a short discussion, Scott Mackay made a motion to recommend to City Council to approve the zoning change request from C-3 Commercial to R-1 Residential, Dorothy McCarther seconds, motion passed unanimously.

4. **REVIEW AND MAKE POSSIBLE RECOMMENDATION TO THE ELGIN CITY COUNCIL FOR A ZONING CHANGE REQUEST FILED BY MICAH AND MICHELLE ERWIN FOR THEIR PROPERTY LOCATED AT 414 EAST 8TH STREET, GARRETT'S SECOND ADDITION, BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS FROM R-2 RESIDENTIAL TO A SPECIFIC USE PERMIT FOR A MEADERY.** Gary Cooke presented to the Commission that the specific use permit typically could be for 1-3 years and at the end of that time they could reapply if there were no complaints or misuse of the permit. Ronnie Creppon asked Mr. Erwin to address the commission. He explained that there would be little if any impact to the area, there would be little impact on water and wastewater, and they would produce about 500 gallons a year and everything would be hand operated, he would have to adhere to the TABC and TDSH and ATTB besides the City of Elgin restrictions. Ronnie Creppon asked how long was he asking for the permit, Mr. Erwin thought that two years might be enough because they would like to eventually move to the downtown area. Ronnie Creppon asked for the residents that signed up to speak. Steve Maldonado spoke against the zoning change, he was afraid that it would bring down property values and bring in more unwanted traffic. The other residents, (Karl Engling, Jules Assata, Sue Beckwith) that signed up, had no problem with it. After a short discussion, Joe Cottle made a motion to recommend to City Council to approve the zoning change request for two years, Rudy Ramirez seconds, and motion fails 3 for 4 against. Dorothy McCarther made a motion to recommend to City Council to approve the zoning change request for three years, Scott Mackay seconds, motion passed unanimously.

5. **ANNOUNCEMENTS:** The agenda will be in a new format and Jim Walenta, former P&Z chairman, had passed away.

6. **ADJOURN:** 7:15 pm

Attachment 3

Micah and Michelle Erwin
414 E 8th ST
Elgin, TX 78621

December 8, 2014

City of Elgin Planning and Zoning Commission
c/o Gary Cooke, Director
Planning and Development Department
City of Elgin
1135 Swenson Boulevard
Elgin, TX 78621

RE: Request for specific use permit

Dear Planning and Zoning Commission:

We are writing to request a specific use permit to run a business on our property at 414 E 8th ST in Elgin. The proposed business is a small honey winery (or meadery), which will be operated in a 300 sq. ft. building currently located on the property behind the main house. The building has a separate entrance onto N Ave H and will have a separate mailing address.

The meadery will produce approximately 500 gallons of wine per year through use of small hand-operated equipment such as fermenters and storage tanks located within the building. The facility will be licensed by the Texas Alcoholic Beverage Commission, the Texas Department of State Health Services, and the federal Alcohol Tax and Trade Bureau. The business will operate as an LLC owned and managed by us and Micah's brother, Andrew Erwin.

The business will have little to no impact on the neighborhood. There will be no significant environmental impact, noise pollution, offensive smells, or strain on city resources. Manufacturing will consist of combining honey, water, yeast and other natural ingredients and allowing these to ferment over time. Waste will be very minimal and can be disposed of safely through normal trash and sewer services.

The business will create very little additional traffic. We do not plan to have employees on location. And because of our low production volume, at most one or two trucks per month will come to pick up product. Since the facility is small, we will not have a tasting room, so we do not anticipate significant tourist traffic to the neighborhood.

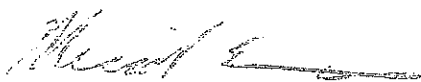
We have spoken with neighborhood stakeholders about our plans. We know of no current objections to the business, but we would be happy to answer any additional questions the commission or neighborhood residents might have. It is our hope that we will be able to relocate to a downtown location within a few years.

We can be reached by mail at our home address or by phone at 501-269-1538. Additionally, Micah's brother Andrew may also be reached for questions about the business at 202-674-3346.

Sincerely,

Micah Erwin

Michelle Erwin



195

Attachment 4

first	last	address	city	state	zip	prop #
Michelle N & Micah	Erwin	414 E 8th St	Elgin	Texas	78621	11364
St Peters Evan	Lutheran Church	P.O. Box 187	Elgin	Texas	78621	62802 11340
Charles W	Schultz	411 E 8th	Elgin	Texas	78621	11337
Rafael	Vega	706 N Ave H	Elgin	Texas	78621	11328
Harold D & judy	Layton	708 N Ave H	Elgin	Texas	78621	11415
Thomas & Barbara	Hollingsworth Jr.	184 Ragtime Ranch Rd	Elgin	Texas	78621	11334
Tahl A	Williamson	707 N Ave H	Elgin	Texas	78621	11349
Karl & Nathalie	Engeling	711 N Ave H	Elgin	Texas	789621	11355 11352
April M Dietz &	David W Burson	406 E 8th	Elgin	Texas	78621	11358
Susan M Beckwith & Julie	Assata	408 E 8th	Elgin	Texas	78621	11367
Mickey & Jeniffer	Concienne	412 E 8th	Elgin	Texas	78621	11370
James	Ferrier	801 N Ave H	Elgin	Texas	78621	11376
Ronald	Fisher	P.O. Box 1136	Elgin	Texas	78621	11424
Michael Dietrich	Kanzler	811 N Ave H	Elgin	Texas	78621	11409
Steve & Bobbie	Maldonado	808 N Ave H	Elgin	Texas	78621	57248
Sarah N & Robert R Flood	Zora Flood Trustee	810 N Ave H	Elgin	Texas	78621	57250

Attachment 5



January 6, 2015

NOTICE OF A ZONING CHANGE REQUEST

A REQUEST HAS BEEN SUBMITTED BY MICAH & MICHELLE ERWIN FOR A ZONING CHANGE FROM R-2 RESIDENTIAL TO SPECIFIC USE FOR THEIR PROPERTY LOCATED AT 414 E 8th STREET, GARRETT'S SECOND ADDITION BLOCK H, LOT 3A, CITY OF ELGIN, BASTROP COUNTY, TEXAS, FOR USE AS A MEADERY.

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 January 26, 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

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Attachment 6

Parcels

1:1,908

0 0.015 0.03 0.06 mi

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

This product is for informational purposes and may not have been prepared for or be suitable for local jurisdictional use.



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-6 Discussion and action regarding proposed ordinance to create a Building Standards Commission and appoint members.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: In order for the City to determine if buildings and structures are in compliance with City standards and to help in the protection of the City's health, public safety, welfare and prevent blight, we need a commission as approved by the Texas Statutes to rule on issues brought to them for appropriate action.

Requesting the Elgin City Council to consider the appointment of the existing Board of Adjustments to serve as the Building Standards Commission.

RECOMMENDATION(S): To approve an ordinance to create a Building Standards Commission with the appointment of the existing Board of Adjustments to serve as the Building Standards Commission.

ATTACHMENTS:

1. Ordinance 2015-2-3-05

Attachment 1

ORDINANCE NO. 2015-2-3-~~0~~5

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE IV, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY ADDING A NEW DIVISION FOUR TO ARTICLE IV, CREATING A BUILDING AND STANDARDS COMMISSION; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

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

I.

That Chapter 2, Article IV, Code of Ordinances, City of Elgin, Texas, is hereby amended by creating a new Division Four, Section 2-189 et. seq., which shall read as follows:

Sec. 2-189. Building standards commission established.

- (a) *Creation.* The city hereby implements chapter 54, subchapter C of the Texas Local Government Code (V.T.C.A., Local Government Code § 54.031 et seq.). Pursuant to such subchapter, the city council shall provide for the appointment of a Building Standards Commission, and the regulations and restrictions adopted shall be pursuant to the provisions of applicable statutory requirements for a building standards commission under state law.
- (b) *Membership, terms and compensation.*
 - (1) *Number, appointment.* The commission shall consist of seven members. Appointment of members shall be made by the city council. All members shall reside within the corporate city limits of the city during the time in which they serve on the commission.
 - (2) *Terms.* Terms for members shall be for two years, and shall expire on January 1 of each year; provided, however, that the members shall continue to serve until their successors are appointed.
 - (3) *Initial appointments.* The initial appointments to the commission shall have staggered terms so that three members are appointed for one-year terms and four members are appointed for two-year terms.
 - (4) *Vacancies.* Vacancies shall be filled by the city council for the unexpired terms of any member whose term becomes vacant.
 - (5) *Removal.* A commission member may be removed by the city council for cause on a written charge and after a public hearing if so requested by the commission member subject to the removal action.
 - (6) *Compensation.* Members shall serve without pay. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds approved in advance.

- (7) *Alternates.* The city council shall be authorized to appoint up to eight alternate members of the commission who shall serve in the absence of one or more regular members when requested to do so by the mayor or city manager. The alternate members serve for two-year terms and are subject to removal in the same manner as the regular members.

Sec. 2-189. Powers and duties.

- (a) The commission shall have the powers and duties as set forth in chapter 54, subchapter C of the Local Government Code (V.T.C.A., Local Government Code § 54.031 et seq.) to hear and determine cases concerning alleged violations of ordinances.
- (b) The commission has the power to hear appeals and render decisions upon rulings and refusals of ruling by the building official when requests for a modification or a variation from the provisions of this division have been made. Whenever the building official rejects or refuses to approve the mode or manner of work proposed to be followed or materials to be used in the proposed construction, or when it is claimed that the provisions of this Code do not apply, or that any equally good or more desirable form of installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal the decision of the building official to the commission. Unless otherwise stated in this Code, notice of the appeal shall be in writing and filed within 30 days after the decision is rendered by the building official.
- (c) The commission shall have the power and duty to act as the fire code board of appeals

Sec. 2-190. Procedures.

- (a) *Officers.* The chairperson of the Building Standards Commission shall be elected from the membership of the commission by a majority of the members. A vice-chair to serve in the chairperson's absence shall be likewise elected.
- (b) *Meetings.* Meetings may be called upon request of the chairperson of the commission, or upon written request of three members, or upon notice from the building official that a matter requires consideration of the commission.
- (c) *Quorum.* A quorum shall consist of a majority of the entire membership of the commission and any issue to be voted on shall be resolved by a majority of those present.
- (d) *Notice of meetings.* Public notice of all meetings of the commission shall be posted according to the Texas Open Meetings Act, V.T.C.A., Government Code Ch. 551.
- (e) *Rules of proceeding.* The commission shall adopt its rules of procedure by majority vote of the entire commission, provided that such rules not be in conflict with laws applicable to the commission or any provisions of the city Charter.
- (f) *Minutes.* The commission shall keep minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote. The

commission shall keep records of its examinations and other official actions. The minutes and records shall be filed immediately in the office of the commission as public records.

- (g) *Record of proceedings.* The building official or his duly appointed agent is the secretary of the commission and shall keep a full record of all proceedings of the commission and such other records as the commission may direct; provided, however, that in no event shall any city employee vote on any matter pending before the commission.

Sec. 2-191. Variance of provisions.

The commission, after hearing an appeal, may vary the application of any provision of this Code to any particular case, when it has determined that the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this Code or public interest.

Sec. 2-192. Decision to be final.

Every decision of the commission shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

Sec. 2-193. Building official ruling effective pending appeal.

During the pendency of an appeal to the commission, the ruling or refusal of the building official shall be in full force and effect.

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 were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

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 _____ day of _____, 2015.

ATTEST:

MARC HOLM, Mayor
City of Elgin, Texas

Lucretia Alvarez, City Secretary



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-7 Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 423 West Brenham Street, Elgin, Texas is unsafe.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Following the written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist for an unsafe structure.

RECOMMENDATION(S): Adopt Ordinance 2015-2-3-6 calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 423 West Brenham Street, Elgin, Texas is unsafe.

ATTACHMENTS:

1. Letter of request
2. Chapter 6 Article 3 Section 57 and 68
3. 423 West Brenham
4. Ordinance 2015-2-3-6

Attachment 1



January 27, 2015

I would like to request the Elgin City Council to declare the following three structures as unsafe as required and defined in the Elgin City Code, Chapter 6, Article III, Sections 6-57 and 6-68.

423 West Brenham

602 Alley A

113 Reyna

Gary N. Cooke

Gary N. Cooke, Director Planning & Development

Attachment 2

Sec. 6-57. - Definitions.

Words not defined herein shall have the meanings stated in the standard building code, standard mechanical code, standard plumbing code, standard gas code, standard housing code or standard fire prevention code. Words not defined in the standard codes shall have the meanings stated in the Webster's Eighth New Collegiate Dictionary, as revised.

Applicable governing body of the city means the city council.

Approved means approved by the building official or other authority having jurisdiction.

Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind which has enclosing walls for 50 percent of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof." For the purpose of this article each portion of a building separated from other portions by a fire wall shall be considered as a separate building.

Building official means the officer or other designated authority charged with the administration and enforcement of this article or his duly authorized representative.

Chief appointing authority means the person or persons designated by the laws of the local governing body as having authority to appoint persons to various boards.

Department means the building department or other agency charged with the enforcement of this article.

Office of the recorder means that office, in the local governing body, responsible for recording deeds and other legal documents or actions.

Owner means any person, agent, firm or corporation having a legal or equitable interest in the property.

Structure means that which is built or constructed.

Unsafe building means any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or the general public are endangered:

- (1) Any means of egress or portion thereof that is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire-resistive ratings, that is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member or portion thereof, due to all imposed loads including dead load, that exceeds the stresses allowed in the standard building code for new buildings.
- (4)

The building, structure or portion thereof that has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the standard building code for new buildings.

- (5) Any exterior appendage or portion of the building or structure that is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the standard building code for new buildings adopted by the city.
- (6) If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure or portion thereof as a result of decay, deterioration or dilapidation that is likely to fully or partially collapse.
- (8) The building, structure or portion thereof that has been constructed or maintained in violation of a specific requirement of the codes or of a city, county or state law.
- (9) Any building, structure or portion thereof that is in such a condition as to constitute a public nuisance.
- (10) Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

(Code 1990, ch. 3, § 2(B); Ord. No. 90-05, 3-6-1990)

Sec. 6-68. - Rules of procedure for public hearing.

- (a) *Calling of public hearing.* After the receipt of a written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of this article such that said building or structure must be demolished in order to protect the public health, safety and welfare. Said ordinance shall state with specificity each violation which renders said building or structure unsafe.
- (b) *Reasonable dispatch.* The city council shall proceed with reasonable dispatch to conclude said public hearing, with due regard to the convenience and necessity of the parties involved. The hearing notice shall be served personally or posted certified mail at least 15 days before the hearing date.
- (c) *Subpoenas.* The city council may obtain the issuance and service of subpoenas for the attendance of witnesses or the production of evidence at the hearings. Subpoenas may be issued upon the request of any member of the city council, or upon the written request of any party involved in the hearing. The issuance and service of subpoenas shall be in accordance with established law. Any person who refuses, without legal excuse, to respond to any subpoena lawfully issued and served may be prosecuted to the extent established by law.
- (d) *Procedure.*
 - (1) Hearings shall not be required to be conducted in accordance with the technical rules relating to evidence and testimony.
 - (2) The city council may grant continuance for good cause.
 - (3) In any proceedings under this article any member of the city council shall have the power to

administer oaths and affirmations and to certify official acts.

- (4) Oral evidence shall be taken only on oath or affirmation.
- (5) Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence. The further use of hearsay evidence shall be limited to that which would be admissible in civil court.
- (6) Relevant evidence shall be admitted if it is the type on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil courts.
- (7) The city council may inspect any building, structure or premises during the course of the hearing, provided the following are complied with:
 - a. Notice of such inspection is given to the parties prior to making the inspection;
 - b. The parties are allowed to be present during the inspection; and
 - c. The inspector states for the record, upon completion of the inspection, the facts observed and any conclusions drawn therefrom.
- (e) *After hearing.* After completion of the public hearing, if the city council finds that the building or structure is in violation of the provisions of this article, it may order the building or structure repaired or demolished within a reasonable time.
- (f) *Recourse.* If the appellant is aggrieved by the decision of the city council, nothing in this article shall be construed to deprive him of seeking redress in the civil or other applicable court. Said appeal must be filed within 15 days from the effective date of the city council's final decision.

(Code 1990, ch. 3, § 2(M); Ord. No. 90-05, 3-6-1990)

214

Attachment 3



January 26, 2015

Maria Antonia Galvez & Romario Zalazar
713 Madison St.
Elgin, Texas 78621

RE: Unsafe Building Abatement Ordinance
 Elgin City, Div 10, Lot 7A (FR) PID R14574
 423 West Brenham St.
 Elgin, Texas 78621

Dear Property Owners:

Pursuant to the Unsafe Building Abatement Code, Code 1990, ch.3,&2(B); Ordinance No. 90-05, at the referenced address/property the structure has been identified as an Unsafe Building and in violation of the provisions of the Ordinance, based upon a visual observation from the public right of way. The building has become unsafe, unsanitary, a public and attractive nuisance and a blighted structure by virtue of the following:

1. The building has become in danger of partial collapse due to decay, deterioration and dilapidation;
2. Has become a fire hazard;
3. The stress in the building materials, as a result of the deterioration, exceed the stress allowed in the International Building Code for new buildings and the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirement established by the International Building Code.
4. The electrical system is deteriorated to a point that it is undersized and is a shock and fire hazard.
5. The plumbing system does not provide for minimum sanitation; and
6. The building is a harborage for rodents and vermin.

The building is vacant and shall remain vacant until the conditions are remedied.

Due to the seriously advanced deterioration of the referenced structure, permits shall be obtained, at your option, for its repair or demolition within thirty (30) days after receipt of this notice and demolition shall be completed within sixty (60) days after the receipt of this notice.

If permits are not secured within thirty (30) days after receipt of this notice, the City Council of Elgin shall be requested by ordinance to call for a public hearing to determine whether or not conditions exist which render this building unsafe under the provisions of the Ordinance or Code.

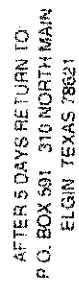
If you have any questions please contact Gary N. Cooke, Director of Planning, City of Elgin at 512-281-0119.

Sincerely,

Gary N. Cooke,

Building Official

Current Owner				Legal Description		Exemptions		Market	
GALVEZ, MARIA ANTONIA & ROMARIO ZALAZAR (00190182)				ELGIN CITY DIV 10.1 LOT 7A (FR)				Unavailable	
713 MADISON ST ELGIN, TX 78621-3403									
Status Address				History Information					
423 W BRENNHAM ST ELGIN, TX 78621				2014	2013	2012	2011		
				Imp HS	\$51,777	\$51,777	\$51,777	\$51,777	
				Imp NHS	\$0	\$0	\$0	\$0	
				Land HS	\$13,163	\$11,700	\$11,700	\$11,700	
				Land NHS	\$0	\$0	\$0	\$0	
				Ag Mkt	\$0	\$0	\$0	\$0	
				Ag Use	\$0	\$0	\$0	\$0	
				Tier Mkt	\$0	\$0	\$0	\$0	
				Tier Use	\$0	\$0	\$0	\$0	
				HS Cap	\$64,940	\$63,477	\$63,477	\$63,477	
				Assessed					
Building Attributes									
Construction	Foundation	Exterior	Interior	Roof	Flooring	Type	Description	Area	Value
	PB		WS	T		R	Residential		
Heat/AC	Baths	Fireplace	Year Built	Rooms	Bedrooms	MA	Main Area	1291	
			1940	3		DTC	Detached Carport	240	
						OC	Open Concrete	154	
						PB	Pole Barn	192	
Land Segments									
SPTB Description	Area	Market	Ag Value						
A1 Residential Lot	11700.00F								

[illegible]

2008 1140 0003 3639 2010

value 2

ROMAN (O) ZALAZAR

713 Madison

572

NIXIE 797 50 1 77 11/26/03
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

EC: 73521059191 *1093-06077-17-42

[illegible][illegible]

937.23

1



Maria Antonia Galvez &
Romario Zalazar
713 Madison
Elgin, Texas 78621

November 17, 2008

DEAR PROPERTY OWNER / AGENT / LESSEE:

NOTICE OF VIOLATION

According to Elgin City Code Chapter 6 (Health and Sanitation) and authorized by the state of Texas makes it unlawful for any owner to allow the accumulation of weeds, rubbish, brush, or any unsightly, objectionable, or unsanitary matter on his or her property within the City limits. The City of Elgin requires only one notice of violation will be issued per twelve month period.

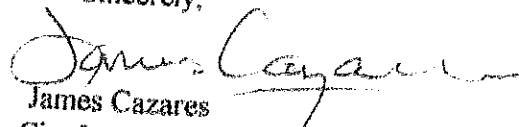
Currently your property located at 423 West Brenham in Elgin, Texas is in violation and you are directed to:

- X 1. Remove all litter, brush and junk from property
- X 2. Secure building from entry

This is the only notice you will receive for the next twelve months relating to this violation at this address. Any further notice will be in the form of a CITATION TO MUNICIPAL COURT. The citation carries a maximum fine of \$2,000.00 EACH DAY THE VIOLATION EXISTS. You have fifteen (15) days from the date this notice is served to correct this violation. If you do not remedy the situation within the time limit a citation will be issued and the City will take the necessary measures to correct the situation. All expenses incurred by the City will be billed to you. Failure to make restitution will result in a lien being placed on your property. You may request a hearing before the expiration of the fifteen (15) day time limit.

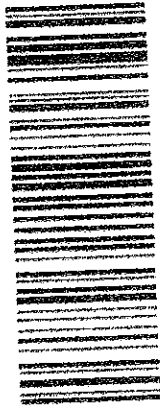
We hope that you as a property owner, agent, lessee, within the City of Elgin, will cooperate with us in our efforts to rid our community of this Fire / Health hazard. If you no longer own, manage, or lease this property please notify us with written proof of the new parties involved. If you have never owned or been an agent of this property, please call our office and notify us. Your prompt attention to this matter will be greatly appreciated.

Sincerely,


James Cazares
City Inspector
City of Elgin



AFTER 5 DAYS RETURN TO:
P.O. BOX 591 310 NORTH MAIN
ELGIN, TEXAS 78621



7010 1670 0001 2310 4964

MARIA ANTONIA GARCIA
ROMARIO ZALAZAR
713 MADISON
ELGIN, TX 78621

1st NOTICE
2nd NOTICE
RETURNED

9-22

1st NOTICE *9-8-85*
2nd NOTICE *9-8-85*

NIXIE 787 4C 1 02 09/21/10

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

EC: 70621059191 X2710 09054 24 07

786214252852100591

Maria Antonia Galvez &
Romario Zalazar
713 Madison
Elgin, Texas 78621



August 24, 2010

DEAR PROPERTY OWNER / LESSEE:

NOTICE OF VIOLATION

According to Elgin Code Chapter 6 (Health and Sanitation) and authorized by the State of Texas, it is unlawful for any owner to allow the accumulation of weeds, rubbish, brush, or any unsightly, objectionable, or unsanitary matter on his or her property within the City limits. The City of Elgin requires **ONE NOTICE** of violation per twelve-month period.

Currently your property located in the Elgin City, Div 10, Lot 7A, Elgin, Bastrop County, Texas. Property ID # 14574, 423 West Brenham is in violation and you are directed to:

 X 1. Cut all grass / weeds in excess of 12 inches on your property.

Any further notice will be in the form of a **CITATION TO MUNICIPAL COURT**. The citation carries a maximum fine of \$2,000.00 **EACH DAY THE VIOLATION EXISTS**. You have **FIFTEEN (15)** days from the date this notice is served to correct this violation. If you do not remedy the situation within the time limit, a citation will be issued and the City will take the necessary measures to correct the situation. All expenses incurred by the City will be billed to you. Failure to make restitution will result in a lien being placed on your property. You may request a hearing before the expiration of the fifteen (15) day time limit.

We hope that you as a property owner, agent, or lessee, within the City of Elgin, will cooperate with us in our efforts to rid our community of this Fire / Health hazard. If you no longer own, manage, or lease this property, please notify us with written proof of the new parties involved. If you have never owned or been an agent of this property, please call our office and notify us. Your prompt attention to this matter will be greatly appreciated.

Sincerely,

James H. Cazares
Code Enforcement
512-281-0119

NOTICE OF UNSAFE STRUCTURE

Maria Galvez & Romario Zalazar
312 Madison
Elgin, Texas 78621

May 28, 2014

An inspection of your structure located at 423 W. Brenham, Elgin, Texas
And being Elgin City, Div 10, Lot 7A, has determined your structure to be unsafe as
defined by Elgin City Ordinance Chapter 3 section 2. You are hereby ordered to repair
structure to comply with minimum building code standards, or to demolish said structure
and remove all debris from the property. All necessary permits shall be secured and work
commenced within thirty (30) days after receipt of this notice and work commenced
within sixty (60) days and continued to completion within such time frame as determined
by the Building Official. If these permits are not secured in the time frame mentioned
above, the Building Official shall request the City Council, by Ordinance, to call for a
Public Hearing to determine whether or not conditions exist which render the structure
unsafe under the provision of this Code.

Be advised that you have the right to appeal by Public Hearing if you choose to dispute
this claim.

If you have any questions regarding the above or wish to have a Public Hearing declared,
please contact me as soon as possible. Your attention to this matter will be greatly
appreciated.

Sincerely,



James H Cazares
Code Enforcement Officer
512-281-0119



AFT LIE
200900892
1 PG

NOTICE OF IMPROVEMENT LIEN OR CLAIM

STATE OF TEXAS :

COUNTY OF BASTROP :

BEFORE ME, a Notary Public in and for the State of Texas, on this day personally appeared Gary N. Cooke, who being duly sworn, on oath stated as follows:

1. An improvement lien in the amount of \$ 375.00 has been impressed upon the following real property in accordance with Section 342.007, Texas Health and Safety Code.

Legal Description: Elgin City, Div 10 Lot 7A(FR)

PID # 14574

AKA: 423 W. Brenham

Owned by: Maria Antonia Galvez & Romario Zalazar

2. Said lien was impressed for failure to abate a nuisance in accordance with Chapter 6, Health and Sanitation, Section 2, Code of Ordinances, City of Elgin, Texas. This lien shall be released upon remittance of the total amount due to the City of Elgin, P. O. Box 591, Elgin, Texas 78621.
3. Claimant claims a lien against the Property pursuant to the laws of the State of Texas, and makes this sworn statement of its claim in support thereof.

City of Elgin, Texas

Gary N. Cooke

Printed Name: Gary N. Cooke
Title: Director of Planning

SUBSCRIBED AND SWORN TO before me by the said Gary N. Cooke this 22nd day of January, 2009 to certify which witness my hand and seal of office.



Sandra J. Thompson
Notary Public, State of Texas
Printed Name: Sandra J. Thompson
My Commission Expires 03-01-09

STATE OF TEXAS :

COUNTY OF TEXAS :

This instrument was acknowledged before me on this 22nd day of January, 2009 by Gary N. Cooke, on behalf of the City of Elgin, Texas.

COPY



Sandra J. Thompson
Notary Public, State of Texas
Printed Name: Sandra J. Thompson
My Commission Expires 03-01-09

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Rose Pietsch

January 22, 2009 01:05:23 PM
KRISTAB FEE: \$16.00 BOOK:1888 PAGE:250-250
ROSE PIETSCH, County Clerk
Bastrop, Texas
200900892

AFT LIE

223

Issue Date : 1/15/2015

Statement Of Account

Office of Linda Harmon Tax Assessor-Collector

Bastrop County Tax Office
PO Box 579

Bastrop, TX 78602

Ph: (512) 581-7161 Fax: (512) 581-7167

This is a statement of taxes paid and due as of 1/15/2015 based upon the tax records of the Office of Linda Harmon Tax Assessor-Collector.

This document is not a tax certificate and does not absolve a taxpayer from tax liability in any way. Should this document be found to be in error, it may be corrected by the collections office. Responsibility to pay taxes remains with the taxpayer as outlined in the Texas Property Tax Code.

Property Information

Property ID : R14574

Quick-Ref ID : R14574

Value Information

423 W BRENHAM ST ELGIN, TX 78621	Land HS	:	\$13,163.00
	Land NHS	:	\$0.00
	Imp HS	:	\$51,777.00
	Imp NHS	:	\$0.00
ELGIN CITY.DIV 10,LOT 7A (FR)	Ag Mkt	:	\$0.00
	Ag Use	:	\$0.00
	Tim Mkt	:	\$0.00
	Tim Use	:	\$0.00
	HS Cap Adj	:	\$0.00
	Assessed	:	\$64,940.00

Owner Information

Owner ID : O0015403

GALVEZ, MARIA ANTONIA & ROMARIO
ZALAZAR
713 MADISON ST
ELGIN, TX 78621-3403

Ownership: 100.00%

Suit Information: 11699

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
C01	2014	487.12	0.00	0.00	0.00	487.12
G01	2014	334.83	0.00	0.00	0.00	334.83
RD1	2014	73.64	0.00	0.00	0.00	73.64
S01	2014	1,000.08	0.00	0.00	0.00	1,000.08
TCES	2014	64.68	0.00	0.00	0.00	64.68
ACC	2014	61.18	0.00	0.00	0.00	61.18
C01	2013	478.56	0.00	114.84	89.01	682.41
G01	2013	327.22	0.00	78.54	60.87	466.63
RD1	2013	72.05	0.00	17.30	13.40	102.75
S01	2013	977.54	0.00	234.60	181.82	1,393.96
TCES	2013	59.92	0.00	14.38	11.14	85.44
ACC	2013	60.24	0.00	14.48	11.21	85.91
C01	2012	478.56	0.00	172.27	97.62	748.45
G01	2012	328.05	0.00	118.11	66.93	513.09
RD1	2012	72.74	0.00	26.19	14.84	113.77
S01	2012	977.54	0.00	351.91	189.42	1,528.87
TCES	2012	60.56	0.00	21.80	12.35	94.71
ACC	2012	60.37	0.00	21.74	12.32	94.43
C01	2011	478.55	0.00	229.71	106.24	814.50
G01	2011	316.05	0.00	151.71	70.16	537.92
RD1	2011	75.92	0.00	36.44	16.85	129.21
S01	2011	977.54	0.00	469.21	217.01	1,663.76
TCES	2011	60.43	0.00	29.00	13.41	102.84
ACC	2011	60.18	0.00	28.90	13.36	102.44

Total for current bills if paid by 1/31/2015 : \$2,021.53
Total due on all bills 1/31/2015 : \$11,282.62
2014 taxes paid for entity C01 \$0.00
2014 taxes paid for entity G01 \$0.00
2014 taxes paid for entity RD1 \$0.00
2014 taxes paid for entity S01 \$0.00
2014 taxes paid for entity TCESD \$0.00
2014 taxes paid for entity ACC \$0.00
2014 Total Taxes Paid : \$0.00

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 05-11-2010 BY 60322 UCBAW

817 -
788 4906

Invoice
PROPOSAL

Vendor:

Name:

Address:

Phone:

Proposal For & Contact Name:

City of Elgin

Gary N. Cooke

Job Site Address:

423 - W Breukson

Work Description:

Haul off & Clean up
Power Up

Proposal Amount:

1-8-09 375⁰⁰

Rudy E. Parnis

Attachment 4

ORDINANCE NO. 2015-2-3-6

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS CALLING FOR A PUBLIC HEARING; LISTING ALLEGED VIOLATIONS THAT RENDERS A BUILDING OR STRUCTURE UPON A PROPERTY UNSAFE; REQUIRING NOTICE OF HEARING; AND PROVIDING FOR OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City of Elgin (the "City") is necessary and essential to the economic health of the community and the preservation and protection of the public welfare;

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City will preserve and protect the public health and safety;

WHEREAS, Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances provides that upon written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare;

WHEREAS, said ordinance shall state with specificity each violation which renders said building or structure unsafe;

WHEREAS, the City finds that the building official has submitted a written request for a public hearing for the following property located in the City of Elgin (referred to in this Ordinance as "Property") which public records reflect the following record owner:

Property Legal

Description: Elgin City, Div. 10, Lot 7A, locally known as 423 West Brenham St., Elgin, Texas 78621

Record Owner: Maria Antonia Galvez and Romario Zalazar
713 Madison St.
Elgin, Texas 78621

WHEREAS, the City Council finds that this ordinance is adopted pursuant to Article III, Chapter 6, Section 6-68 (a) of the City of Elgin Code of Ordinances;

WHEREAS, City Council finds that the building official has identified specific violations for the Property which the building official alleges are conditions that render said building or structure unsafe;

WHEREAS, City Council finds that it is necessary to conduct a public hearing in accordance with the requirements set forth in Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the scheduling of a public hearing for the Property identified in this Ordinance is reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Public Hearing. Council orders and calls a public hearing to be conducted on **March 3, 2015 at 7:00 P.M. at City Annex, 310 North Main Street, Elgin, Texas 7862** to determine whether or not conditions exist which render a building or structure unsafe located on the Property under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare.

Section 3. Noticed Violations. The conditions which the building official alleges make structures and buildings located upon the above-identified Property to be in violation of the City of Elgin Code of Ordinances, Chapter 6 (Buildings and Building Regulations), Article III, Section 6 (56-70) are as follows:

1. The building has become in danger of partial collapse due to decay, deterioration, and dilapidation;
2. The building is a fire hazard;
3. The stress in the building materials, as a result of deterioration, exceed the stress allowed in the Standard Building Code for new buildings and the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirements established by the Standard Building Code;
4. The electrical system is deteriorated to a point that it is undersized and is a shock and fire hazard;
5. The plumbing system does not provide for minimum sanitation; and
6. The building is a harborage for rodents and vermin.

Section 4. Notice of Hearing. City Council orders the building official to provide written notice of this ordinance and the public hearing called by this ordinance to the record owners, lienholders, and mortgagee as can be located and identified after a diligent search of the public records as set forth by state law, said notice to be mailed by first class mail with certified return receipt requested.

Section 5. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

Section 6. Effective Date. This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2015.

THE CITY OF ELGIN

Marc Holm, Mayor

Attest:

Lucretia Alvarez, City Secretary



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-8 Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 113 Reyna Street, Elgin, Texas is unsafe.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Following the written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist for an unsafe structure.

RECOMMENDATION(S): Adopt Ordinance 2015-2-3-7 calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 113 Reyna Street, Elgin, Texas is unsafe.

ATTACHMENTS:

1. Letter of request
2. Chapter 6 Article 3 Section 57 and 68
3. 113 Reyna Street
4. Ordinance 2015-2-3-7

Attachment 1



January 27, 2015

I would like to request the Elgin City Council to declare the following three structures as unsafe as required and defined in the Elgin City Code, Chapter 6, Article III, Sections 6-57 and 6-68.

423 West Brenham

602 Alley A

113 Reyna

Gary N. Cooke, Director Planning & Development

Attachment 2

Sec. 6-57. - Definitions.

Words not defined herein shall have the meanings stated in the standard building code, standard mechanical code, standard plumbing code, standard gas code, standard housing code or standard fire prevention code. Words not defined in the standard codes shall have the meanings stated in the Webster's Eighth New Collegiate Dictionary, as revised.

Applicable governing body of the city means the city council.

Approved means approved by the building official or other authority having jurisdiction.

Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind which has enclosing walls for 50 percent of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof." For the purpose of this article each portion of a building separated from other portions by a fire wall shall be considered as a separate building.

Building official means the officer or other designated authority charged with the administration and enforcement of this article or his duly authorized representative.

Chief appointing authority means the person or persons designated by the laws of the local governing body as having authority to appoint persons to various boards.

Department means the building department or other agency charged with the enforcement of this article.

Office of the recorder means that office, in the local governing body, responsible for recording deeds and other legal documents or actions.

Owner means any person, agent, firm or corporation having a legal or equitable interest in the property.

Structure means that which is built or constructed.

Unsafe building means any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or the general public are endangered:

- (1) Any means of egress or portion thereof that is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire-resistive ratings, that is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member or portion thereof, due to all imposed loads including dead load, that exceeds the stresses allowed in the standard building code for new buildings.
- (4)

The building, structure or portion thereof that has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the standard building code for new buildings.

- (5) Any exterior appendage or portion of the building or structure that is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the standard building code for new buildings adopted by the city.
- (6) If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure or portion thereof as a result of decay, deterioration or dilapidation that is likely to fully or partially collapse.
- (8) The building, structure or portion thereof that has been constructed or maintained in violation of a specific requirement of the codes or of a city, county or state law.
- (9) Any building, structure or portion thereof that is in such a condition as to constitute a public nuisance.
- (10) Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

(Code 1990, ch. 3, § 2(B); Ord. No. 90-05, 3-6-1990)

Sec. 6-68. - Rules of procedure for public hearing.

- (a) *Calling of public hearing.* After the receipt of a written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of this article such that said building or structure must be demolished in order to protect the public health, safety and welfare. Said ordinance shall state with specificity each violation which renders said building or structure unsafe.
- (b) *Reasonable dispatch.* The city council shall proceed with reasonable dispatch to conclude said public hearing, with due regard to the convenience and necessity of the parties involved. The hearing notice shall be served personally or posted certified mail at least 15 days before the hearing date.
- (c) *Subpoenas.* The city council may obtain the issuance and service of subpoenas for the attendance of witnesses or the production of evidence at the hearings. Subpoenas may be issued upon the request of any member of the city council, or upon the written request of any party involved in the hearing. The issuance and service of subpoenas shall be in accordance with established law. Any person who refuses, without legal excuse, to respond to any subpoena lawfully issued and served may be prosecuted to the extent established by law.
- (d) *Procedure.*
 - (1) Hearings shall not be required to be conducted in accordance with the technical rules relating to evidence and testimony.
 - (2) The city council may grant continuance for good cause.
 - (3) In any proceedings under this article any member of the city council shall have the power to

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administer oaths and affirmations and to certify official acts.

- (4) Oral evidence shall be taken only on oath or affirmation.
- (5) Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence. The further use of hearsay evidence shall be limited to that which would be admissible in civil court.
- (6) Relevant evidence shall be admitted if it is the type on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil courts.
- (7) The city council may inspect any building, structure or premises during the course of the hearing, provided the following are complied with:
 - a. Notice of such inspection is given to the parties prior to making the inspection;
 - b. The parties are allowed to be present during the inspection; and
 - c. The inspector states for the record, upon completion of the inspection, the facts observed and any conclusions drawn therefrom.
- (e) *After hearing.* After completion of the public hearing, if the city council finds that the building or structure is in violation of the provisions of this article, it may order the building or structure repaired or demolished within a reasonable time.
- (f) *Recourse.* If the appellant is aggrieved by the decision of the city council, nothing in this article shall be construed to deprive him of seeking redress in the civil or other applicable court. Said appeal must be filed within 15 days from the effective date of the city council's final decision.

(Code 1990, ch. 3, § 2(M); Ord. No. 90-05, 3-6-1990)

Attachment 3



March 12, 2010

Jose A Navejas
205 Ochoa Street
Elgin, TX 78621

RE: **Unsafe Building Abatement Ordinance**
J.S. Smith, Lot 49 PID R12710
113 Reyna
Elgin, Texas 78621

Dear Property Owners:

Pursuant to the Unsafe Building Abatement Code, Ordinance No. 90-05, at the referenced address/property the primary dwelling and the detached garage/storage structure have been identified as Unsafe Buildings and in violation of the provisions of the Ordinance, based upon a visual observation from the public right of way. The buildings have become unsafe, unsanitary, a public and attractive nuisance and blighted structures by virtue of the following:

1. The buildings have become in danger of partial collapse due to decay, deterioration and dilapidation;
2. Have become a fire hazard;
3. The stress in the building materials, as a result of the deterioration, exceed the stress allowed in the Standard Building Code for new buildings and the structural integrity of the buildings is less than it was prior to the damage and is less than the minimum requirement established by the Standard Building Code.
4. The electrical systems are deteriorated to a point that it is undersized and is a shock and fire hazard.
5. The plumbing systems do not provide for minimum sanitation; and
6. The buildings are a harborage for rodents and vermin.

The buildings are vacant and shall remain vacant until the conditions are remedied.

Due to the seriously advanced deterioration of the referenced structures, permits shall be obtained, at your option, for its repair or demolition within thirty (30) days after receipt of this notice and demolition shall be completed within sixty (60) days after the receipt of this notice.

If permits are not secured within thirty (30) days after receipt of this notice, the City Council of Elgin shall be requested by ordinance to call for a public hearing to determine whether or not conditions exist which render these buildings unsafe under the provisions of the Ordinance or Code.

If you have any questions please contact Gary N. Cooke, Director of Planning, City of Elgin at 512-281-0119.

Sincerely,

Larry J. Foster, CPl, Building Inspector
Texas Professional Inspector License #3
ICC Certified Building, Mechanical, Electrical & Plumbing Code Inspector

5252 8243 0000 0897 6002

Jose A Navejas
PID 12710
205 Ochoa
Elgin Tx 78621

Postmark Here

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
1. Article Addressed to: Jose A Navejas PID 12710 205 Ochoa Elgin Tx 78621		A. Signature X <i>[Signature]</i>	
2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ☒ Print your name and address on the reverse so that we can return the card to you. ☒ Attach this card to the back of the mailpiece, or on the front if space permits.		B. Received by (Printed Name) <i>[Signature]</i>	
3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.		C. Date of Delivery <i>2/2/04</i>	
4. Restricted Delivery? (Extra Fee) ☐ Yes		D. Is delivery address different from item 1? ☐ Yes ☐ No If YES, enter delivery address below:	

2 7009 1680 0000 3483 2575

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-14-1540

Current Owner		Legal Description		Exemptions		Market	
NAVEJAS, JOSE A (00151758)		SMITH, J. S., LOT 49 (85 X 90), ACRES 0.175				Unavailable	
205 OCHOA ST							
ELGIN, TX 78621							
Status Address		History Information		Entities		Assessed	
111 REYNA		2014		2013		2012	
ELGIN, TX 78621		2011					
		Imp HS		\$0		\$0	
		Imp NHS		\$1,027		\$1,027	
		Land HS		\$0		\$0	
		Land NHS		\$5,717		\$5,717	
		Ag Mkt		\$0		\$0	
		Ag Use		\$0		\$0	
		Tim Mkt		\$0		\$0	
		Tim Use		\$0		\$0	
		HS Cap		\$6,744		\$6,744	
		Assessed		\$6,744		\$6,744	
Building Attributes				Improvements			
Construction	Foundation	Exterior	Interior	Roof	Flooring	Type	Description
	PB					R	Residential
Heat/AC	Baths	Fireplace	Year Built	Rooms	Bedrooms	MA	Main Area
			1945			PB	Pole Barn
						CP	Covered Porch
						CS	Concrete Slab
						AS	Attached Storage
Land Segments				Improvements			
SPTB	Description	Area	Market	Year Built	Eff Year	Value	
A1	Residential Lot	0.175		1945	1941		

APPENDIX A
PHOTOGRAPHIC ATTACHMENTS

Photographic Addenda



Photo # 1.



Photo # 2.

Photographic Addenda



Photo # 3.

Statement Of Account

This is a statement of taxes paid and due as of 1/15/2015 based upon the tax records of the Office of Linda Harmon Tax Assessor-Collector.

Ph: (512) 581-7161 Fax: (512) 581-7167

This document is not a tax certificate and does not absolve a taxpayer from tax liability in any way. Should this document be found to be in error, it may be corrected by the collections office. Responsibility to pay taxes remains with the taxpayer as outlined in the Texas Property Tax Code.

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
C01	2014	50.59	0.00	0.00	0.00	50.59
G01	2014	34.77	0.00	0.00	0.00	34.77
RD1	2014	7.65	0.00	0.00	0.00	7.65
S01	2014	103.85	0.00	0.00	0.00	103.85
TCES	2014	6.72	0.00	0.00	0.00	6.72
ACC	2014	6.35	0.00	0.00	0.00	6.35
C01	2013	50.84	0.00	12.20	9.46	72.50
G01	2013	34.77	0.00	8.34	6.46	49.57
RD1	2013	7.65	0.00	1.84	1.42	10.91
S01	2013	103.85	0.00	24.92	19.32	148.09
TCES	2013	6.37	0.00	1.52	1.18	9.07
ACC	2013	6.40	0.00	1.54	1.19	9.13
C01	2012	50.85	0.00	18.31	10.38	79.54
G01	2012	34.85	0.00	12.55	7.11	54.51
RD1	2012	7.73	0.00	2.79	1.58	12.10
S01	2012	103.85	0.00	37.39	21.19	162.43
TCES	2012	6.43	0.00	2.31	1.31	10.05
ACC	2012	6.41	0.00	2.31	1.31	10.03
C01	2011	50.84	0.00	24.41	11.29	86.54
G01	2011	33.57	0.00	16.11	7.46	57.14
RD1	2011	8.07	0.00	3.88	1.79	13.74
S01	2011	103.85	0.00	49.84	23.06	176.75
TCES	2011	6.42	0.00	3.08	1.42	10.92
ACC	2011	6.39	0.00	3.08	1.42	10.89

Total for current bills if paid by 1/31/2015 : \$209.93

Total due on all bills 1/31/2015 : \$1,193.84

2014 taxes paid for entity C01 \$0.00

2014 taxes paid for entity G01 \$0.00

2014 taxes paid for entity RD1 \$0.00

2014 taxes paid for entity S01 \$0.00

2014 taxes paid for entity TCESD \$0.00

2014 taxes paid for entity ACC \$0.00

2014 Total Taxes Paid : \$0.00



Jose A Navejas
205 Ochoa St
Elgin, Texas, 78621

May 28, 2014

DEAR PROPERTY OWNER / AGENT / LESSEE:

NOTICE OF VIOLATION

According to Elgin City Code Chapter 6 (Health and Sanitation) and authorized by the state of Texas makes it unlawful for any owner to allow the accumulation of weeds, rubbish, brush, or any unsightly, objectionable, or unsanitary matter on his or her property within the City limits. The City of Elgin requires only one notice of violation will be issued per twelve month period.

Currently your properties located at, 111 Reyna, J. S. Smith, Lot 49, PID 12710 in Elgin, Texas is in violation and you are directed to:

- X 1. Repair or demolish dilapidated structure
- X 2. Mow or Shred all grass and weeds in excess of 12 inches

This is the only notice you will receive for the next twelve months relating to this violation at this address. Any further notice will be in the form of a CITATION TO MUNICIPAL COURT. The citation carries a maximum fine of \$500.00 EACH DAY THE VIOLATION EXISTS. You have fifteen (15) days from the date this notice is served to correct this violation. If you do not remedy the situation within the time limit a citation will be issued and the City will take the necessary measures to correct the situation. All expenses incurred by the City will be billed to you. Failure to make restitution will result in a lien being placed on your property. You may request a hearing before the expiration of the fifteen (15) day time limit.

We hope that you as a property owner, agent, lessee, within the City of Elgin, will cooperate with us in our efforts to rid our community of this Fire / Health hazard. If you no longer own, manage, or lease this property please notify us with written proof of the new parties involved. If you have never owned or been an agent of this property, please call our office and notify us. Your prompt attention to this matter will be greatly appreciated.

Sincerely,

James Cazares
Code Enforcement Officer
License # 4642

[illegible]

AFTER 5 DAYS RETURN TO:
P.O. BOX 591 310 NORTH MAIN
ELGIN, TEXAS 78621



Attachment 4

ORDINANCE NO. 2015-2-3-7

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS CALLING FOR A PUBLIC HEARING; LISTING ALLEGED VIOLATIONS THAT RENDERS A BUILDING OR STRUCTURE UPON A PROPERTY UNSAFE; REQUIRING NOTICE OF HEARING; AND PROVIDING FOR OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City of Elgin (the "City") is necessary and essential to the economic health of the community and the preservation and protection of the public welfare;

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City will preserve and protect the public health and safety;

WHEREAS, Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances provides that upon written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare;

WHEREAS, said ordinance shall state with specificity each violation which renders said building or structure unsafe;

WHEREAS, the City finds that the building official has submitted a written request for a public hearing for the following property located in the City of Elgin (referred to in this Ordinance as "Property") which public records reflect the following record owner:

Property Legal

Description: J.S. Smith, Lot 49, locally known as 113 Reyna St., Elgin, Texas 78621

Record Owner: Jose A. Navejas
205 Ochoa St.
Elgin, Texas 78621

WHEREAS, the City Council finds that this ordinance is adopted pursuant to Article III, Chapter 6, Section 6-68 (a) of the City of Elgin Code of Ordinances;

WHEREAS, City Council finds that the building official has identified specific violations for the Property which the building official alleges are conditions that render said building or structure unsafe;

WHEREAS, City Council finds that it is necessary to conduct a public hearing in accordance with the requirements set forth in Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the scheduling of a public hearing for the Property identified in this Ordinance is reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Public Hearing. Council orders and calls a public hearing to be conducted on **March 3, 2015 at 7:00 P.M. at City Annex, 310 North Main Street, Elgin, Texas 7862** to determine whether or not conditions exist which render a building or structure unsafe located on the Property under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare.

Section 3. Noticed Violations. The conditions which the building official alleges make structures and buildings located upon the above-identified Property to be in violation of the City of Elgin Code of Ordinances, Chapter 6 (Buildings and Building Regulations), Article III, Section 6 (56-70) are as follows:

1. The building has become in danger of partial collapse due to decay, deterioration, and dilapidation;
2. The building is a fire hazard;
3. The stress in the building materials, as a result of deterioration, exceed the stress allowed in the Standard Building Code for new buildings and the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirements established by the Standard Building Code;
4. The electrical system is deteriorated to a point that it is undersized and is a shock and fire hazard;
5. The plumbing system does not provide for minimum sanitation; and
6. The building is a harborage for rodents and vermin.

Section 4. Notice of Hearing. City Council orders the building official to provide written notice of this ordinance and the public hearing called by this ordinance to the record owners, lienholders, and mortgagee as can be located and identified after a diligent search of the public records as set forth by state law, said notice to be mailed by first class mail with certified return receipt requested.

Section 5. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

Section 6. Effective Date. This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2015.

THE CITY OF ELGIN

Marc Holm, Mayor

Attest:

Lucretia Alvarez, City Secretary



DATE: January 27, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-9 Discuss and consider adopting an ordinance calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 602 Alley A, Elgin, Texas is unsafe.

RESOURCE PERSON(S): Gary N. Cooke, Planning and Development Director

SUMMARY: Following the written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist for an unsafe structure.

RECOMMENDATION(S): Adopt Ordinance 2015-2-3-8 calling for a public hearing for March 3, 2015 at City Hall during the council meeting to discuss a declaration that the structure located at 602 Alley A, Elgin, Texas is unsafe.

ATTACHMENTS:

1. Letter of request
2. Chapter 6 Article 3 Section 57 and 68
3. 602 Alley A
4. Ordinance 2015-2-3-8

Attachment 1



January 27, 2015

I would like to request the Elgin City Council to declare the following three structures as unsafe as required and defined in the Elgin City Code, Chapter 6, Article III, Sections 6-57 and 6-68.

423 West Brenham

602 Alley A

113 Reyna

Gary N. Cooke

Gary N. Cooke, Director Planning & Development

Attachment 2

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Words not defined herein shall have the meanings stated in the standard building code, standard mechanical code, standard plumbing code, standard gas code, standard housing code or standard fire prevention code. Words not defined in the standard codes shall have the meanings stated in the Webster's Eighth New Collegiate Dictionary, as revised.

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Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind which has enclosing walls for 50 percent of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof." For the purpose of this article each portion of a building separated from other portions by a fire wall shall be considered as a separate building.

Building official means the officer or other designated authority charged with the administration and enforcement of this article or his duly authorized representative.

Chief appointing authority means the person or persons designated by the laws of the local governing body as having authority to appoint persons to various boards.

Department means the building department or other agency charged with the enforcement of this article.

Office of the recorder means that office, in the local governing body, responsible for recording deeds and other legal documents or actions.

Owner means any person, agent, firm or corporation having a legal or equitable interest in the property.

Structure means that which is built or constructed.

Unsafe building means any building or structure that has any of the following conditions, such that the life, health, property or safety of its occupants or the general public are endangered:

- (1) Any means of egress or portion thereof that is not of adequate size or is not arranged to provide a safe path of travel in case of fire or panic.
- (2) Any means of egress or portion thereof, such as, but not limited to, fire doors, closing devices and fire-resistive ratings, that is in disrepair or in a dilapidated or nonworking condition such that the means of egress could be rendered unsafe in case of fire or panic.
- (3) The stress in any material, member or portion thereof, due to all imposed loads including dead load, that exceeds the stresses allowed in the standard building code for new buildings.
- (4)

The building, structure or portion thereof that has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the building or structure is less than it was prior to the damage and is less than the minimum requirement established by the standard building code for new buildings.

- (5) Any exterior appendage or portion of the building or structure that is not securely fastened, attached or anchored such that it is capable of resisting wind, seismic or similar loads as required by the standard building code for new buildings adopted by the city.
- (6) If for any reason the building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is being used.
- (7) The building, structure or portion thereof as a result of decay, deterioration or dilapidation that is likely to fully or partially collapse.
- (8) The building, structure or portion thereof that has been constructed or maintained in violation of a specific requirement of the codes or of a city, county or state law.
- (9) Any building, structure or portion thereof that is in such a condition as to constitute a public nuisance.
- (10) Any building, structure or portion thereof that is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment.

(Code 1990, ch. 3, § 2(B); Ord. No. 90-05, 3-6-1990)

Sec. 6-68. - Rules of procedure for public hearing.

- (a) *Calling of public hearing.* After the receipt of a written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of this article such that said building or structure must be demolished in order to protect the public health, safety and welfare. Said ordinance shall state with specificity each violation which renders said building or structure unsafe.
- (b) *Reasonable dispatch.* The city council shall proceed with reasonable dispatch to conclude said public hearing, with due regard to the convenience and necessity of the parties involved. The hearing notice shall be served personally or posted certified mail at least 15 days before the hearing date.
- (c) *Subpoenas.* The city council may obtain the issuance and service of subpoenas for the attendance of witnesses or the production of evidence at the hearings. Subpoenas may be issued upon the request of any member of the city council, or upon the written request of any party involved in the hearing. The issuance and service of subpoenas shall be in accordance with established law. Any person who refuses, without legal excuse, to respond to any subpoena lawfully issued and served may be prosecuted to the extent established by law.
- (d) *Procedure.*
 - (1) Hearings shall not be required to be conducted in accordance with the technical rules relating to evidence and testimony.
 - (2) The city council may grant continuance for good cause.
 - (3) In any proceedings under this article any member of the city council shall have the power to

administer oaths and affirmations and to certify official acts.

- (4) Oral evidence shall be taken only on oath or affirmation.
- (5) Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence. The further use of hearsay evidence shall be limited to that which would be admissible in civil court.
- (6) Relevant evidence shall be admitted if it is the type on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil courts.
- (7) The city council may inspect any building, structure or premises during the course of the hearing, provided the following are complied with:
 - a. Notice of such inspection is given to the parties prior to making the inspection;
 - b. The parties are allowed to be present during the inspection; and
 - c. The Inspector states for the record, upon completion of the inspection, the facts observed and any conclusions drawn therefrom.
- (e) *After hearing.* After completion of the public hearing, if the city council finds that the building or structure is in violation of the provisions of this article, it may order the building or structure repaired or demolished within a reasonable time.
- (f) *Recourse.* If the appellant is aggrieved by the decision of the city council, nothing in this article shall be construed to deprive him of seeking redress in the civil or other applicable court. Said appeal must be filed within 15 days from the effective date of the city council's final decision.

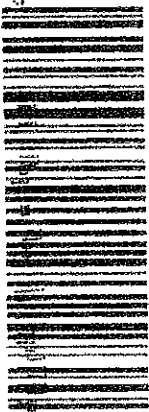
(Code 1990, ch. 3, § 2(M); Ord. No. 90-05, 3-6-1990)

Attachment 3

262



AFTER 5 DAYS RETURN TO
P.O. BOX 591 310 NORTH MAIN
ELGIN, TEXAS 78621



7013 3020 0002 2667 6098

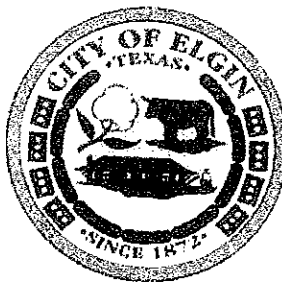
1100 0166820125

Easter V Hunter Haywood
3209 L Street
San Diego, CA 92102-4310



Handwritten: 11/22/82

Faint, mostly illegible text, possibly a return address or additional postage information.



NOTICE OF UNSAFE STRUCTURE

Easter V Hunter Haywood
3209 L Street
San Diego, CA 92102-4310

December 2, 2014

DEAR PROPERTY OWNER:

An inspection of your property located at 602 Alley A, Elgin, Bastrop / Travis County, Texas, located in the Elgin City Addition, Lot 1 (FR), Block 12, PID # 12286, has determined your structure to be unsafe as defined by Elgin Code of Ordinances, Chapter 6 (Buildings and Building Regulations), Article III, Section 6 (56-70). You are hereby ordered to repair the structure to the point they will comply with minimum building code standards, or to demolish said structure and remove all debris from the property. All necessary permits shall be secured and work commenced within thirty (30) days after receipt of this notice and work commenced within sixty (60) days and continued to completion within such time as determined by the Building Official.

If these permits are not secured in the time frame mentioned above, the Building Official shall request the City Council, by ordinance, to call for a Public Hearing to determine whether or not conditions exist which renders the structure unsafe under the provision of this Code. Be advised that you have the right to an appeal by Public Hearing if you choose to dispute this claim.

If you have any questions regarding the above or wish to have a Public Hearing declared, please contact me as soon as possible. Your attention to this matter will be greatly appreciated.

Sincerely,

Jim Cazares, Lic #4642
Code Enforcement
512-281-0119

Por favor llame esta oficina por esta noticia 512-281-0119

COPY

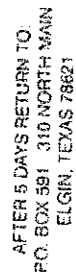
P.O. Box 591

1135 Swenson Blvd.

Elgin, Texas 78621

Phone 512.281.0119

264



1808 2992 2000 0200 ETOA

Easter V Hunter Haywood
3209 L Street
San Diego, CA 92102-4310

[illegible]

215



Easter V Hunter Haywood
3209 L Street
San Diego, CA 92102-4310

December 2, 2014

DEAR PROPERTY OWNER / LESSEE:

NOTICE OF VIOLATION

According to Elgin Code of Ordinances, Chapter 16 (Environment), Article II, Sec. 16 (21-26), and authorized by the State of Texas, it is unlawful for any owner to allow the accumulation of weeds, rubbish, brush, or any unsightly, objectionable, or unsanitary matter on real property or within any easement area on real property or upon any adjacent right-of-way for streets and alleys between the property line of such real property and where the paved surface of the street or alley begins within the City limits. The City of Elgin requires **ONE NOTICE** of violation per twelve-month period. Such notice given to such person setting forth the noncompliance shall be in writing by mail or posting on the property or by personally delivering the notice.

Currently your property located at 602 Alley A, in the Elgin City Addition, Block 12, Lot 1 (FR), PID # 12286, City of Elgin, Bastrop/Travis, County, Texas, is in violation and you are directed to:

1. Cut all grass / weeds in excess of 12 inches on your property.
2. Remove all tires, rubbish, brush, junk, building materials.

Any further notice will be in the form of a **CITATION TO MUNICIPAL COURT**. The citation carries a maximum fine of \$500.00 EACH DAY THE VIOLATION EXISTS. You have **SEVEN (7)** days from the date this notice is served to correct this violation. If you do not remedy the situation within the time limit, a citation will be issued and the City will take the necessary measures to correct the situation. All expenses incurred by the City will be billed to you. Failure to make restitution will result in a lien being placed on your property. You may request a hearing, in writing, before the expiration of the seven (7) day time limit.

We hope that you as a property owner, agent, or lessee, within the City of Elgin, will cooperate with us in our efforts to rid our community of this Fire / Health hazard. If you no longer own, manage, or lease this property, please notify is with written proof of the new parties involved. If you have never owned or been an agent of this property, please call our office and notify us. Your prompt attention to this matter will be greatly appreciated.

Sincerely,

James H. Cazares, Lic. #4642
Code Enforcement Officer
512-281-0119

Por favor llama esta oficina por esta noticia 512-281-0119

COPY

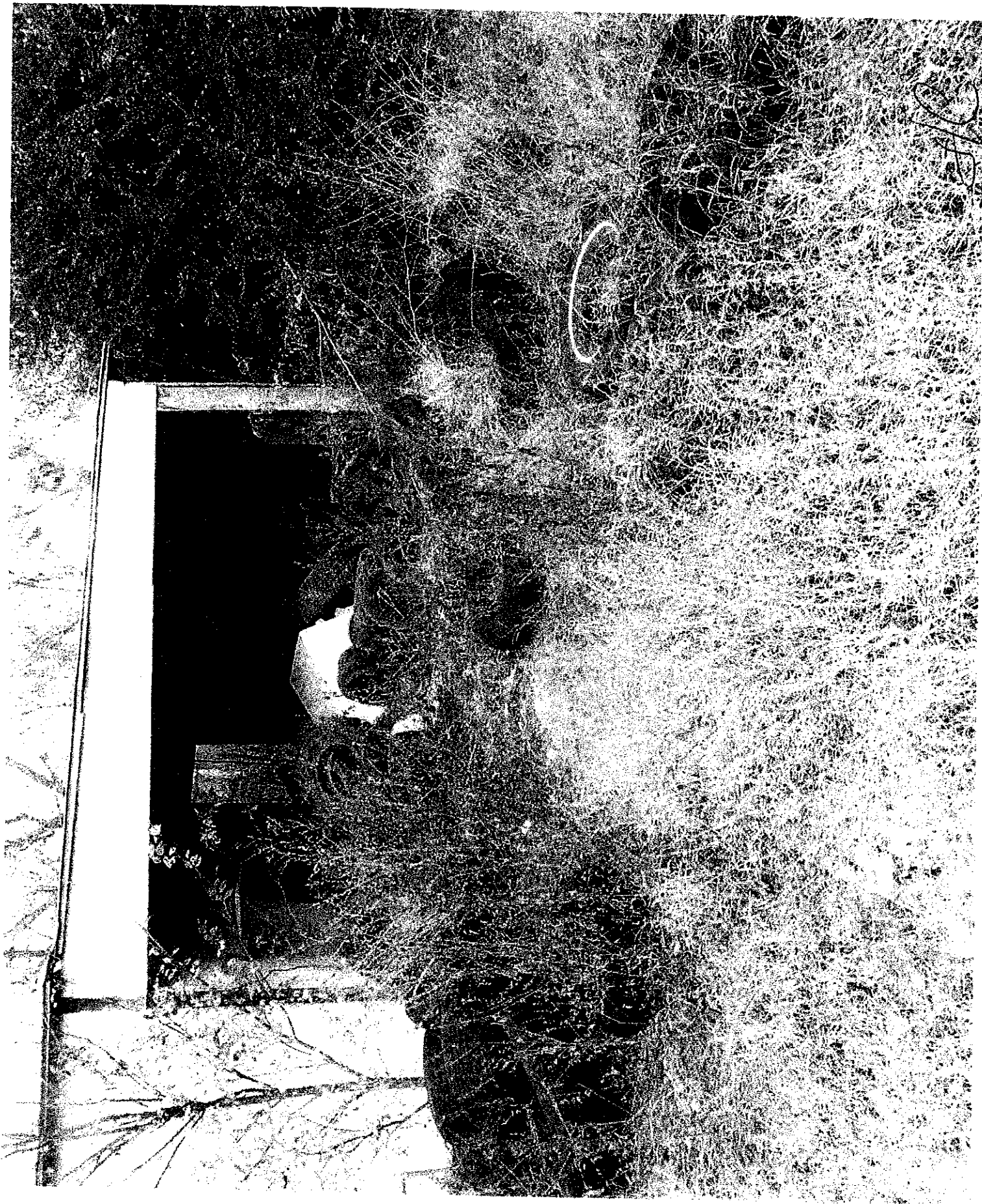
P.O. Box 591

1135 Swenson Blvd.

Elgin, Texas 78621

Phone 512.281.0119

266





607 AILENA 12-02-74



AFTER 5 DAYS RETURN TO
P O BOX 991 310 NORTH MAIN
ELGIN, TEXAS 78821

788210551



788210551

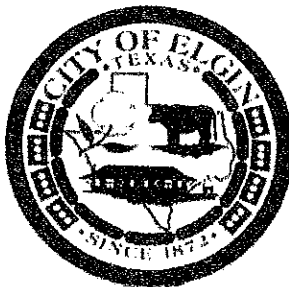
V Easter Hunter Haywood
c/o Arthur Burleson
PID 12286
3209 L St
San Diego C

RETURN RECEIPT

NIXIE 921 SE 1 02 04/17/10
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
DC: 788210551 10993-00109-12-42
788210551

1st NOTICE
2nd NOTICE
RETURNED

2010



March 12, 2010

V Easter Hunter Haywood
c/o Arthur Burleson
3209 L Street
San Diego, CA 92102-4310

RE: **Unsafe Building Abatement Ordinance**
Elgin City, Block 12, Lot 1 (FR) PID R12286
602 Alley A
Elgin, Texas 78621

Dear Property Owners:

Pursuant to the Unsafe Building Abatement Code, Ordinance No. 90-05, at the referenced address/property the structure has been identified as an Unsafe Building and in violation of the provisions of the Ordinance, based upon a visual observation from the public right of way. The building has become unsafe, unsanitary, a public and attractive nuisance and a blighted structure by virtue of the following:

1. The building has become in danger of partial collapse due to decay, deterioration and dilapidation;
2. Has become a fire hazard;
3. The stress in the building materials, as a result of the deterioration, exceed the stress allowed in the Standard Building Code for new buildings and the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirement established by the Standard Building Code
4. The electrical system is deteriorated to a point that it is undersized and is a shock and fire hazard.
5. The plumbing system does not provide for minimum sanitation; and
6. The building is a harborage for rodents and vermin.

The building is vacant and shall remain vacant until the conditions are remedied.

Due to the seriously advanced deterioration of the referenced structure, permits shall be obtained, at your option, for its repair or demolition within thirty (30) days after receipt of this notice and demolition shall be completed within sixty (60) days after the receipt of this notice.

If permits are not secured within thirty (30) days after receipt of this notice, the City Council of Elgin shall be requested by ordinance to call for a public hearing to determine whether or not conditions exist which render this building unsafe under the provisions of the Ordinance or Code.

If you have any questions please contact Gary N. Cooke, Director of Planning, City of Elgin at 512-281-0119.

Sincerely,

Larry J. Foster, C.P.A. Building Inspector

Texas Professional Inspector License #3

ICC Certified Building, Mechanical, Electrical & Plumbing Code Inspector

APPENDIX A
PHOTOGRAPHIC ATTACHMENTS

Photographic Addenda



Photo # 1.



Photo # 2.

Photographic Addenda



Photo # 3.

Statement Of Account

Office of Linda Harmon Tax Assessor-Collector

Bastrop County Tax Office
PO Box 579

Bastrop, TX 78602

Ph: (512) 581-7161 Fax: (512) 581-7167

This is a statement of taxes paid and due as of 1/15/2015 based upon the tax records of the Office of Linda Harmon Tax Assessor-Collector.

This document is not a tax certificate and does not absolve a taxpayer from tax liability in any way. Should this document be found to be in error, it may be corrected by the collections office. Responsibility to pay taxes remains with the taxpayer as outlined in the Texas Property Tax Code.

Property Information

Property ID : R12286

Quick-Ref ID : R12286

Value Information

602 ALLEY A ELGIN, TX	Land HS	:	\$6,581.00
78621	Land NHS	:	\$0.00
	Imp HS	:	\$20,944.00
	Imp NHS	:	\$0.00
ELGIN CITY, BLOCK 12,	Ag Mkt	:	\$0.00
LOT 1 (FR)	Ag Use	:	\$0.00
	Tim Mkt	:	\$0.00
	Tim Use	:	\$0.00
	HS Cap Adj	:	\$0.00
	Assessed	:	\$27,525.00

Owner Information

Owner ID : O0001548

HAYWOOD, V EASTER HUNTER
C/O ARTHUR BURLESON
3209 L ST
SAN DIEGO, CA 92102-4310

Ownership: 100.00%

Entity	Year	Tax	Discount	P&I	Atty Fee	TOTAL
C01	2014	206.47	0.00	0.00	0.00	206.47
G01	2014	141.91	0.00	0.00	0.00	141.91
RD1	2014	31.21	0.00	0.00	0.00	31.21
S01	2014	423.88	0.00	0.00	0.00	423.88
TCES	2014	27.41	0.00	0.00	0.00	27.41
ACC	2014	25.93	0.00	0.00	0.00	25.93
C01	2013	202.00	0.00	48.48	37.57	288.05
G01	2013	138.13	0.00	33.14	25.89	196.96
RD1	2013	30.41	0.00	7.30	5.66	43.37
S01	2013	412.63	0.00	99.04	76.75	588.42
TCES	2013	25.29	0.00	6.06	4.70	36.05
ACC	2013	25.42	0.00	6.10	4.72	36.24
C01	2012	202.00	0.00	72.72	41.21	315.93
G01	2012	138.47	0.00	49.86	28.24	216.57
RD1	2012	30.71	0.00	11.06	6.27	48.04
S01	2012	412.63	0.00	148.55	84.17	645.35
TCES	2012	25.56	0.00	9.20	5.21	39.97
ACC	2012	25.48	0.00	9.17	5.20	39.85
C01	2011	202.00	0.00	96.96	44.84	343.80
G01	2011	133.41	0.00	64.04	29.61	227.06
RD1	2011	32.05	0.00	15.39	7.12	54.56
S01	2011	412.63	0.00	198.07	91.61	702.31
TCES	2011	25.51	0.00	12.24	5.66	43.41
ACC	2011	25.40	0.00	12.18	5.63	43.21
C01	2010	208.35	0.00	125.02	50.00	383.37
G01	2010	133.76	0.00	80.26	32.10	246.12
RD1	2010	32.15	0.00	19.29	7.72	59.16

S01	2010	412.63	0.00	247.59	99.03	759.25
TCES	2010	26.79	0.00	16.07	6.43	49.29
C01	2009	203.31	0.00	146.38	52.45	402.14
G01	2009	131.48	0.00	94.67	33.92	260.07
RD1	2009	34.43	0.00	24.79	8.88	68.10
S01	2009	388.52	0.00	279.74	100.24	768.50
TCES	2009	26.04	0.00	18.74	6.72	51.50
C01	2008	203.31	0.00	170.78	56.11	430.20
G01	2008	132.01	0.00	110.89	36.43	279.33
RD1	2008	33.89	0.00	28.47	9.35	71.71
S01	2008	396.55	0.00	333.11	109.45	839.11
TCES	2008	26.79	0.00	22.50	7.39	56.68
C01	2007	116.82	0.00	112.14	34.34	263.30
G01	2007	78.92	0.00	75.76	23.20	177.88
RD1	2007	20.16	0.00	19.35	5.93	45.44
S01	2007	230.43	0.00	221.21	67.75	519.39
TCES	2007	16.00	0.00	15.36	4.70	36.06
C01	2006	134.96	0.00	145.76	42.11	322.83
G01	2006	95.02	0.00	102.62	29.64	227.28
RD1	2006	23.60	0.00	25.49	7.36	58.45
S01	2006	311.54	0.00	336.46	97.20	745.20

Total for current bills if paid by 1/31/2015 : \$856.81

Total due on all bills 1/31/2015 : \$11,884.32

2014 taxes paid for entity C01 \$0.00

2014 taxes paid for entity G01 \$0.00

2014 taxes paid for entity RD1 \$0.00

2014 taxes paid for entity S01 \$0.00

2014 taxes paid for entity TCESD \$0.00

2014 taxes paid for entity ACC \$0.00

2014 Total Taxes Paid : \$0.00

Attachment 4

ORDINANCE NO. 2015-2-3-8

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS CALLING FOR A PUBLIC HEARING; LISTING ALLEGED VIOLATIONS THAT RENDERS A BUILDING OR STRUCTURE UPON A PROPERTY UNSAFE; REQUIRING NOTICE OF HEARING; AND PROVIDING FOR OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City of Elgin (the "City") is necessary and essential to the economic health of the community and the preservation and protection of the public welfare;

WHEREAS, the regulation and control of unsafe, dangerous, dilapidated and substandard buildings and structures within the City will preserve and protect the public health and safety;

WHEREAS, Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances provides that upon written request from the building official, the city council shall, by ordinance, call a public hearing to determine whether or not conditions exist which render a building or structure unsafe under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare;

WHEREAS, said ordinance shall state with specificity each violation which renders said building or structure unsafe;

WHEREAS, the City finds that the building official has submitted a written request for a public hearing for the following property located in the City of Elgin (referred to in this Ordinance as "Property") which public records reflect the following record owner:

Property Legal

Description: Elgin City, Block 12, Lot 1, locally known as 602 Alley A, Elgin, Texas 78621.

Record Owner: Easter V. Hunter Haywood
3209 L. Street
San Diego, California 92102-4310

WHEREAS, the City Council finds that this ordinance is adopted pursuant to Article III, Chapter 6, Section 6-68 (a) of the City of Elgin Code of Ordinances;

WHEREAS, City Council finds that the building official has identified specific violations for the Property which the building official alleges are conditions that render said building or structure unsafe;

WHEREAS, City Council finds that it is necessary to conduct a public hearing in accordance with the requirements set forth in Article III, Chapter 6, Section 6-68(a) of the City of Elgin Code of Ordinances.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact. The City Council hereby further finds and determines that the scheduling of a public hearing for the Property identified in this Ordinance is reasonable and necessary to protect the public health, safety and quality of life.

Section 2. Public Hearing. Council orders and calls a public hearing to be conducted on **March 3, 2015 at 7:00 P.M. at City Annex, 310 North Main Street, Elgin, Texas 7862** to determine whether or not conditions exist which render a building or structure unsafe located on the Property under the provisions of the City of Elgin Code of Ordinances such that said building or structure must be demolished in order to protect the public health, safety and welfare.

Section 3. Noticed Violations. The conditions which the building official alleges make structures and buildings located upon the above-identified Property to be in violation of the City of Elgin Code of Ordinances, Chapter 6 (Buildings and Building Regulations), Article III, Section 6 (56-70) are as follows:

1. The building has become in danger of partial collapse due to decay, deterioration, and dilapidation;
2. The building is a fire hazard;
3. The stress in the building materials, as a result of deterioration, exceed the stress allowed in the Standard Building Code for new buildings and the structural integrity of the building is less than it was prior to the damage and is less than the minimum requirements established by the Standard Building Code;
4. The electrical system is deteriorated to a point that it is undersized and is a shock and fire hazard;
5. The plumbing system does not provide for minimum sanitation; and
6. The building is a harborage for rodents and vermin.

Section 4. Notice of Hearing. City Council orders the building official to provide written notice of this ordinance and the public hearing called by this ordinance to the record owners, lienholders, and mortgagee as can be located and identified after a diligent search of the public records as set forth by state law, said notice to be mailed by first class mail with certified return receipt requested.

Section 5. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Texas Government Code*.

Section 6. Effective Date. This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

PASSED AND APPROVED on this the _____ day of _____, 2015.

THE CITY OF ELGIN

Marc Holm, Mayor

Attest:

Lucretia Alvarez, City Secretary



DATE: January 24, 2015

COUNCIL AGENDA FOR: February 3, 2015

ITEM: NB-10

Discussion and action regarding proposed Resolution authorizing the preparation and submission of a 2013/2014(PY) Texas Community Development Block Grant (TxCDBG) Application to the Texas Department of Agriculture (TDA) for funding under the Texas Community Development Block Grant Program (TxCDBG).

RESOURCE PERSON(S):

Doug Prinz, Utilities Director
Philip Ruiz, Community Development Management Company
Amy Miller, Community Development Director

SUMMARY:

Grant application for \$275,000 plus a local cash match of \$55,000 to upsize existing water line from 12" to 18" serving wells 11 and 14 to the water plant. Local match to come from impact fees as this is an increased capacity project.

RECOMMENDATION(S):

Approve Resolution 2015-2-3-2 authorizing the preparation and submission of a 2013/2014(PY) Texas Community Development Block Grant (TxCDBG) Application to the Texas Department of Agriculture (TDA) for funding under the Texas Community Development Block Grant Program (TxCDBG).

ATTACHMENTS:

1- Resolution 2015-2-3-2

RESOLUTION NO. 2015-2-3-2

A RESOLUTION OF THE CITY COUNCIL OF CITY OF ELGIN, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Elgin desires to develop a viable urban community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low/moderate income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Elgin to apply for funding under the 2015/2016 Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be submitted on the behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$275,000.00 of grant funds to carry out Water Supply Improvements.
4. That the City Council directs and designates the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with its application and the City's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all federal, state, local and programmatic requirements including but not limited to procurement, environment review, labor standards, real property acquisition, and civic rights requirements.
6. If awarded A TxCDBG Contract, the City Council directs and designates the Mayor as Chief Executive Official and Authorized Representative to designate as needed; any City Council Member, City personnel, or City representative to act in all Texas Community Development Block Grant Program matters pertaining to the City's implementation, administration, or participation in fulfilling the requirements of the Texas Community Development Block Grant Program contractual documents.
7. If awarded the TxCDBG Contract, the City Council designates the persons holding the following positions as authorized signatories on any account in which funds from the Texas Community Development Block Grant Program are deposited: Mayor, City Manager and/or City Secretary, and City Financial Officer. Any two signatures of the forenamed persons are required to withdraw monies from such account.
8. That it further be stated that the City of Elgin is committing \$55,000.00 from its Utility Funds as a cash contribution toward the construction, engineering and administration activities of the Water Supply Improvements Project.

PASSED AND APPROVED this 3rd day of February, 2015.

Marc Holm, Mayor
City of Elgin, Texas

ATTEST:

Lucretia Alvarez, City Secretary
City of Elgin, Texas