



**AGENDA
ELGIN CITY COUNCIL
SPECIAL MEETING
TUESDAY, MAY 10, 2016
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

CALL TO ORDER

PUBLIC COMMENT

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

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

PRESENTATIONS

None

REPORTS

None

CONSENT AGENDA

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

None

UNFINISHED BUSINESS

1. Discussion and action to create a Planned Development District (PDD) committee to review and negotiate the Elgin Agrarian Community PDD.
Kenneth Reneau, Interim City Manager
Gary N Cooke, Planning and Development Director

NEW BUSINESS

1. Discussion and action to consider accepting a Letter of Declination of Office from Edward Maldonado.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
2. Swearing in of the General Election Unopposed Mayor and Council Members by Judge Benton Eskew.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
Judge Benton Eskew, Bastrop County Court of Law
3. Presentation of Certificate of Office to the Mayor and Council Members.
Kenneth Reneau, Interim City Manager
Marc Holm, Mayor
4. Proclamation recognizing Mayor Marc Holm's years of service.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
Chris Cannon, Mayor-Elect
5. Recognition of service to Edward Maldonado.
Kenneth Reneau, Interim City Manager
Chris Cannon, Mayor-Elect
6. Discussion and action to appoint a citizen from Ward 2 as a council member to fill the vacancy in Ward 2, created by Edward Maldonado resigning his seat on March 1, 2016 and declining the unopposed office, until a Special Election will be held November 8, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary

EXECUTIVE SESSION

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

None

RECONVENE

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

ANNOUNCEMENTS

ADJOURNMENT

NOTICE

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

I, Lucretia Alvarez, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, May 6, 2016 before 6:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Lucretia Alvarez
Lucretia Alvarez, City Secretary



COUNCIL MEETING: May 10, 2016

ITEM: 1. Discussion and action to create a Planned Development District (PDD) committee to review and negotiate the Elgin Agrarian Community PDD.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Gary N Cooke, Planning and Development Director

SUMMARY: The City Council approved the creation of a Planned Development District (PDD) for the Elgin Agrarian Community at the May 3, 2016 council meeting. Now it is time to appoint a committee to review and negotiate the creation of the PDD.

RECOMMENDATION(S): It is recommended that the following individuals be appointed to the Elgin Agrarian Community PDD Review Committee:

Marc Holm-Mayor
Sue Brasher-Ward 4 Council Member
Keith Joesel-Ward 4 Council Member
Representative from the Mary Christian Burleson
Preservation & Development Foundation
Ronnie Creppon-Planning & Zoning Board Member
Tony Prete-Planning & Zoning Board Member
Gary N. Cooke-Staff
Amy Miller-Staff
Beau Perry-TRC Solutions/Staff Engineer
Charlie Crossfield-Sheets & Crossfield/Staff Attorney

ATTACHMENT:



COUNCIL MEETING: May 10, 2016

ITEM: 1. Discussion and action to consider accepting a Letter of Declination of Office from Edward Maldonado.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Lucretia Alvarez, City Secretary

SUMMARY: **Mr. Maldonado's letter of resignation was received after his position was declared unopposed and the general election was cancelled. Mr. Maldonado's position will be vacant until the canvassing of the general election results. This is a formal letter of declining the office for which he had applied for in Ward 2 and had no opposing candidate.**

RECOMMENDATION(S): **Accept the Letter of Declination of Office from Edward Maldonado for his unopposed position as council member for Ward 2.**

ATTACHMENT: **1-Letter of Declination from Maldonado**

April 7, 2016

Mayor Marc Holm
310 North Main Street
Elgin, Texas 78621

Re: Letter of Declination

To Mayor Marc Holm and Elgin City Council,

The Elgin General Election was declared unopposed on March 1, 2016, cancelling the general election for May 7, 2016. Unfortunately, the timing of my resignation coincided just after that time. I respectfully submit this as a formal letter of declination under the Texas Election Code 201.029. It is not my intention to accept the unopposed position for council member of Ward 2.

Sincerely,



Edward Maldonado



COUNCIL MEETING: May 10, 2016

ITEM: 2. Swearing in of the General Election Unopposed Mayor and Council Members by Judge Benton Eskew.

RESOURCE PERSON(S): Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
Judge Benton Eskew, Bastrop County Court of Law

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

Mayor-at-Large- Chris Cannon
Ward 1- Jessica Bega
Ward 3-Craig Fromme
Ward 4- Sue Brashar

RECOMMENDATION(S): Photo for the newspaper.

ATTACHMENT:



COUNCIL MEETING: May 10, 2016

ITEM: 3. Presentation of Certificate of Office to the Mayor and Council Members.

RESOURCE PERSON(S): Kenneth Reneau, Interim City Manager
Marc Holm, Mayor

SUMMARY: All newly elected city council, whether unopposed or elected into office, are presented a Certificate of Office by the mayor immediately after being sworn into office, and before they are seated to their new positions.

Mayor-at-Large- Chris Cannon
Ward 1- Jessica Bega
Ward 3-Craig Fromme
Ward 4- Sue Brashar

RECOMMENDATION(S): Photo for the newspaper.

ATTACHMENT:



COUNCIL MEETING: May 10, 2016

ITEM: 4. Proclamation recognizing Mayor Marc Holm's years of service.

RESOURCE PERSON(S): Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
Chris Cannon, Mayor-Elect

SUMMARY: Mayor Marc Holm has served four terms as Mayor of The City of Elgin since 2008. He has served our community with dedication and humble compassion. Council wishes to honor his last meeting with this proclamation, which is attached.

RECOMMENDATION(S): Read proclamation and photo.

ATTACHMENT: 1-Proclamation Marc Holm

PROCLAMATION

WHEREAS, Marc Holm was elected Mayor for the City of Elgin on May 10, 2008 and served four terms on the City of Elgin City Council; and

WHEREAS, Mayor Holm has dedicated a part of his life by serving the City of Elgin community in many capacities, specifically, the Historic Review Board and Main Street Board; and

WHEREAS, Mayor Holm, has had a passion and been involved in the historic restoration of antiquities, furnishings, and historic buildings and became the founder and member of Art and Artisans in Elgin; and

WHEREAS, Mayor Holm is co-founder of AD Tiles, a historically accurate tile studio with showroom representation in 70 locations including the metropolitan areas of Chicago, Boston, and Philadelphia; and

WHEREAS, Mayor Holm was the 2015 Chair of Capital Area Council of Governments (CapCog) Executive Board, which serves 10 counties in the Texas capital area and the Austin Metroplex; and is the chair for the CapCog Economic Development District for a second year; and

WHEREAS, Mayor Holm's regional participation and leadership was instrumental in bringing an Austin Community College campus to Elgin and ongoing development of the sustainable agriculture programs and initiatives for the City of Elgin and the surrounding region; and

WHEREAS, Mayor Holm serves as co-chair of the ACC Sustainable Agriculture Advisory Board, board member of the Mary Christian Burleson Preservation and Development Foundation, member of the Texas Organic Farmers & Gardeners, supporter of Elgin Local Foods Network, instrumental in the hospital reconstruction for the Fleming Community Center; and

NOW THEREFORE, I, **CHRIS CANNON**, Mayor of the City of Elgin along with the members of the Elgin City Council hereby thank and honor **Mayor Marc Holm** for his dedication and valuable service to the City of Elgin, and ask that everyone in the City join me in celebrating his commitment to public service and making Elgin what it is today.

HEREBY PROCLAIMED on this 10th day of May, 2016.

CHRIS CANNON, Mayor
City of Elgin, Texas

LUCRETIA ALVAREZ, City Secretary
City of Elgin, Texas



COUNCIL MEETING: May 10, 2016

ITEM: 5. Recognition of service to Edward Maldonado.

RESOURCE PERSON(S): Kenneth Reneau, Interim City Manager
Chris Cannon, Mayor-Elect

SUMMARY: Edward Maldonado was elected to represent Ward 2 in May 2014, and served 21 months on the city council.

RECOMMENDATION(S): Presentation and photo.

ATTACHMENT:



COUNCIL MEETING: May 10, 2016

ITEM: 6. Discussion and action to appoint a citizen from Ward 2 as a council member to fill the vacancy in Ward 2, created by Edward Maldonado resigning his seat on March 1, 2016 and declining the unopposed office, until a Special Election will be held November 8, 2016.

RESOURCE PERSON(S): Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary

SUMMARY: Edward Maldonado tendered his resignation on March 1, 2016 and is declining his unopposed council seat. According to the City of Elgin Home Rule Charter Article IV, Section 8C, filling the vacancy may be appointed to any citizen member of Ward 2 by council appointment. The appointee to fill the vacancy until the next uniform election date November 8, 2016 to hold a special election for the council term to be filled for the remainder of it's original term ending May 2018.

RECOMMENDATION(S): Appoint a citizen from Ward 2 to fill the vacant seat left by Edward Maldonado's resignation, until the November 8, 2016 special election.

ATTACHMENT: 1-Elgin Charter, Section 8 Vacancies

CITY OF ELGIN- HOME RULE CHARTER

SECTION 8: VACANCIES, FORFEITURE, FILLING OF VACANCIES

- A. Vacancies. The office of a councilman or office of the mayor shall become vacant upon his death, resignation, removal from office in any manner authorized by law, or forfeiture of his office.
- B. Forfeiture of Office. A councilman or the mayor shall forfeit his office if he:
1. Lacks at any time during his term of office any qualification for the office prescribed by this Charter or by law;
 2. Is convicted of a crime involving moral turpitude; or
 3. Fails to attend three (3) consecutive regular council meetings without being excused by the council.
- C. Filling of Vacancies. When any vacancy occurs on the council for any reason, a special election shall be ordered as soon as practicable and shall be held in accordance with the Texas Election Code; and further providing that, if such vacancy occurs within 90 days of the Next Regular Election, the Council shall not appoint a replacement but if such vacancy occurs at a time greater than 90 days of the next Regular Election, the Council shall appoint a replacement.

(Revised May 9, 2009)