



**AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 5, 2016
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

Recess REGULAR MEETING and call to order PUBLIC HEARING

PUBLIC HEARING

1. A public hearing regarding the submission of an application(s) to the Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant(s). To allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds.

Kenneth Reneau, Interim City Manager

Judy Langford, Langford Community Management Services

Doug Prinz, Utilities Director

Amy Miller, Community Development Director

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

None

REPORTS

1. Monthly Department Reports for May 2016.
Kenneth Reneau, Interim City Manager

CONSENT AGENDA

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

1. Approval of minutes of the regular council meeting June 7, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
2. Approval of minutes of the special council meeting June 28, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
3. Approval of a Resolution to enter into an agreement with Texas Department of Transportation for street closure of Loop 109 for the 29th Annual Hogeye Festival on October 22, 2016.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
4. Approval of a request to close Depot Street from Avenue C to Avenue B Thursday, October 20, Friday, October 21, Saturday, October 22, and Sunday, October 23 for the carnival at the Annual Hogeye Festival.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Chris Bratton, Police Chief
5. Approval of a request to waive the open container ordinance for the 29th Annual Hogeye Festival sponsored by Elgin Main Street Board and the City of Elgin on Saturday, October 22 from 10:00 a.m. to 7:00 p.m. in the festival area: Loop 109 (Main Street) from Austin Street to Lexington, Central Avenue, Depot Street, 1st Street, 2nd Street and 3rd Street from the Union Pacific railroad tracks to Avenue A and for the Gordon Swenson Memorial BBQ Pork Cook-off on Friday, October 21 from 5:00 p.m. to 11:59 p.m. on Central Avenue and Depot Street and from Main Street to Avenue A.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Discussion and Possible Action authorizing the Elgin Economic Development Corp. amend the EEDC Budget amendment that would allow a \$40,800 repayable loan secured by EEDC's Certificate of Deposit, thus allowing Donald & Catherine Koslosky to purchase and remodel 19 N. Main Street, Elgin (City Cafe)
Kenneth Reneau, City Manager
Owen Rock, Economic Development Director

2. Discussion and action to consider authorization to begin the process for issuing Certificates of Obligation to: Plan, design, and permit a wastewater treatment facility, plan and construct a replacement wastewater pumping facility, and drill a replacement water well.
Kenneth Reneau, Interim City Manager
Sidney LaQuey, Finance Director
Kevin Perry, TRC Engineering
3. Discussion and action to consider an Ordinance Amending School Zones, Slow Zones, and Parking near Schools.
Kenneth Reneau, Interim City Manager
Chris Bratton, Chief of Police
4. Discussion and action to consider a Resolution approving an advanced funding agreement with the Texas Department of Transportation for a Transportation Alternatives Program project, pedestrian connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College campus.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Sydney Laquey, Finance Director
Joe Parten, Public Works Director
5. Discussion and action to consider a Resolution Authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the Community Development Fund; authorizing the Interim City Manager, City Manager, and or the Mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant program.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Sydney Laquey, Finance Director
Doug Prinz, Utilities Director
6. Discussion and action to consider a Resolution authorizing the Mayor as the Chief Executive officer and authorized representative to act in all matters in connection with the FEMA Mitigation project and committing the city to provide matching funds to complete the FEMA mitigation grant, Texas Community Block Grant Program (TxCDBG), the FEMA Mitigation grant.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Judy Langford, Community Management Services
Sydney Laquey, Finance Director
Doug Prinz, Utilities Director
Laura Schwartz, Purchasing Agent, Finance Administrator
7. Discussion and action to award the construction contract to Casto Lopez Concrete, LLC in the amount of \$212,128.00 for the Community Development Block Grant (CDBG) program grant Contract No. 7215151 and authorize the Interim City Manager or the City Manager to approve change orders for up to 25% of the contract.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Doug Prinz, Utilities Director

8. Discussion and action to consider amending Section 11.1 Medical Insurance of the existing Employee Personnel Policy to include retiree benefits.
Kenneth Reneau, Interim City Manager
Bonnie Crankshaw, Human Resources
Sue Brashar, Council Member
9. Discussion and action to consider Section 7.05 Tuition Reimbursement Program to be included in the existing Employee Personnel Policy.
Kenneth Reneau, Interim City Manager
Bonnie Crankshaw, Human Resources
10. Discussion and direction to staff regarding the current bulk waste service for brush and bulky items.
Kenneth Reneau, Interim City Manager

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.

Recess the Regular Council meeting and call to order Executive Session in a closed session.

1. The City Council will convene in Executive Session pursuant to Section 551.074 of the Texas Government Code regarding personnel matters for employment of City Manager.

Adjourn Executive Session and call public back in to Reconvene Regular Council meeting.

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, July 1 before 7:00 p.m. in accordance with Chapter 551 of the Texas Government Code.

Lucretia Alvarez
Lucretia Alvarez, City Secretary



COUNCIL MEETING: July 5, 2016

ITEM: 1. A public hearing regarding the submission of an application(s) to the Department of Agriculture for a Texas Community Development Block Grant Program (TxCDBG) grant(s). To allow citizens an opportunity to discuss the citizen participation plan, the development of local housing and community development needs, the amount of TxCDBG funding available, all eligible TxCDBG activities, and the use of past TxCDBG funds.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Judy Langford, Langford Community Management Services
Doug Prinz, Utilities Director
Amy Miller, Community Development Director

SUMMARY: The City of Elgin is eligible to submit a grant application for funding support towards work at the water treatment plant and pump station. The improvements would decrease the likelihood of flooding the water treatment plant in the future. A public hearing is required as part of the application process.

RECOMMENDATION(S): Hold public hearing.

ATTACHMENT:



COUNCIL MEETING: July 5, 2016

ITEM: 1. Monthly Department Reports for May 2016.

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

SUMMARY: Department reports are informational only for city council, and no action is required by council.

RECOMMENDATION(S): None required.

ATTACHMENT:

- 1-Library
- 2-Main Street
- 3-Community Development
- 4-Parks
- 5-Economic Development Corporation
- 6-Planning
- 7-Building
- 8-Public Works
- 9-Utilities
- 10-Utility Billing
- 11-Municipal Court
- 12-Municipal Court OCA
- 13-Chief of Police
- 14-Police

Library Report to the City for May 2016

Circulation was level in May with the collection size increasing 4% from the previous May. Program participation increased by 17% with the Pre-K classes enjoying a library tour and storytime.

The Friends of the Elgin Library had Literary Event with Angela Castillo presenting her brand new book *The Saloon Girls Journey*.

Grants: The funds from Hochheim Prairie and Texas Book Festival grant have purchased most of the 2X2, Bluebonnet, Lone Star, Texas Star, and Maverick Graphic Novel reading lists.

We sent out 25 Interlibrary Loans.

Program plans: The library will host the Do Well Be Well diabetes education class June 7 through July 5 on Tuesday evenings.

Staff continued to prepare for the Summer Reading Program throughout May. New books, audios, and videos were purchased and added to the collection for sports, healthy living and the Olympics.

Categories	Units	May '15	May '16	Fiscal YTD '15	Fiscal YTD '16
Total Circulation		6,831	6,815	59,367	55,075
+ or - Same month previous year	Percent	10%-	0%		
Additions					
Interlibrary Loans	Each	1	4	16	10
New Patrons	Each	93	75	670	581
Collection					
Items Added	Each	203	366	2,634	3,413
Items Withdrawn	Each	346	107	2,308	1,672
Total Collection	Each	38,003	39,743	38,003	39,743
General Statistics					
Gate Count	Each	3,794	3,402	32,440	30,867
Hours Open	Hours	160	163	1,275	1,310
Library Tours	Each	0	0	6	2
Program Visitors	Each	308	359	3,683	3,664
Public Computer Use	Hours	707	543	3,028	4,999
Patrons using computers	Each	646	720	5,481	7,403
Volunteer Hours	Each	457	110	3,028	937
Receipts					
		\$1,262	\$1,046	\$14,781	\$21,235
Civic Center Use					
City	Each	2	2	22	24
Library	Each	10	8	107	80
Public Rental	Each	3	0	18	23
Other - not for profit	Each	7	15	64	83
Total Civic Center Use		22	25	211	210



MONTHLY ACTIVITY REPORT

For the local program, monthly reports are a way to track and document progress of both the program and the downtown revitalization effort. It is also an effective tool to use for updating the board on the program's overall activities and for communicating your progress to stakeholders, such as City Council and other funding entities. For the state office, monthly reports help us provide more direct and effective services by giving us a way to spot trends, challenges, issues etc. The report should reflect BOTH the work of staff and volunteers. While not all programs use the traditional four-committee structure any longer, the work of all programs should still be able to be reflected in the four-point categories below.

The Monthly Report is **due by the 10th of each month**. Please use electronic version, type or print legibly. Please use this electronic version and email to mainstreet-reports@thc.state.tx.us.

CITY: ELGIN

MONTH/YEAR: May 2016

DATE SUBMITTED: 6-10-2016

1. Updates on Projects, Activities for the month.

MAIN STREET BOARD: (After typing, TAB to the next cell)

Meeting Dates:	Update on projects or activities
April 21, 2016	Met and reviewed multiple items related to Hogeye festival. Offering a reduced booth rate for arts & Crafts to Go Texan members – this partnership with the TX Department of Agriculture is a targeted effort to recruit additional high quality vendors to the festival. Planning a film screening for Hogeye weekend to include a Pink Carpet Gala on Friday October 21. Sponsorships begin in July. Shop Elgin First – local shopping program with EDC and Chamber developing a fun series called No Cook Tuesday's dining promotion for July this summer. Providing funding support to the museum for new signage to provide more visibility from the street. .

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

Meeting Dates:	Update on projects or activities
April 6, 2016	Summer 78621 final edit completed to be Mailed June 10. Field trip to Taylor May 11 was a great success. Toured an incredible adaptive reuse of an entire city block including loft living. Met with property and business owners. Amy & Eileen Niswander provide an educational session about Farmers Markets and downtown partnerships for the Hunger Free Texans conference in Houston. Encouraged board members to sign up for the Real Places conference in June in Austin. Amy will be attending the conf. June 14-15

PROMOTION:

Meeting Dates:	
April 7, 2016	Taste the Town-Thursday May 5 with Elgin Drive a Senior this fundraising event held at downtown businesses was very well attended and showed off some great venues downtown.

	May Sip Shop and Stroll planned to include a loft tour for 114 North Main as part of National Preservation Awareness month. Contacting Lone Star Car Club to see if they can host a cruise in during the summer with Sip Shop and Stroll or First Saturday Sidewalk sales. Farmer's Market- First Saturdays include live music, kid's activities. June 4 to be an anniversary celebration for the Farmers Market which has a new name – Elgin Farmer's Market. First Saturday Sidewalk Sales are underway again with the beautiful weather.
--	--

DESIGN:

April 21, 2016	TCF sidewalk project Council awarded contract to Goeke Construction at May meeting. CARTS transit stop plans were presented at the May 3 city council meeting. Well received – a very exciting new construction project for downtown. A plan developed for holiday lighting downtown was submitted for a Bluebonnet grant but that was not funded. Board received a \$2000 donation from Allan Tolbert towards this lighting project, Amy is submitting a budget request for partial funding of the project through the city. Board is considering a community fundraising effort. The \$15,000 project can be phased.

ECONOMIC RESTRUCTURING:

Meeting Dates:	Update on projects or activities
April 14, 2016	Downtown occupancy rates are steadily increasing and there are enough businesses on side streets that A Frame signage to direct people to those is being considered. ATX Homemade Beef Jerky Company leased the former Events Rental space on North Main. The lease starts in June and they plan to open in July. Hat Creek Pickle Company leased space at 109 Central Avenue. The original location of Southside BBQ market. They plan to move into the space in July. This space has been vacant for at least 15 years. Property updates: New construction underway on South Main Street next to Curves by WC Estes. Two office warehouse spaces to open in summer 2016. Owner of 111 South Avenue C under renovation. 109 South Avenue C completing plans for renovation work. 109 Central Avenue under renovation. 103 North Main Street former Mr. Catfish Parlor, new owner plans to start renovation in July. Vacant lots across from City hall at 311 North Main Street closed, new owner Barry Barker is working on plans for future development. Pending property closings: City Café 19 North Main Street under contract. Shop Elgin First campaign: Chamber, City and EISD Block party at Elgin Memorial Park was very rainy but still had a great turnout from the community.

2. Program Commentary *(list critical issues, problems, and successes/ completed projects of the past month):*
State Franchise Tax credit program, working with property owners as they navigate this process and helping find information for them about this fairly new process.
3. Outlook. *Goals and challenges; plans for upcoming major projects such as public improvements etc.:*

4. Suggestions for Texas Main Street Center (*list suggestions on services or training topics; new resources; questions*):
Need to provide more resources about the Tax credit program & steps required to complete it from start to finish.

5. Main Street in the News. *If your programs or its activities have been spotlighted in press coverage during the month, please provide a link here. If there is a newsworthy event or announcement that would be appropriate for the Main Street Matters e-newsletter, please email mainstreet-reports@thc.state.tx.us with the information. Please provide event information as many months in advance as possible.*

June 4 First Saturday Sidewalk Sales

Sidewalk sales and an Anniversary Celebration for the Elgin Farmers' Market.

June 9 Sip Shop and Stroll:

Sip a little wine and shop as you stroll through the stores in Historic Downtown Elgin. You will find diverse merchandise, eclectic decor, artwork by local artists and live music in many of the venues.

June 10-11 Juneteenth Festival Celebration

Veterans Memorial Park. Street Dance Friday night on Depot Street. Parade Saturday at 10am followed by program, booths and entertainment at Veterans Memorial Park downtown.

June 21-25 Western Days Festival

Annual Western Days celebration – Scholarship pageant, Movie in the Park, Tennis Court Dance, Grand Parade Saturday, arts and crafts booths, live music and entertainment, food and carnival.

July No Cook Tuesdays

Shop Elgin First program targeting dining in Elgin.

July 2 First Saturday Sidewalk Sales

Sidewalk sales throughout downtown.

July 4th People's Patriotic Parade & Program

Annual July 4th walking parade, non-motorized entries. Meets at City Hall walks down Main Street to Veterans Memorial Park where a program follows and Cub Scout Soap Box Derby Car races.

July 14 Sip Shop and Stroll

Sip a little wine and shop as you stroll through the stores in Historic Downtown Elgin. You will find diverse merchandise, eclectic decor, artwork by local artists and live music in many of the venues.

August 6 First Saturday Sidewalk Sales

Sidewalk sales throughout downtown.

August 11 Sip Shop and Stroll

Sip a little wine and shop as you stroll through the stores in Historic Downtown Elgin. You will find diverse merchandise, eclectic decor, artwork by local artists and live music in many of the venues.



MEMORANDUM

To: Kerry Lacy, City Manager
From: Amy Miller, Community Development Director
Date: June 13, 2016
RE: Community Development Department Report May 2016

The downtown district is experiencing a significant amount of new reinvestment and new business openings. 30 North Main Street is under new ownership and available for lease. Two new businesses will open in July – Hat Creek Pickle Company and ATX Homemade Beef Jerky. 28 N. Main is open and hosting workshops, concerts and pop up art shows. Double R Hat Shop is open on First Street and offers custom western wear hats. The month of May included a number of special events downtown and a celebration of the opening of the new loft spaces at 114 North Main. Grant projects are progressing on schedule and on budget. La'Richer attended a project management workshop in Austin. A bid opening is planned for mid-June for the CDBG Utility line at Meyers Smokehouse.

Projects

- Completing an update for the Parks & Recreation and Open Space Master Plan.
- Shop Elgin First promotions –
 - Working with Chamber and EDC to develop a summer promotion called No Cook Tuesdays.
- Texas Capital Fund downtown sidewalk project, May 3 Council awarded contract to Goeke Construction. May 31 held preconstruction conference. Construction to proceed in mid-June.
- CDBG Utility Line grant implementation, pre-bid meeting.
- FEMA, CDBG, CDBG-DR grant administration and engineering RFPS, award recommended to Council for June 7 meeting.
- Met with Lillian Selerna, USDA and Owen and Sue to discuss added value agriculture opportunities and their impact on our community.
- Met with potential buyers and realtors for properties downtown.
- Met with property owners about renovation plans and possible tenants.
- Met with business owners seeking lease space.
- Provided a tour of downtown and overview of recent development to Pflugerville city staff.

- Walk or Bike to School Day held for May, completed classroom Tallys with EISD and parent survey via survey monkey.
- Completed final edits of the Summer issue of Downtown 78621.
- Bulk trash and community cleanup program, planning and troubleshooting.
- FM 1100 plan reviews with Joe Parten, TRC and TXDOT Georgetown office.
- Tour of downtown Taylor for Elgin volunteers.
- Provided an overview of Elgin's development over the last twenty years, the main street program and a tour of the downtown area for graduate students from the University of North Texas, Masters of Public Administration program.
- Elgin Farm Tour to Greengate Farm and Barnhardt's Fruit and Veggie Farm held, planned and marketed a tour for June 12 at Down Home Ranch and Coyote Creek Feed mill.
- Marketing coordination and support for Sip Shop and Stroll, 2nd Thursdays from 5-8 downtown.
- Community Wide Shop Elgin First Block party and Elgin ISD annual picnic with Chamber was very well attended despite the stormy weather.
- Provided presentation on Downtown and Farmers Market partnerships for the Hunger Free Texans Conference with Eileen Niswander.
- Met with Travis County Planning & Transportation department and Gary to discuss future growth in Elgin and eastern Travis County.
- City of Elgin E-News
- Facebook Pages: City of Elgin, Visit Elgin, Envision Elgin
- Instagram – visitelgintx

Boards & Committees, Seminars

CAMPO Technical Advisory Committee

Historic Review Board

Main Street Board

Promotion Tourism Committee

Organization Committee

Design Committee

Camp Swift Joint Land Use Study working group

Bastrop County Transportation Plan Steering committee

Upcoming Events

First Saturday Sidewalk Sales from 10am-5pm in Downtown

Every Saturday River Valley Farmers Market 9am – 1pm Downtown

June 9 Sip Shop and Stroll 5-8 downtown

June 10-11 Juneteenth Festival, Street Dance and Parade

June 20-25 Western Days Festival

July 3 Chalk It UP! sidewalk chalk art contest

July 4 People's Patriotic Parade and Program Monday July 4 10am Downtown

July 14, Sip Shop and Stroll
August 11, Sip Shop and Stroll

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



One of the few ways we have to measure success in our industry is in attendance numbers. It has been encouraging to see attendance number in all of our programs and park rentals increase. The pool in Morris Park by far has seen the biggest increase in attendance. In 2014 our opening weekend saw 128 patrons and this year opening weekend was 291. The Pool bathhouse project has been a great addition to the park system. This improved facility is better for our patrons and gives them a comfortable area they need here at the pool. As we move forward and grow as a park system we will be looking at addressing the needs first and focusing on projects that serve are community.

Projects/ Programs

Texas Parks and Wildlife recommendation: Dan Reece from Texas Parks and Wildlife inspected our parks and part of a 5 year inspection assessing local parks that receive funding from TPWD. Dan commented that the Elgin Park system is looking great this time around.

Training: Charles Alewine on our parks crew passed his Certified Pool operator Class and can now work on the pool in a greater capacity.

Thomas Park Lighting: The design is finished and should start construction on security lighting the first part of June. These security lights will be metal poles set in various location around the park to light areas for gathering and the trail in Thomas Park as a way to increase security in that park.

Park Maintenance Building: I have been working with my staff on designing a building that will be used as a maintenance storage building for our equipment as well as an area the park staff can work on their equipment. We are moving through the engineering and design phase currently.

Goals for June 2016

- Plan and program Western Days
- Program summer events
- Plan budget for PY 2017

May Parks Summary 2016	
Facility	Number of uses
Park/ Pavilion Rental	13
Ball Field Rental	53
Fleming Community Center	37
Pool Attendance	291 (one weekend in May)
Deposits	\$1,185.00

TO: Elgin City Council and City Manager

RE: Economic Development Corp. Monthly Report by Owen Rock

Date: Tuesday, July 5, 2016 council meeting

- July 22nd has been set for the EEDC board retreat. The retreat will consist of developing a strategy and direction for economic development and prioritizing projects and programs.
- ATX Homemade Jerky has opened a new store at 107 N. Main Street and will produce their product in the store along with retail space to sell their product and other products sold at farmers markets in Austin. The company will create ten new jobs
- Hat Creek Pickle Company has signed a five year lease and will lease the old Southside Market building. The company will produce pickles in the facility and will set up a store front selling their products and possibly a coffee shop. The company is hoping to move in in August and will eventually create 20-30 new jobs.
- The new grants for jobs program was approved by the EEDC and an application have been sent out to a new businesses locating in Elgin.
- Currently in negotiations with a company that is interested in purchasing land in the Business Park.
- Currently in negotiations with a company and a local land owner to attract a new development to locate on 290.
- Working with a local title company to close on approximately 2 acres of land in the business park that has been sold to Allan Tolbert.
- The Mayor and the EDC Director had a meeting with a medical organization to try to attract a medical facility to Elgin.
- Sales tax allocations for June were up 7.29% from last June and they are up 11.13% for the calendar year.

Please contact me if you need more information on any of these items

Owen Rock

Elgin Economic Development Corporation, Phone: 512-229-3226 or email: orock@ci.elgin.tx.us

Monthly Report to Administrative Manager
Building Department
For the Month of May 2016

The City of Elgin Planning and Development department issued eleven (11) permits for new single family dwellings in the month of May. Eight (8) of those were in the Saratoga Farms Subdivision, Section One which is right next to Wal-Mart. This subdivision was platted back in 2002 and originally the homes in section one were going to be zero lot line duplexes. The new owner and builder decided to combine two lots and build single family homes rather than duplexes. Texas Capital Builders are building and selling the new homes in this subdivision. They also completed the homes in Phase 1 of the Eagles Landing Subdivision.

No subdivision or rezoning requests were received between March 28, 2016 and April 25, 2016 so there was no need for the Planning and Zoning Commission to meet in the month of May.

A new column has been added to track the year to date number of both open and closed complaints received by the Code Enforcement Department. The total number between January 1, 2016 and May 31, 2016 is 397. Illegal signs (signs placed in the right-of-way) are removed by our Code Enforcement officers in order to prevent obstructed views at intersections. Tall grass and stagnant water were big issues in May due to the rains. Code Enforcement was kept busy notifying property owners of violations, abating tall grass, and placing mosquito dunks in areas that held stagnant water.

MPACT Missions is in town performing free services such as mowing lawns, painting houses, and home repairs for the elderly or economically challenged. They will be in town from June 10th through the 17th.

Carlos Navejas completed the one year of supervised training required by the Texas Department of State Health Services on April 14th and is now a full-fledged Code Enforcement Officer. No resting on his laurels for this gentleman; he is scheduled to attend Fire Inspector I training July 24-29, 2016.

Monthly Report to Administrative Manager
Building Department
For the Month of May 2016

Type of Inspections	May-15	May-16	Fiscal Yr. To Date	Calendar Yr. To Date
Building	88	71	369	270
Electrical	65	49	262	174
Plumbing	78	42	308	235
Gas	46	26	166	103
Mechanical	37	21	136	93
TOTAL	314	209	1241	875
Building				
Permits	25	30	148	108
Value	\$ 1,924,598.00	\$ 1,929,871.00	\$ 8,845,770.30	\$ 6,508,142.42
Fees	\$ 12,560.00	\$ 13,613.85	\$ 57,265.15	\$ 45,405.55
Electrical				
Permits	23	16	100	77
Fees	\$ 4,247.50	\$ 2,307.50	\$ 15,992.50	\$ 11,892.50
Plumbing				
Permits	6	12	81	62
Fees	\$ 1,147.50	\$ 1,480.00	\$ 12,625.00	\$ 9,465.00
Gas				
Permits	2	4	50	33
Fees	\$ 182.50	\$ 299.50	\$ 6,802.00	\$ 4,619.50
Mechanical				
Permits	16	3	48	30
Fees	\$ 2,697.50	\$ 440.00	\$ 7,512.51	\$ 4,717.50
Total All Fees	\$ 20,835.00	\$ 18,140.85	\$ 100,197.16	\$ 76,100.05

**May 2016
Building Permits**

Number of Permits		Type/Classification	Permit Fees		Valuation	
May-15	May-16		May-15	May-16	May-15	May-16
9	11	New Single Family	\$ 7,580.85	\$ 6,832.40	\$ 1,053,428.00	\$ 857,453.00
		New Duplex				
		New Manufactured				
		New Multi-Family				
2	1	New Commercial	\$ 2,470.40	\$ 661.00	\$ 591,220.00	\$ 85,000.00
		New Industrial				
		New Swimming Pools				
		Moving Permit				
1	3	New Signs	\$ -	\$ -	\$ 4,870.00	\$ 1,750.00
7	10	Residential	\$ 1,504.00	\$ 1,019.75	\$ 143,000.00	\$ 51,668.00
6	4	Non-Residential	\$ 1,004.75	\$ 5,100.70	\$ 132,080.00	\$ 934,000.00
	1	Demolitions		\$ -		\$ -
25	30		\$ 12,560.00	\$ 13,613.85	\$ 1,924,598.00	\$ 1,929,871.00
ZBOA Request		None				
Zoning Request		None				
Code Enforcement	Active May 2015	Active May 2016	Closed May 2015	Closed May 2016	Calendar YTD	
Abandoned/Junked	2			3	15	
Animal Control					1	
Beer Permits						
Environmental	1		11	6	44	
Fire Code			5	2	7	
Health and Sanitation	1		1		4	
Illegal Signs			5	55	252	
Property Maintenance			30	14	44	
Unsafe Structures			1		3	
Water/Sewer			5	1	13	
Zoning		1	2		14	
Total	4	1	60	81	397	

*Zoning Board of Adjustments

Submitted By: Jim Cazares

Date: June 10, 2016

Public Works – May – 2016

Right of Way and Easement mowing and maintenance:

Mowing and maintenance continues as weather permits. Currently working overtime to get on schedule.

Permanent street / utility cut repairs:

- 3 ea. Fisher Street
- 2 ea. Level-up areas on Fisher Street
- 1 ea. West Cleveland Street
- 2 ea. South Avenue A
- 1 ea. Lexington Road
- 1 ea. North Avenue F
- 3 ea. North Avenue H
- 1 ea. Anderson Lane

Dumped debris/brush removal:

- 1 ea. Loop – 109
- 1 ea. South Main Street
- 1 ea. S.H. - 95 North at Mogonye Lane
- 1 ea. Removed illegally dumped tires – South Avenue D
- 1 ea. Removed trash / debris – Fisher Street

Trees and Brush Trimming:

- 800 Block North Main Street
- 900 Block North Avenue C
- 100 Block Ila Street
- 400 Block East 8th Street
- 200 Block Anderson Lane
- 700 Block North Main Street
- 200 Block South Avenue A
- 600 Block M.L.K. Boulevard
- Goins Picnic area
- North Avenue E. at East 2nd Street
- North Avenue E. at East 5th Street

Miscellaneous:

- Placed Purple Flags in Historic District
- Installed Western Days banners in various locations including Historic District
- Watered planters in Historic District

2015-2016 Street Paving Project: The Following Work Continues on Designated Streets (Production has slowed due to inclement weather- Currently working overtime to resume schedule.)

- Crack Sealing
- Asphalt Level-up
- Failure Repairs
- Removing Vegetation
- Drainage Work

TxDOT. – ADA Ramp Sidewalk Project on Main Street – Completed.

TxDOT. – S.H.-95 North Project- Ongoing.

Texas Capital Fund Main Street Program – Downtown Sidewalk Project. Council awarded the contract to Gaeke Construction Company in the amount of \$ 118,617.91 at the May 03 Council meeting. Construction scheduled to begin in June.

2015-2016 Drainage Project- Survey complete, design in progress with a tentative date of August to go out for bids.

2015-2016 Street Paving Project- Design complete, advertise for bids in June, July Bid Opening and an August contract award.

Training/Certificates:

Vehicle Operations for Public Entities- Sponsored by TML and held in Taylor, Texas was completed by:
Gary Trammell, Tommy Gonzales, Brian Carruthers, and Hermilo Valencia.

Acknowledgments:

Hermilo Valencia was nominated Employee of the Quarter

Events:

Assisted with set up and take down of the Annual Relay for Life Event.

Joe Parten

Director, Public Works
City of Elgin

Monthly Reports March 2016

Department 023 Water Treatment

Well # 10	7,298,000 Gallons
Well # 11	13,624,000 Gallons
Well # 14	640,000 Gallons
Well # 15	6,989,000 Gallons
Water loss due to leaks or flushing	100,000 Gallons
Total Water Pumped	28,451,,000 Gallons

Chemicals Used

Chlorine	743 Pounds
Sequest	300 Pounds

Distribution Samples

Bacteriological Samples Taken	10
Average Chlorine Residual	1.82 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	3
Service Line Breaks	5
Miscellaneous Repairs/Complaint Calls	12
New Connections/Taps	0
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	3
Service Lines	14
After Hours Call-Outs	5

Line Repairs/New Installations

Curb Side Cleanout Caps Replaced	3
Curb Side Cleanouts Installed	2
Main Line Repairs	0
New Main Line Installed	0
New Taps Installed	0
Lines TV'd	4

Lift Station Maintenance/Repairs

Hour Meter Reads/Daily Site Checks	9 Daily
Pumps Pulled	2
Pumps Installed	1
Pumps De-raged	4
Motors Pulled	0
Motors Installed	0
Electrical Issues (Repair/Replace Parts)	2
Floats Cleaned/Replaced	4
Grass/Weed Maintenance	9
After Hours Call Outs	4

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	3
Pumps Installed	2
Motors Pulled	3
Motors Installed	3
Control System/Electrical Repairs	2
Cleaned Wet Well Floats	1
Miscellaneous Repairs	14
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	661,700 Gallons
Maximum Daily Flow	2,530,400 Gallons
Average Daily Flow	899,100 Gallons
Total Monthly Flow	27,871,700 Gallons

Effluent DO (Dissolved Oxygen) Average	7.1
Effluent Chlorine Residual Average	1.77 mg/l
Effluent pH Average	7.57
Total Phosphorus Average	0.234
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	4.98
TSS (Total Suspended Solids) Average	2.5
Ammonia/Nitrates Average	0.089

Remarks

UTILITY BILLING REPORT			May 2016
Billed out	\$366,644.43		
Past due notices	586	\$65,890.60	
Work orders-Cut offs	68		
Disconnected for non pmt	38		
Extension to pay 1st	67		
Extension due for disconnect	5		
Meter tamper fee	0		
After Hour turn on	1		
Accounts set to final	7	for non pmt	

METER REPORT		
WORK ORDERS	COMPLETED	INCOMPLETE
START READ	32	10
FINAL READ	31	2
TRANSFERS / IN AND OUT	3	0
CTO'S / DISCONNECT NON-PMT	72	0
SET METER	1	5
ERT REPLACEMENTS	16	22
METER REPLACEMENTS	42	25
VISUAL READS	22	0
FAILURE TO READ (MOBILE MISS)	57	0
RE READS	39	0
WL / CHECK FOR WATER LEAK	5	2
METERS DATA LOGGED	3	0
MISCELLANEOUS	33	0
TOTAL NUMBER OF WORK ORDERS	356	66
CURB STOPS		
BROKEN CURB STOPS	0	24
TOTAL NUMBER OF WORK ORDER	0	24
BULK WATER		
PURCHASES	8	
TRIPS/GALLONS	14/5,112	
TOTAL COLLECTED	\$30.90	

Dodie Navejas, Utility Billing Supervisor
Customer Service/A/R Supervisor

310 N. Main Street
512-229-3220 office

Elgin Municipal Court Activity Report

- June 7-8, 2016 Yadi attended Fred Pryor Seminar *"How to Communicate with Tact and Professionalism"* in Austin. (please see attached certificate)
- June 9, 2016 City Prosecutor Susan Camp-Lee held Pre-Trials in the Annex
- June 13, 2016 arraignment and show cause docket with Judge Dunne
- June 13, 2016 Judge and Yadi interviewed two applicants for the Bailiff position, background check is being performed on our top candidate.
- June 16, 2016 Yadi attended Fred Pryor Seminar *"Managing Emotions Under Pressure"* in Austin.
- June 17 2016 Yadi attended TMCEC one day clinic *"Implementing Juvenile Justice: The 84th Leg."* In Austin and earned 4 hours towards the Municipal Court Clerk Certification Program.
- Manor Municipal Court clerk, Sarah Friberg will be here on June 22, 2016 for a couple of hours observing our court procedures at the window. Sarah is currently working on her Level III certification and has asked us to allow her to complete some of her observation hours here.

Certificate of Completion

This certificate acknowledges that:

Yadira Duque

has successfully completed the course entitled:
How to Communicate with Tact and Professionalism (2-day)

PDU's: 11

Contact Hours: 11

Registered Course Number: CB

Completion Date: 06/08/16



The PMI Registered Education Provider logo is a registered mark of the Project Management Institute, Inc.

R.E.P. Number: 3992

Michael B. Hays

Michael B. Hays
Executive Director & CEO



divisions of Pryor Learning Solutions, Inc.

5700 Broadmoor St., Ste. 300, Mission, KS 66202 www.pryor.com

P1



Managing Emotions Under Pressure

.6 CEUs (6 contact hours)

Presented to: Yadira L Duque Date: 6/16/2016



Mill B. Hayes
Executive Director & CEO

The recipient earned continuing education units in accordance with the guidelines established by the National Task Force on Continuing Education for completion of the program.

TME0007



OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month May

Year 2016

Municipal Court for the City CITY OF ELGIN

Presiding Judge Larry Dunne

If new, date assumed office

Court Mailing Address P.O. BOX 591

City ELGIN

, TX Zip 7-8621

Phone Number (512) 281-0318

Fax Number

Courts Public Email

Court's Website

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

Prepared by Yadira Duque

Date Jun 20, 2016

Phone Number (512) 281-0318

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

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

CRIMINAL SECTION

City of CITY OF ELGIN
Month May Year 2016

	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	12,854	12	0	0	2,525	26
a. Active Cases	8,892	10	0	0	1,250	8
b. Inactive Cases	3,962	2	0	0	1,275	18
2. New Cases Filed	266	1	0	0	57	0
3. Cases Reactivated	34	0	0	0	7	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	9,192	11	0	0	1,314	8
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	130	0	0	0	28	0
b. Dismissed by Prosecution	9	0	0	0	8	0
7. Dispositions at Trial:						
a: Convictions						
1) <i>Guilty Plea or Nolo Contendere</i>	7	0	0	0	7	1
2) <i>By the Court</i>	0	0	0	0	0	0
3) <i>By the Jury</i>	0	0	0	0	0	0
b: Acquittals:						
1) <i>By the Court</i>	0	0	0	0	0	0
2) <i>By the Jury</i>	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	1	0
8. Compliance Dismissals:						
a: After Driver Safety Course	15					
b: After Deferred Disposition	1	0	0	0	0	0
c: After Teen Court	0	0	0	0	0	0
d: After Tobacco Awareness Course					0	
e: After Treatment for Chemical Dependency				0	0	
f: After Proof of Financial Responsibility	0					
g: All Other Transportation Code Dismissals	0	0	0	0	0	0
9. All Other Dispositions	7	0	0	0	0	0
10. Total Cases Disposed	169	0	0	0	44	1
11. Cases Placed On Inactive Status	28	0	0	0	8	0
12. Total Cases Pending End of Month:	12,951	13	0	0	2,538	25
a: Active Cases	8,995	11	0	0	1,262	7
b: Inactive Cases	3,956	2	0	0	1,276	18
13. Show Cause Hearings Held	1	0	0	0	1	0
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court CITY OF ELGIN	TOTAL
Month May Year 2016	
1. Transportation Code Cases Filed	2
2. Non-Driving Alcoholic Beverage Code Cases Filed	1
3. Driving Under the Influence of Alcohol Cases Filed	1
4. Drug Paraphernalia Cases Filed	0
5. Tobacco Cases Filed	1
6. Failure to Attend School Cases Filed	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed	0
9. All Other Non-Traffic Fine-Only Filed	0
10. Transfer to Juvenile Court:	0
a. Mandatory Transfer	
b. Discretionary Transfer	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)	0
13. Juvenile Statement Magistrate Warning:	0
a. Warnings Administered	
b. Statements Certified	0
14. Detention Hearings Held	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed	0

ADDITIONAL ACTIVITY

Court CITY OF ELGIN		Number Given	Number Requests For Counsel
Month May	Year 2016		
1. Magistrate Warnings:			
a. Class C Misdemeanors		18	
b. Class A and B Misdemeanors		19	11
c. Felonies		14	7
			TOTAL
2. Arrest Warrants Issued:			
a. Class C Misdemeanors			37 ^{YD}
b. Class A and B Misdemeanors			6
c. Felonies			0
3. Capiases Pro Fine Issued			16
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Filed			0
6. Examining Trials Conducted			0
7. Emergency Mental Health Hearings Held			0
8. Magistrate's Orders for Emergency Protection Issued			0
9. Magistrate's Orders for Ignition Interlock Device Issued			0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond			0
11. Driver's License Denial, Revocation or Suspension Hearings Held			0
12. Disposition of Stolen Property Hearings Held			0
13. Peace Bond Hearings Held			0
14. Cases in Which Fine and Court Costs Satisfied by Community Service:			0
a. Partial Satisfaction			
b. Full Satisfaction			5
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			14
16. Cases in Which Fine and Court Costs Waived for Indigency			2
17. Amount of Fines and Court Costs Waived for Indigency			\$156.00
18. Fines, Court Costs and Other Amounts Collected:			
a. Kept by City			\$18,498.54



Elgin Police Department

Office of the Chief

202 Depot Street • Elgin, Texas 78621 • 512 / 281-3330



Monthly Report

May 2016

May was a fairly busy month for the department. As you can see we answered over 1000 calls for service for the fourth straight month. We are averaging almost 40 calls per day going into the summer months and are on track to answer over 12,000 calls for service this year which will be the highest annual total in the past decade. We are still one officer short and did testing for officers this month. We had four successful candidates and all are now in background investigations. We are still short one dispatcher and look to test for that position in June.

June promises to be a busy month with both the Juneteenth and Western Day celebrations. We will have parades for both and multi-day celebrations that require maximum staffing and minimum vacation time from all of the staff at the department. We're excited about working with the community during both of these celebrations and hope that both are uneventful from a law enforcement perspective.

Chris Bratton
Chief of Police

Elgin Police Department
Monthly Report May 2016

CATEGORY	16-May	May-15	May-14	May-13	12-May
Calls for Service					
Total Calls for Service	1191	1050	1134	819	651
Police calls	933	696	802	639	541
Fire calls	55	87	70	34	30
Animal calls	83	104	100	60	10
Activity logs	114	149	147	82	61
City calls	6	14	15	4	6
Pageouts					
Offense Reports					
Total Offense Reports	70	65	76	83	67
Active (Open) cases	21	19	24	23	17
Cases Inactivated	15	15	13	20	17
Cases Closed	2	1	7	2	5
Documentation (no crime)	0	0	0	1	3
Other	3	0	0	3	0
Unfounded	0	1	0	1	1
Referred to other agency	2	3	1	0	2
Citations					
Total Citations	405	290	252	484	300
Citations for violations	278	158	117	243	171
Warnings	127	132	135	241	129
Collisions					
Total Accidents	35	31	38	28	23
Major accidents (with injury)	4	5	5	1	4
Minor accidents (no injury)	30	23	25	20	15
Leaving the scene accidents	1	3	8	7	4
Alarms					
Business alarms	13	17	17	14	13
Residential alarms	9	15	4	5	4
Fire alarms	5	2	5	3	4
Arrests					
Felony arrests	8	5	10	3	2
Misdemeanor arrests	24	26	19	27	19
Other arrests	1	1	5	3	1
Animal Control					
Total Animal Control calls	83	104	100	60	10
Animal Cruelty calls	0	0	0	0	0
Canine Impounds	14	8	24	9	0
Feline Impounds	13	7	18	2	0
Citations issued	7	8	2	1	0
Bite Cases	3	4	0	1	0
Dead animal calls	3	4	10	15	0
Wildlife calls	4	6	7	0	0
Rabies cases	0	1	2	1	0



COUNCIL MEETING: July 5, 2016

ITEM: 1. Approval of minutes of the regular council meeting June 7, 2016.

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

SUMMARY: Presented for review and approval are the minutes of the regular council meeting on June 7, 2016.

RECOMMENDATION(S): Approve the minutes of the regular council meeting on June 7, 2016.

ATTACHMENT: 1-Minutes of regular meeting 6-7-2016

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 7, 2016, 7:00 P.M.
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

Mayor Chris Cannon called the meeting to order at 7:00 p.m.

ROLL CALL

Chris Cannon, Mayor
Juan Gonzalez, Mayor Pro-Tem
Keith Joesel, Council Member (arrived at 7:07 p.m.)
Sue Brashar, Council Member
Mary Penson, Council Member
Jessica Bega, Council Member
Craig Fromme, Council Member
Phillip Thomas, Council Member
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
Amy Miller, Community Development Director
Buck LaQuey, Finance Director
Phil Taylor, Assistant Police Chief
Owen Rock, Economic Development Corporation Director
Kevin Perry, City Engineer

INVOCATION

Pastor Samuel Blanco, First United Methodist Church, gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Chris Cannon led the pledge of allegiance to the United States and Texas flags.

PUBLIC COMMENT

None.

PRESENTATIONS

1. Proclamation recognizing Juneteenth Day in Elgin.

Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director

Mayor Chris Cannon presented the proclamation to Bettye Lofton.

Council Member Keith Joesel arrived at 7:07 p.m.

2. Proclamation recognizing Western Days Week in Elgin.

Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director

Mayor Chris Cannon presented the proclamation to Gena Carter.

REPORTS

1. Monthly Department Reports for April 2016.
Kenneth Reneau, Interim City Manager

Kenneth Reneau, Interim City Manager, stated the reports are informational only.

CONSENT AGENDA

Council Member Mary Penson made a motion to approve the Consent Agenda as presented,
Council Member Craig Fromme seconded, and motion passed unanimously 9 for, 0 against.

1. Approval of minutes of the regular council meeting May 3, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
2. Approval of minutes of the special council meeting May 10, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
3. Approval of minutes of the special council meeting May 17, 2016.
Kenneth Reneau, Interim City Manager
Lucretia Alvarez, City Secretary
4. Approval of a resolution supporting Travis County Appraisal District real estate acquisition.
Kenneth Reneau, Interim City Manager
Sidney LaQuey, Finance Director
5. Approval of an Update to the 2011-2021 Parks, Recreation, and Open Space Master Plan.
Kenneth Reneau, Interim City Manager
Amy Miller, Community Development Director
Michael Gonzalez, Parks & Recreation Director

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Discussion and action to consider appointing a Mayor Pro-Tem.
Kenneth Reneau, Interim City Manager
Chris Cannon, Mayor

Council Member Jessica Bega made a motion to appoint Juan Gonzalez as Mayor Pro-Tem,
Council Member Phillip Thomas seconded, and motion passed unanimously 9 for, 0 against.

2. Discussion and action to consider an ordinance amending Chapter 42, Division 5, Sections 42-244 through 42-258 regarding Wastewater Discharge Standards to include industrial pre-treatment standards.
Kenneth Reneau, Interim City Manager
Doug Prinz, Utility Director

Kevin Perry, City Engineer

Council Member Sue Brashar made a motion to approve Ordinance 2016-06-07-14 as presented, Council Member Craig Fromme seconded, and motion passed unanimously 9 for, 0 against.

ORDINANCE NO. 2016-06-07-14

AN ORDINANCE AMENDING CHAPTER 42, DIVISION 5, SECTIONS 42-244 THROUGH 42-258, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY DELETING SAID SECTION IN ITS ENTIRETY AND REPLACING WITH A NEW DIVISION 5, WASTEWATER DISCHARGE STANDARDS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

3. Discussion and action to consider a resolution authorizing the Elgin Economic Development Corp. to spend an amount greater than \$10,000 per State Statutes. Specifically to award a Mega Grant of \$25,000 to Margot and Hugh who spent \$290,000 remodeling 28 North Main Street thus creating jobs and expanding the City of Elgin tax base.

Kenneth Reneau, Interim City Manager

Owen Rock, EDC Director

Council Member Keith Joesel made a motion to approve Resolution 2016-06-07-07 as presented, Council Member Sue Brashar seconded, and motion passed unanimously 9 for, 0 against.

RESOLUTION NO. 2016-06-07-07

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING THE EXPENDITURE OF \$25,000 BY THE ELGIN ECONOMIC DEVELOPMENT CORPORATION FOR MARGOT AND HUGH LLC 28 N. MAIN STREET RENOVATION PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO

4. Discussion and action to consider a resolution amending the bylaws of the Economic Development Corporation.

Kenneth Reneau, Interim City Manager

Chris Cannon, Mayor

Owen Rock, Director Economic Development

Council Member Phillip Thomas made a motion to approve Resolution 2016-06-07-08 as presented, Council Member Craig Fromme seconded, and motion passed unanimously 9 for, 0 against.

RESOLUTION NO. 2016-06-07-08

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING THE AMENDMENT TO THE BYLAWS SECTION IV BOARD OF DIRECTORS, SUBSECTION 4.13 BOARDS RELATIONSHIP WITH ADMINISTRATIVE DEPARTMENTS OF THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND MAKING CERTAIN FINDINGS RELATED THERETO

5. Discussion and action to authorize City staff to submit a pre-application to the USDA for a \$50,000 grant.

Kenneth Reneau, Interim City Manager

Chris Cannon, Mayor

Owen Rock, Economic Development Director

Council Member Mary Penson made a motion to authorize city staff to submit a pre-application to the USDA for a \$50,000 grant, Council Member Sue Brashar seconded, and motion passed unanimously 9 for, 0 against.

6. Discussion and action to select Langford Community Management Services, for the preparation of FEMA Hazard Mitigation Grant Program (HMGP), upcoming Community Development Block Grant (CDBG) program, and CDBG-DR program grant applications for drainage, utility system, public infrastructure, and flood mitigation projects, and the subsequent grant administration of project(s) if the City is awarded a FEMA HMGP, CDBG, or CDBG-DR contract(s).

Kenneth Reneau, Interim City Manager

Amy Miller, Community Development Director

Laura Schwartz, Finance

Council Member Sue Brashar made a motion to select Langford Community Management Services as presented, Council Member Jessica Bega seconded, and motion passed unanimously 9 for, 0 against.

7. Discussion and action to select TRC as the engineering firm for the preparation of FEMA Hazard Mitigation Grant Program (HMGP), upcoming Community Development Block Grant (CDBG) program, and CDBG-DR program grant applications for drainage, utility system, public infrastructure, and flood mitigation projects, and the subsequent engineering of project(s) if the City is awarded a FEMA HMGP, CDBG, or CDBG-DR contract(s).

Kenneth Reneau, Interim City Manager

Amy Miller, Community Development Director

Laura Schwartz, Finance

Council Member Keith Joesel made a motion to approve TRC as the engineering firm as presented, Council Member Sue Brashar seconded, and motion passed unanimously 9 for, 0 against.

Mayor Chris Cannon changed the order of business to hear Announcements before Executive Session.

ANNOUNCEMENTS

- Vanessa Rodriguez was Student Hero and Salutatorian of Elgin High School and plans to attend University of Texas at Austin. She followed the One Town One Team approach to create a tutoring group of 15 students helping other students on campus.
- Juneteenth Parade and celebrations on June 11
- TML Region 10 meeting in Brenham June 14
- M-pact Mission teams will be in Elgin helping with community projects.

EXECUTIVE SESSION

Mayor Chris Cannon recessed the Regular Council meeting at 8:29 p.m. and called to order Executive Session in a closed session at 8:30 p.m.

1. The City Council will convene in Executive Session pursuant to Section 551.074 of the Texas Government Code regarding employment of City Manager.

Mayor Chris Cannon adjourned Executive Session at 10:27 p.m. and called public back in to Reconvene Regular Council meeting at 10:27 p.m.

RECONVENE

None

ADJOURNMENT

Mayor Chris Cannon adjourned the meeting at 10:27 p.m.

APPROVED:

CHRIS CANNON
Mayor of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ
City Secretary of Elgin, Texas



COUNCIL MEETING: July 5, 2016

ITEM: 2. Approval of minutes of the special council meeting June 28, 2016.

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

SUMMARY: Presented for review and approval are the minutes of the special council meeting on June 28, 2016.

RECOMMENDATION(S): Approve the minutes of the special council meeting on June 28, 2016.

ATTACHMENT: 1-Minutes of Special Meeting 6-28-2016

**MINUTES
ELGIN CITY COUNCIL
SPECIAL MEETING
TUESDAY, JUNE 28, 2016, 7:00 P.M.
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

Mayor Chris Cannon called the meeting to order at 7:05 p.m.

ROLL CALL

Present: Mayor Chris Cannon, Mayor Pro-Tem Juan Gonzalez,
Council Members Keith Joesel, Sue Brashar, Mary Penson, Jessica Bega

Absent: Council Members Craig Fromme, Phillip Thomas, *Susie Arreaga (arrived at 7:15 p.m.)*

Staff and Guests: Kenneth Reneau, Interim City Manager, Lucretia Alvarez, City Secretary, Mike Tanner, SGR

INVOCATION

Council Member Mary Penson gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Chris Cannon led the pledge of allegiance to the United States and Texas flags.

PUBLIC COMMENT None.

EXECUTIVE SESSION

Mayor Chris Cannon recessed the Special Council meeting at 7:07 p.m. and called to order Executive Session in a closed session at 7:08 p.m.

1. The City Council will convene in Executive Session pursuant to Section 551.074 of the Texas Government Code regarding personnel matters for employment of City Manager.

Mayor Chris Cannon adjourned Executive Session at 9:17 p.m. to reconvene Special Council meeting at 9:17 p.m.

RECONVENE None

ADJOURNMENT

Mayor Chris Cannon adjourned the meeting at 9:17 p.m.

APPROVED:

CHRIS CANNON
Mayor of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ
City Secretary of Elgin, Texas



COUNCIL MEETING: July 5, 2016

ITEM: 3. Approval of a Resolution to enter into an agreement with Texas Department of Transportation for street closure of Loop 109 for the 29th Annual Hogeye Festival on October 22, 2016.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director

SUMMARY: Texas Department of Transportation requires a resolution from the City of Elgin for the street closure of Loop 109 or Main Street for the 29th Annual Hogeye Festival on Saturday, October 22, 2016. TRC Engineering developed the traffic control plan attached and Main Street Board is hiring a private company to provide signage and barricades for the street closure. We have reviewed the plan with Police Chief Chris Bratton and Lieutenant John Corbett.

RECOMMENDATION(S): Approve Resolution _____ to enter in to an agreement with the Texas Department of Transportation for the closure of Loop 109 for the Annual Hogeye Festival.

ATTACHMENT: 1-Traffic control plan
2-Resolution 2016-07-05-09TxDOT street closure

RESOLUTION No. 2016-07-05-09

A RESOLUTION AUTHROIZING THE INTERIM CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TEMPORARY CLOSURE OF STATE RIGHTS OF WAYS FOR 29TH ANNUAL HOGYE FESTIVAL.

WHEREAS, The Hogeye Festival is an event that encourages citizen involvement and brings visitors to the City of Elgin each year; and

WHEREAS, the City of Elgin desires to close Main Street (Loop 109) temporarily for the Hogeye Festival; and

WHEREAS, the City of Elgin agrees to close Main Street (Loop 109) and detour traffic in accordance with the Texas Administration Code as set forth in the Texas Manual of Uniform Traffic Control Devices;

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

The Interim City Manager is authorized to execute an agreement with the Texas Department of Transportation for temporary closure of state right of ways.

READ, PASSED, and RESOLVED, this the 5th day of July, 2016.

CHRIS CANNON, MAYOR

ATTEST:

LUCRETIA ALVAREZ, CIY SECRETARY



COUNCIL MEETING: July 5, 2016

ITEM: 4. Approval of a request to close Depot Street from Avenue C to Avenue B Thursday, October 20, Friday, October 21, Saturday, October 22, and Sunday, October 23 for the carnival at the Annual Hogeye Festival.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director
Chris Bratton, Police Chief

SUMMARY: The carnival for the Hogeye Festival would be held in the vacant lot in front of the police department from Avenue C to Avenue B on Thursday, Friday and Saturday. City staff would have the option to close the street for carnival hours, or additional hours to support safety related to carnival attendees if necessary. From an operational perspective, staff believes that closing the street during carnival hours will be adequate and will allow the police department to have a traditional level of access for customers. Police vehicles and employees will park in the City Yard next door to the police department. Customers will be able to park on Depot Street during regular business hours.

RECOMMENDATION(S): Approve a request to close Depot Street from Avenue C to Avenue B Thursday, October 20, Friday, October 21, Saturday October 22, and Sunday, October 23 for the carnival at the Annual Hogeye Festival.

ATTACHMENT:



COUNCIL MEETING: July 5, 2016

ITEM: 5. Approval of a request to waive the open container ordinance for the 29th Annual Hogeye Festival sponsored by Elgin Main Street Board and the City of Elgin on Saturday, October 22 from 10:00 a.m. to 7:00 p.m. in the festival area: Loop 109 (Main Street) from Austin Street to Lexington, Central Avenue, Depot Street, 1st Street, 2nd Street and 3rd Street from the Union Pacific railroad tracks to Avenue A and for the Gordon Swenson Memorial BBQ Pork Cook-off on Friday, October 21 from 5:00 p.m. to 11:59 p.m. on Central Avenue and Depot Street and from Main Street to Avenue A.

RESOURCE PERSON(S): **Kenneth Renneau, Interim City Manager**
Amy Miller, Community Development Director

SUMMARY: The Hogeye Festival is free and includes three stages with live music and entertainment handmade arts & crafts, children's activities, Car Show, BBQ Cook-Off, carnival, Cow Patty Bingo, Art Show, great food, and a Free Shuttle from the Hwy 95 North Park & Ride! This annual tradition is filled with pig puns, great entertainment and is the major fundraiser for the Elgin Main Street program.

RECOMMENDATION(S): Approve a request to waive the open container ordinance for the 29th Annual Hogeye Festival sponsored by Elgin Main Street Board and the City of Elgin on Saturday, October 22 from 10:00 a.m. to 7:00 p.m. in the festival area: Loop 109 (Main Street) from Austin Street to Lexington, Central Avenue, Depot Street, 1st Street, 2nd Street and 3rd Street from the Union Pacific railroad tracks to Avenue A and for the Gordon Swenson Memorial BBQ Pork Cook-off on Friday, October 21 from 5:00 p.m. to 11:59 p.m. on Central Avenue and Depot Street and from Main Street to Avenue A.

ATTACHMENT: 1-Hogeye Festival requests



June 27, 2016

Chris Cannon, Mayor
City of Elgin
PO Box 591
Elgin, Texas 78621

Dear Mayor Cannon:

The 29th Annual Hogeye Festival is scheduled for Saturday, October 22, 2016 on Main Street in Historic Downtown Elgin. The festival committee has been working and meeting regularly to finalize the many components of the festival. Business sponsors and community groups make this a unique and very successful community event. Approximately 25 people volunteer for the festival committee and approximately 100 people volunteer the day of the festival. Thank you to the City of Elgin for all the support city departments provide to make the Hogeye Festival possible. Hogeye is a community celebration to raise funds for the City sponsored downtown revitalization project Elgin Main Street and many local non-profit groups have successful fundraisers at the festival. Crowds are estimated at 20,000 and there is tremendous positive media coverage for our community.

The Elgin Main Street Board and the Hogeye Festival Committee request:

- request to waive the open container ordinance for the for the 29th Annual Hogeye Festival sponsored by Elgin Main Street Board and the City of Elgin on Saturday, October 22 from 10:00 a.m. to 7:00 p.m. in the festival area: Loop 109 (Main Street) from Austin Street to Lexington, Central Avenue, Depot Street, 1st Street, 2nd Street and 3rd Street from the Union Pacific railroad tracks to Avenue A and for the Gordon Swenson Memorial BBQ Pork Cook-off on Friday, October 21 from 5:00 p.m. to 11:59 p.m. on Central Avenue and Depot Street and from Main Street to Avenue A.
- request to approve street closures for the 29th Annual Hogeye Festival on Saturday, October 22, 2016 from 4am to 11pm as illustrated in the attached traffic control plan.

Please let us know what additional information we can provide. Renee Girling, festival co-chairperson can be reached at 512-415-5218 and I can be reached at 512-303-2567. Thank you for working with us and for helping to make this event possible. We appreciate all of the City's support relating to the logistics, planning and implementation of the festival.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ed Rivers".

Ed Rivers
President



COUNCIL MEETING: July 5, 2016

ITEM: 1. Discussion and Possible Action authorizing the Elgin Economic Development Corp. amend the EEDC Budget amendment that would allow a \$40,800 repayable loan secured by EEDC's Certificate of Deposit, thus allowing Donald & Catherine Koslosky to purchase and remodel 19 N. Main Street, Elgin (City Cafe)

RESOURCE PERSON(S): **Kenneth Reneau, City Manager**
Owen Rock, Economic Development Director

SUMMARY: The Elgin Economic Development Corp. board of directors voted to authorize this \$40,800 project at their December 15, 2015 meeting, but needs Council authorization to ratify the loan and amend the EEDC budget since it is over \$10,000 (as required by State law).

RECOMMENDATION(S): The EDC Board recommends approving the CD pledge for the bank loan to purchase and renovate 19 N. Main Street (City Cafe)

ATTACHMENT: **1-Resolution for City Cafe**

RESOLUTION NO. 2016-07-05-__

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A
CERTIFICATE OF DEPOSIT BY THE ELGIN ECONOMIC DEVELOPMENT CORPORATION
FOR DONALD & CATHERINE KOSLOSKY FOR 19 N. MAIN STREET RENOVATION PROJECT
AND MAKING CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City of Elgin, Texas (the “City”) has caused to be created the Elgin Economic Development Corporation (the “Corporation”) pursuant to the provisions of Chapter 505 of the Texas Local Government Code, being the (“Act”); and

WHEREAS, the Corporation desires to allow a \$40,800 repayable loan secured by the Corporation’s Certificate of Deposit allowing Donald & Catherine Koslosky to purchase and remodel 19 N. Main Street; and

WHEREAS, solely for satisfying the requirements of the Act, and for no other purposes whatsoever, the City is willing to approve said expenditures;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elgin, Texas:

1. That the above recitals are true and correct.
2. That the City hereby approves the expenditure of up to \$40,800

That it is officially found and determined that this approval is given solely to satisfy the requirements of the Act and for no other purpose whatsoever. In particular, the City shall have no liability whatsoever in regard to the expenditures, which will be solely the liability of the Corporation.

Adopted on this 5th day of July, 2016.

CITY OF ELGIN, TEXAS

Chris Cannon, Mayor

ATTEST:

Lucretia Alvarez, City Secretary



COUNCIL MEETING: July 5, 2016

ITEM: 2. Discussion and action to consider authorization to begin the process for issuing Certificates of Obligation to: Plan, design, and permit a wastewater treatment facility, plan and construct a replacement wastewater pumping facility, and drill a replacement water well.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Sidney LaQuey, Finance Director
Kevin Perry, TRC Engineering

SUMMARY: **Requesting permission to proceed with Certificate of Obligations for Water and Wastewater Treatment Plant expansion.**

RECOMMENDATION(S): **It is staff's recommendation to proceed with expansion.**

ATTACHMENT: **1-Elgin wastewater treatment**

Elgin's wastewater treatment plant has reached a capacity point where state regulations require that the city begin planning and design of an expanded facility which will accommodate existing and future growth. It is expected that this will result in the physical construction to begin sometime next year.

The central wastewater lift station serves a major portion of the business district. This facility is old and at capacity. Failure of this lift station would result in a serious problem for the city in its ability to serve this area.

One of the city's water wells is very old and the down hole portion is in bad condition. A replacement well needs to be drilled adjacent to the old one.

The cost of these three items is estimated to be \$2.65-3 million. The eventual cost of construction of the expanded wastewater treatment facility and other water utility related projects will add another approximately \$9-10 million.

The action item before the Council is to vote to begin the process for issuing \$3 million in certificates of obligation. This will provide funding to address the most urgent items first. An item will be placed on the Council's August agenda to actually vote on the issuance of the debt. At the August meeting representatives of First Southwest and TRC Engineers will make presentations to the Council regarding the tasks and the financial implications, debt service, etc. to proceed with the necessary tasks.



COUNCIL MEETING: July 5, 2016

ITEM: 3. Discussion and action to consider an Ordinance Amending School Zones, Slow Zones, and Parking near Schools.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Chris Bratton, Chief of Police

SUMMARY: Ordinance amending Chapter 40 regarding School Zone times, removing certain slow zones in City, deleting and adding new school zones, and adjusting parking around Elgin Elementary School.

RECOMMENDATION(S): Staff recommends the passage of Ordinance 2016-07-05-15.

ATTACHMENT: 1-Ordinance Amending Chapter 40 of Code of Ordinances
2-Letter of support from EISD

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 40, ARTICLE III, DIVISION 6, SECTION 40-282 OF THE CODE OF ORDINANCES AND CHAPTER 40, ARTICLE III, DIVISION 9, SECTION 40-340 OF THE CODE OF ORDINANCES, AND CHAPTER 40, ARTICLE III, DIVISION 2, SECTION 40-171 OF THE CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY MAKING CERTAIN AMENDMENTS REGARDING THE SCHEDULE OF SCHOOL SPEED ZONES, PARKING IN SCHOOL ZONES, AND DESIGNATION OF SLOW ZONES, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS,

WHEREAS, Section 545.352 of the Texas Transportation Code establishes prima facie reasonable and prudent speed limits for streets and highways situated in the State of Texas; and

WHEREAS, Section 541.302 of the Texas Transportation Code authorizes the governing body of a municipality to designate a reduced-speed zone on a street to facilitate the safe crossing of a street by children going to or leaving a public or private school; and

WHEREAS, the Council has determined certain amendments need to be made to the existing code to conform to the Texas Manual on Uniform Traffic Control Devices; Now Therefore

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

I.

That Chapter 40, Article III, Division 6, Section 40-282, of the Code of Ordinances, City of Elgin, Texas, is hereby amended to adopt the following schedule of school zones for the City of Elgin:

1. When a sign is posted giving the hours of operation by either written notice or flashing yellow caution light, the maximum speed limit shall be twenty (20) miles per hour during the hours of 7:00 a.m. to 9:00 a.m. and the hours of 2:30 p.m. to 4:30 p.m. or when noticed by a flashing yellow caution light on school days only, upon those streets or portions of streets as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
West 2 nd Street	100' East of Elgin Elementary South parking lot	West 11 th Street
West 11 th Street	North Avenue C	Lark Street
Lark Street	West 11 th Street	West 10 th Street
Robin Street	West 11 th Street	West 10 th Street
West 10 th Street	West 2 nd Street	Lark Street
South Martin Luther King Street	Alamo Street	Church Street
East Alamo Street	South Martin Luther King Street	South Main Street
Hall Street	South Martin Luther King Street	Madison
Nina Street	East Alamo Street	Booker T. Washington Elementary
Watt Drive	SH Hwy 95	East property line of Elgin Middle School
Bandera Woods Blvd.	County Line Road	Lavaca Lane
Blanco Woods Blvd.	County Line Road	Lavaca Lane
County Line Road	100' South of Neidig Elementary property line	475' North of Neidig Elementary northernmost crosswalk
Raymond Johnson Road	FM 1100	County Line Road
County Line Road	FM 1100	100' North of the Elgin High School property line

- When a sign is posted giving the hours of operation by either written notice or flashing yellow caution light, the maximum speed limit shall be twenty-five (25) miles per hour during the hours of 7:00 a.m. to

9:00 a.m. and the hours of 2:30 p.m. to 4:30 p.m. or when noticed by a flashing yellow caution light on school days only, upon those streets or portions of streets as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
FM1100	Loesch Drive	Antetam Trail

3. When a sign is posted giving the hours of operation by either written notice or flashing yellow caution light, the maximum speed limit shall be thirty (30) miles per hour during the hours of 7:00 a.m. to 9:00 a.m. and the hours of 2:30 p.m. to 4:30 p.m. or when noticed by a flashing yellow caution light on school days only, upon those streets or portions of streets as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
FM 1100	approximately 1056' North Of County Line Road	approximately 1584' South of County Line Road

4. When a sign is posted giving the hours of operation by either written notice or flashing yellow caution light, the maximum speed limit shall be thirty-five (35) miles per hour during the hours of 7:00 a.m. to 9:00 a.m. and the hours of 2:30 p.m. to 4:30 p.m. or when noticed by a flashing yellow caution light on school days only, upon those streets or portions of streets as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
SH 95 Northbound	Milepoint 4.195	Milepoint 3.956 a distance of 0.239 miles
SH 95 Southbound	Milepoint 3.956	Milepoint 4.195 a distance of 0.239 miles

II.

That Chapter 40, Article III, Division 2, Section 40-171, of the Code of Ordinances, City of Elgin, Texas, is hereby amended to adopt the following changes:

Section 40-171 (2) is repealed;

Section 40-171 (3) is repealed;

Section 40-171 (4) is repealed;

III.

That Chapter 40, Article III, Division 9, Section 40-340, of the Code of Ordinances, City of Elgin, Texas, is hereby amended to adopt the following changes:

Section 40-340 (1) is amended to read: “2nd Street. It shall be unlawful to park any vehicle on the north side of 2nd Street within 200 feet east of the Elgin Elementary School parking lot between the hours of 7:00 a.m. and 4:30 p.m. on school days. Additionally, it shall be unlawful to park any vehicle on the south side of 2nd Street between West 10th Street and West 11th Street between the hours of 7:00 a.m to 9:00 a.m. and the hours of 2:30 p.m. and 4:30 p.m. on school days.

Section 40-340 (2) is hereby repealed>

IV.

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.

D. The City Council hereby finds and declares that the effective date of this ordinance

Shall be the date of its passage by the City Council of the City of Elgin.

READ and APPROVED on this the _____ day of _____, 2016.

CHRIS CANNON, Mayor

City of Elgin, Texas

ATTEST:

LUCRETIA ALVAREZ, City Secretary

Elgin Independent School District

PHONE (512) 281-9731
FAX (512) 281-5388
P.O. BOX 351, ELGIN, TEXAS 78621

June 21, 2016

Chris Bratton, Chief of Police
202 Depot Street
PO Box 591
Elgin, Texas 78621

Dear Chief Bratton,

Over the last two years, we have been working together to outline a potential plan for adjusting certain school zones located throughout the city. Specifically, we have discussed the need to change the times on the school zones to be more consistent with the times of day (i.e. beginning and end of the school day) that students would typically be walking/riding their bikes to and from school and when traffic around the schools would be particularly congested. We have also discussed eliminating the school zone on Ave. C and adding a school zone on Watt drive.

I continue to support the plan we have discussed; in fact, one additional suggestion I would offer is to install flashing school zone signs wherever possible to make more noticeable to the general public areas of particular concern and need for safety.

Thank you for your efforts in moving this forward. In the meantime, I am available to answer any questions that you or members of the council may have in this regard.

Sincerely,



Dr. Jodi Duron
Elgin ISD Superintendent



COUNCIL MEETING: July 5, 2016

ITEM: 4. Discussion and action to consider a Resolution approving an advanced funding agreement with the Texas Department of Transportation for a Transportation Alternatives Program project, pedestrian connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College campus.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director
Sydney Laquey, Finance Director
Joe Parten, Public Works Director

SUMMARY: The City of Elgin received an Transportation Alternatives program grant in fall 2015. This is the required agreement between the City of Elgin and the Texas Department of Transportation for that grant. The project includes new sidewalk on FM 1100 from Vicksburg Loop to SH 95 North, along SH 95 North to Elgin Memorial park park and ride, and on County Line Road from Bandera Woods to Austin Community College. The local match for the city is \$120,236. The project budget estimate is \$1,319,331. The city is responsible for cost overruns. The alternative transportation grants usually require a 20% local match. The city has a reduced match amount because we are in Bastrop county which at the time of the grant application was an economically disadvantaged county and qualified for the match reduction through TXDOT.

RECOMMENDATION(S): Approve Resolution 2016-07-05-___ approving an advanced funding agreement with the Texas Department of Transportation for a Transportation Alternatives Program project, pedestrian connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College campus.

ATTACHMENT: **1-Resolution 2016-07-05-10 AFA TxDOT Pedestrian Connections**
 2-AFA TXDOT Pedestrian Connections 2016

RESOLUTION NO. 2016-07-05-10

A RESOLUTION APPROVING AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION ALTERNATIVES PROGRAM PROJECT, PEDESTRIAN CONNECTIONS FROM SH 95 TO FM 1100, FM 1100 TO VICKSBURG LOOP, AND COUNTY LINE ROAD FROM BANDERA WOODS TO AUSTIN COMMUNITY COLLEGE CAMPUS.

WHEREAS, the City Council of the City Elgin approved application for A Transportation Alternatives Program Project, Pedestrian Connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College Campus, called the “Project”, and

WHEREAS, the Texas Department of Transportation provided a contract entitled advanced funding agreement, April 19, 2016, for Transportation Alternatives Program Project, Pedestrian Connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College Campus, for a total project cost of \$1,319,331 with the estimated total payment by the City of Elgin to the state to be \$120,236, and stating that the final amount of Local Government participation will be based on actual costs, and

WHEREAS, the Texas Department of Transportation requires such contract for costs to become eligible for federal reimbursement,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS: the City Council directs and designates the Interim City Manager and or City Manager as the City’s authorized representative to act in all matters in connection with the Transportation Alternatives Program Project, Pedestrian Connections from SH 95 to FM 1100, FM 1100 to Vicksburg Loop, and County Line Road from Bandera Woods to Austin Community College Campus, and as such specifically authorizes the Interim City Manager to execute the ADVANCED FUNDING AGREEMENT.

Passed and adopted at a special meeting of the City Council of the City of Elgin held on July 5, 2016 by the following vote.

____ AYES

____ NAYES

____ ABSENT

Chris Cannon, Mayor

Lucretia Alvarez, City Secretary

CSJ: 0914-00-393
District #: 14-AUS
Code Chart 64#: 13300
Project: Elgin Connections
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA #: 20.205

STATE OF TEXAS §

COUNTY OF TRAVIS §

**LOCAL PROJECT ADVANCE FUNDING AGREEMENT
FOR A TRANSPORTATION ALTERNATIVES PROGRAM PROJECT
MPO-Selected On and Off-System**

This Local Project Advance Funding Agreement (“LPAFA”) is made between the State of Texas (“**State**”), acting through the Texas Department of Transportation, and City of Elgin (“**Local Government**”), acting through its duly authorized officials.

BACKGROUND

Local Government and State have adopted a Master Agreement that states the general terms and conditions for transportation projects developed through this LPAFA.

Local Government prepared and submitted to State or Metropolitan Planning Organization (“**MPO**”) a nomination form for consideration under the Transportation Alternatives Program (“**TAP**”) for the project, which is briefly described as Elgin Connections (“**Project**”).

Federal law establishes federally funded programs for transportation improvements to implement its public purposes.

Federal law, 23 USC § 134 and 49 USC § 5303, requires that State and MPOs develop transportation plans and programs for urbanized areas of Texas.

Tex. Transp. Code §§ 201.103 and 222.052 establish that State shall design, construct, and operate a system of highways in cooperation with local governments.

Federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds.

The Texas Transportation Commission (“**Commission**”) passed Minute Order Number 114335 (“**MO**”) dated August 27, 2015 awarding funding for projects in the 2015 TAP Program Call of the Capital Area MPO, including Project.

The rules and procedures for TAP are established in 23 USC § 213, and 43 Tex. Admin. Code Subchapter 11.F.

The governing body of Local Government has approved entering into this Agreement by resolution or ordinance dated _____, which is attached to and made a part of this Agreement as Attachment A.

Therefore, State and Local Government agree as follows:

AGREEMENT

1.1. Period of Agreement. The period of this LPAFA is as stated in the Master Agreement, without exception.

1.2. Period of Performance.

1. The Performance Period for each phase of work begins on the date specified in the Federal Project Authorization Agreement (“**FPA**A”) for that phase of work. Local Government may not begin work until issued the State Letter of Authority (“**SLO**A”) for that phase of work.
2. The Performance Period for each phase of work ends on the date specified in the FPA A for that phase of work.

2. Termination of the Agreement

2.1. This Agreement may be terminated by any of the following conditions:

- a. By mutual written consent and agreement of all parties;
- b. By any party with 90 days written notice; or
- c. By either party, upon the failure of the other party to fulfill the obligations as set forth in this Agreement. Any cost incurred due to such breach of contract shall be paid by the breaching party.

2.2. If the potential termination of this Agreement is due to the failure of Local Government to fulfill its contractual obligations, State will notify Local Government that possible breach of contract has occurred. Local Government should make every effort to remedy the breach within a period mutually agreed upon by both parties.

2.3. If Local Government withdraws from Project after this Agreement is executed, Local Government shall be responsible for all direct and indirect Project costs as identified by the State’s cost accounting system and with 2 CFR Part 200 recapture requirements.

2.4. A project may be eliminated from the program as outlined below. If Project is eliminated for any of these reasons, this Agreement will be appropriately terminated. A project may be eliminated from the program, and this Agreement terminated, if:

- a. Local Government fails to satisfy any requirements of the program rules cited in 43 Tex. Admin. Code Subchapter 11.F.
- b. The implementation of Project would involve significant deviation from the activities proposed in the nomination form and approved by the Texas Transportation Commission or MPO in consultation with State.
- c. Local Government withdraws from participation in Project.
- d. State determines that federal funding may be lost due to Project not being implemented and completed.
- e. Funds are not appropriated, in which case this Agreement shall be terminated immediately with no liability to either party. Payment under this Agreement beyond the current fiscal biennium is subject to availability of appropriated funds.

- f. The associated FPAA is not issued by the end of the third federal fiscal year following the federal fiscal year for which the funds are authorized. Federal fiscal years run October 1 through September 30.
 - g. Local Government fails to attend progress meetings at least twice yearly, as scheduled by State.
- 2.5.** State, at its sole discretion, may terminate this Agreement if State does not receive project invoice within 270 days of FPAA.

3. Amendments

Amendments to this LPAFA shall be made as described in the Master Agreement, without exception.

4. Scope of Work, Use of Project, and Project Location

- 4.1.** The scope of work for Project (located as shown in Attachment B, Project Location Map) consists of: placing 2,768 linear feet of sidewalk along a route to connect existing sidewalks. It will connect three school campuses with a college campus, several parks, businesses, and apartment complexes, and a church.
- 4.2.** Any project changes proposed must be submitted in writing by Local Government to State. Changes may also require an amendment to this Agreement and the approval of the FHWA, State, MPO, or the Commission. Any changes undertaken without written approval and amendment of this Agreement may jeopardize not only the federal funding for the changes, but the federal funding of the entire Project.

5. Right of Way and Real Property Acquisition

- 5.1.** Right of way and real property acquisition shall be the responsibility of Local Government. Title to right of way and other related real property must be acceptable to State before funds may be expended for the improvement of the right of way or real property. If Local Government is the owner of any part of Project site under this Agreement, Local Government shall permit State or its authorized representative access to occupy the site to perform all activities required to execute the work.
- 5.2.** Local Government will comply with and assume the costs for compliance with all the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 USC § 4601 et seq., including those provisions relating to incidental expenses incurred by the property owners in conveying the real property to Local Government, and benefits applicable to the relocation of any displaced person as defined in 49 CFR § 24.2(g). Documentation to support such compliance must be maintained and made available to State and its representatives for review and inspection.
- 5.3.** Local Government shall assume all costs and perform all work necessary to obtain needed evidence of title or right of use to the real property required for development of Project. Evidence of title or right of use shall be acquired in the name of (1) State, if the real property is to be made part of the State Highway System, and (2) Local Government, otherwise. The evidence of title or rights shall be acceptable to State, and be free and clear of all encroachments. Local Government shall secure and provide easements and any needed rights of entry over any other land needed to develop Project according to the approved Project plans. Local Government shall be responsible for securing any additional real property required

- 5.4. Local Government shall prepare real property maps, property descriptions, and other data as needed to properly describe the real property and submit them to State for approval prior to Local Government acquiring the real property. Tracings of the maps shall be retained by Local Government for a permanent record.
- 5.5. Local Government shall determine property values for each real property parcel to be purchased with federal funds using methods acceptable to State and shall submit to State a tabulation of the values so determined, signed by the appropriate Local Government representative. The tabulations must list the parcel numbers, ownership, acreage, and recommended compensation. The tabulation must be accompanied by an explanation to support the estimated values, together with a copy of the documentation and reports used in calculating each parcel's value. Expenses incurred by Local Government in performing this work may be eligible for reimbursement after Local Government has received written authorization by State to proceed with determination of real property values. State will review the data submitted and will base its reimbursement for parcel acquisitions on these in determining the fair market values.
- 5.6. For State-selected projects, Local Government shall not use eminent domain or condemnation to acquire real property for this TAP Project.
- 5.7. Reimbursement for real property costs will be made to Local Government for real property purchased in an amount not to exceed 80 percent of the cost of the real property purchased in accordance with the terms and provisions of this Agreement. Reimbursement will be in an amount not to exceed 80 percent of State's predetermined fair market value of each parcel, or the net cost thereof, whichever is less. In addition, reimbursement will be made to Local Government for necessary payments to appraisers for expenses incurred in order to assure good title.
- 5.8. Local Government and current property owner are responsible for any costs associated with the relocation of displaced persons and personal property as well as incidental expenses incurred in acquiring property to implement Project. State will not pay any of these costs.
- 5.9. If Project requires the use of real property to which Local Government will not hold title, a separate agreement between the owners of the real property and Local Government must be executed prior to execution of this Agreement. The separate agreement between Local Government and the current property owner must establish that Project will be dedicated for public use for a period of time not less than ten years after project completion and commensurate with the federal investment as outlined in 43 Tex. Admin. Code § 11.317. The separate agreement must define the responsibilities of the parties as to the use of the real property and operation and maintenance of Project after completion. The separate agreement must be approved by State prior to its execution and a copy of the executed separate agreement shall be provided to State.
- 5.10. Local Government shall execute individually or produce a legal document as necessary to provide for Project's continued use from the date of completion, and agrees to cause the same to be recorded in the land records of the appropriate jurisdiction.
- 5.11. Local governments receiving federal funds must comply with 23 CFR Part 710 and 49 CFR Part 24, and with the procedures provided in Chapter 6 of the State's Local Government Project Policy Manual. Local Government agrees to monitor Project to ensure: (1) continued use of the property for approved

Upon Project completion, State will continue to perform periodic visits to confirm Project's continued use and upkeep.

- 5.12.** Before the advertisement for bids, Local Government shall provide a certification to State that all real property has been acquired.

6. Utilities

Local Government shall be responsible for the adjustment, removal, or relocation of utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to State of a delay resulting from Local Government's failure to ensure that utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. Unless specified in (1) the nomination form approved by State or MPO in consultation with State and (2) this agreement, Local Government will not be reimbursed with federal or state funds for the cost of required utility work. Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, Local Government shall provide, at State's request, a certification stating that Local Government has completed the adjustment of all utilities that must be adjusted before construction begins. Additional utility work may be required due to unknown conditions discovered during construction. These costs may be eligible for TAP participation if: (1) the activity is required to complete Project; (2) the cost is incidental to Project; and (3) TAP funding is available. Any change orders must be approved by State prior to incurring any cost for which reimbursement is sought.

7. Environmental Assessment and Mitigation

Development of Project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.

- 7.1.** Local Government is responsible for the identification and assessment of any environmental problems associated with the development of Project.
- 7.2.** Local Government is responsible for the cost of any environmental problem's mitigation and remediation. These costs will not be reimbursed or credited towards Local Government's financial share of Project unless specified in the nomination form and approved by State or MPO in consultation with State.
- 7.3.** Local Government is responsible for providing any public meetings or public hearings required for development of the environmental assessment.
- 7.4.** Before the advertisement for bids, Local Government shall provide to State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

8. Architectural and Engineering Services

Architectural and engineering services for preliminary engineering will be provided by Local Government. In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if Project is federally funded and Local Government will be seeking reimbursement for these services; and with Tex. Gov't Code Subchapter 2254.A., in all cases. Professional services contracts for federally funded projects must conform to federal requirements. For State-selected projects, architectural and engineering services are not eligible for TAP reimbursement.

- 8.1. The architectural contract documents shall be developed in accordance with the standards of the American Institute of Architects, the U.S. Secretary of the Interior's Standards for Historic Preservation Projects, Standards and Guidelines for Archeology and Historic Preservation, the National Register Bulletin Number 36: Guidelines for Evaluating and Registering Historical Archeological Sites and in consultation with the State Historic Preservation Officer, as applicable. The engineering plans shall be developed in accordance with State's applicable Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges and the two American Association of State Highway and Transportation Officials' ("AASHTO") publications, "A Policy on Geometric Design of Highways and Streets" and "Guide for the Development of Bicycle Facilities," as applicable. All contract procurement procedures and documents must adhere to the applicable requirements established in the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges. The use of other systems of specifications shall be approved by State in writing in advance.
- 8.2. When architectural and engineering services are provided by or through Local Government, Local Government shall submit any plans it has completed to State for review and approval. Local Government may also submit the plans to State for review any time prior to completion. Local Government shall make the necessary revisions determined by State. Local Government will not let the construction contract until all required plans have received State approval.
- 8.3. When architectural and engineering services are provided by or through State, then the following applies:
State is responsible for the delivery and performance of any required architectural or preliminary engineering work. Local Government may review and comment on the work as required to accomplish Project purposes. State will cooperate with Local Government in accomplishing these Project purposes to the degree permitted by state and federal law.

9. Construction Responsibilities

- 9.1. The State shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. In order to ensure federal funding eligibility, projects must be authorized by State prior to advertising for construction.
- 9.2. All contract letting and award procedures must be approved by State prior to letting and award of the construction contract, whether the construction contract is awarded by State or by Local Government.
- 9.3. All contract change order review and approval procedures must be approved by State prior to start of construction.
- 9.4. Upon completion of Project, the party constructing Project will issue and sign a "Notification of Completion" acknowledging Project's construction completion.
- 9.5. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements provided in 23 CFR Parts 633 and 635, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR Subpart 635 R.

- 9.6. Any field changes, supplemental agreements, or revisions to the design plans that may occur after the construction contract is awarded will be mutually agreed to by State and Local Government prior to authorizing the contractor to perform the work. Prior to completion of Project, the party responsible for construction will notify the other party to this Agreement of the anticipated completion date. All parties will be afforded the opportunity to assist in the final review of the construction services performed by the contractor.

10. Project Maintenance

- 10.1. Upon completion of Project, Local Government will be responsible for maintaining the completed facility for public use. The property shall be maintained and operated for the purpose for which it was approved and funded for a period of time commensurate with the federal investment or State rules, whichever is greater. Should Local Government at any time after Project completion decide it can no longer maintain and operate Project for its intended purpose, Local Government shall consult with State and the FHWA as to the disposal or alternate uses, consistent with Project's original intent. State may require Local Government to return the federal funds in accordance with 2 CFR Part 200 federal recapture requirements. Should Local Government consider conveying the property, State and FHWA must be notified prior to the sale, transfer, or disposal of any property that received federal funds. Written concurrence of approval for the transaction, detailing any required recapture, must be obtained from FHWA prior to the transaction. Advance notice from Local Government of their intended action must be submitted to State for an FHWA review a minimum of 90 days prior to any action being taken by Local Government. Local Government shall be held responsible for reimbursement of all federal funds used or a portion of those funds based on a pro-rata amount, considering the original percentage of federal funds provided and the time elapsed from Project completion date. This same percentage of reimbursement also applies to any amount of profit that may be derived from the conveyance of the property, as applicable.
- 10.2. Any manufacturer warranties extended to Local Government as a result of Project shall remain in the name of Local Government. State shall not be responsible for honoring any warranties under this Agreement.
- 10.3. Should Local Government derive any income from the development and operation of Project, a portion of the proceeds sufficient for the maintenance and upkeep of the property shall be set aside for future maintenance. A project income report shall be submitted to State on a quarterly basis. Monies set aside according to this provision shall be expended using accounting procedures and with the property management standards established in 2 CFR Part 200.
- 10.4. Should any historic properties be included in or affected by this federally funded Project, the historic integrity of the property and any contributing features must continue to be preserved regardless of any approved changes that may occur throughout the life of Project.

11. Local Project Sources and Uses of Funds

- 11.1. A Project Budget Estimate and Source of Funds is provided as Attachment C, showing the total estimated development cost of Project. This estimate shows the itemized cost of real property, utilities, environmental assessments, construction, and other construction related costs. To be eligible for

Federal Government will not reimburse Local Government for any work performed outside the Performance Period. After federal funds have been obligated, State will send to Local Government a copy of the formal documentation showing the obligation of funds including federal award information. Local Government is responsible for 100 percent of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.

- 11.2.** If Local Government will perform any work under this Agreement for which reimbursement will be provided by or through State, Local Government must complete training in Local Government Procedures Qualification for the Texas Department of Transportation before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on Project successfully completes and receives a certificate for the course. Local Government shall provide the certificate of qualification to State. The individual who receives the training certificate may be an employee of Local Government or an employee of a firm that has been contracted by Local Government to perform oversight of Project. State in its discretion may deny reimbursement if Local Government has not designated a qualified individual to oversee Project.
- 11.3.** The Project budget and source of funds estimate based on the budget provided in the nomination form is included as Attachment C. Attachment C shows the percentage and estimated dollar amounts to be contributed to Project by state and local sources, as well as the maximum amount in federal Transportation Alternative Program funds assigned by the Commission or MPO in consultation with State to Project. This Agreement may be amended from time to time as required to meet the funding commitments based on revisions to the Transportation Improvement Program, Federal Project Authorization and Agreement (“FPAA”), or other federal documents.
- 11.4.** Local Government will be responsible for all non-federal participation costs associated with Project, including any overruns in excess of Project’s estimated budget and any operating or maintenance expenses.
- 11.5.** State will be responsible for securing the federal share of funding required for the development and construction of Project, in an amount not to exceed 80 percent of the actual cost of the work up to the amount of funds approved for Project by the Texas Transportation Commission or MPO in consultation with State. Federal funds will be reimbursed on a cost basis. Project costs incurred prior to issuance of the SLOA are not eligible for reimbursement.
- 11.6.** Following execution of this Agreement, but prior to the performance of any plan review work by State, Local Government will pay to State the amount specified in Attachment C for plan review. At least 60 days prior to the date set for receipt of the construction bids, Local Government shall remit its remaining local match as specified in Attachment C for State’s estimated construction oversight and construction cost.
- 11.7.** In the event State determines that additional funding is required by Local Government at any time during Project, State will notify Local Government in writing. Local Government is responsible for the percentage of the authorized Project cost shown in Attachment C and 100 percent of any overruns above the federally authorized amount. Local Government will make payment to State within 30 days from receipt of State’s written notification.
- 11.8.** Whenever funds are paid by Local Government to State under this Agreement, Local Government will

- 11.9.** Upon completion of Project, State will perform an audit of Project costs. Any funds due to Local Government, State, or the Federal Government will be promptly paid by the owing party. If after final Project accounting, any excess funds remain, those funds may be applied by State to Local Government's contractual obligations to State under another advance funding agreement with approval by appropriate personnel of Local Government.
- 11.10.** In the event Project is not completed, State may seek reimbursement from Local Government of the expended federal funds. Local Government will remit the required funds to State within 60 days from receipt of State's notification.
- 11.11.** If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than state or federal regulations, or if any other locally proposed changes, including but not limited to plats or re-plats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by Local Government. The cost of providing right of way acquired by State shall mean the total expenses in acquiring the property interests through negotiations, including, but not limited to, expenses related to relocation, removal, and adjustment of eligible utilities.
- 11.12.** The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the Agreement or indirectly through a contract or subcontract under the Agreement. Acceptance of funds directly under the Agreement or indirectly through a contract or subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- 11.13.** State will not pay interest on any funds provided by Local Government.
- 11.14.** State will not execute the contract for the construction of Project until the required funding has been made available by Local Government in accordance with this Agreement.
- 11.15.** Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by State no more frequently than monthly, and no later than 90 days after costs are incurred. If Local Government submits invoices more than 90 days after the costs are incurred, and if federal funding is reduced as a result, State shall have no responsibility to reimburse Local Government for those costs.
- 11.16.** If Local government is an Economically Disadvantaged County ("EDC") and if State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

12. Document and Information Exchange

Local Government agrees to electronically deliver to State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft Word or similar format. If requested by State, Local Government will use State's document template. Local Government shall also provide a detailed construction time estimate, including types of activities and month in which the activity will be completed, in the format required by State. This requirement applies whether Local Government creates the documents with its own

13. Incorporation of Master Agreement Provisions

This LPAFA incorporates all of the governing provisions of the Master Agreement in effect on the date of final execution of this LPAFA, unless an exception has been made in this agreement.

14. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this LPAFA. When required, Local Government shall furnish State with satisfactory proof of this compliance.

15. Disadvantaged Business Enterprise Program Requirements

- 15.1.** The parties shall comply with the Disadvantaged Business Enterprise (“DBE”) Program requirements established in 49 CFR Part 26.
- 15.2.** Local Government shall adopt, in its totality, State’s federally approved DBE program.
- 15.3.** Local Government shall set an appropriate DBE goal consistent with State’s DBE guidelines and in consideration of Local market, project size, and nature of the goods or services to be acquired. Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- 15.4.** Local Government shall follow all other parts of State’s DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation’s Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address: http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- 15.5.** Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. State’s DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to Local Government of its failure to carry out its approved program, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC § 3801 et seq.).
- 15.6.** Each contract Local Government signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:

The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate.

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a contract, subcontract, or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by State, to furnish a copy of the certification.

17. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- 17.1.** No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- 17.2.** If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- 17.3.** The parties shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite imposed by 31 USC § 1352 for making or entering into this transaction. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

18. Insurance

- 18.1.** Should this Agreement authorize Local Government or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide State with a fully executed copy of State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and State may recover damages and all costs of completing the work.
- 18.2.** For projects including buildings, Local Government agrees to insure the building according to Department specifications and further agrees to name the Federal Government as a "Loss Payee" should the building

19. Federal Funding Accountability and Transparency Act Requirements

- 19.1.** Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (“**FFATA**”) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms:

<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and

<http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.

- 19.2.** Local Government agrees that it shall:

- a. Obtain and provide to State a System for Award Management (“**SAM**”) number (Federal Acquisition Regulation (“**FAR**”) Subpart 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is <https://www.sam.gov/portal/public/SAM/>
- b. Obtain and provide to State a Data Universal Numbering System (“**DUNS**”) number, a unique nine-character number that allows the federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
- c. Report the total compensation and names of its top five executives to State if:
 1. More than 80 percent of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 2. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

20. Single Audit Report

- 20.1.** The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.
- 20.2.** If threshold expenditures of \$750,000 or more are met during Local Government's fiscal year, Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Audit Office, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Audit Office at <http://www.txdot.gov/inside-txdot/office/audit/contact.html>. If expenditures are less than the threshold during Local Government's fiscal year, Local Government must submit a statement to TxDOT's Audit Office as follows:

We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____.

- 20.3.** For each year Project remains open for federal funding expenditures, Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or Project has been formally closed out and no charges have been incurred within the current fiscal year.

CSJ: 0914-00-393
District #: 14-AUS
Code Chart 64#: 13300
Project: Elgin Connections
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA #: 20.205

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated opposite that party's signature.

City of Elgin

Date: _____

By: _____
Chris Cannon
Mayor

THE STATE OF TEXAS

Date: _____

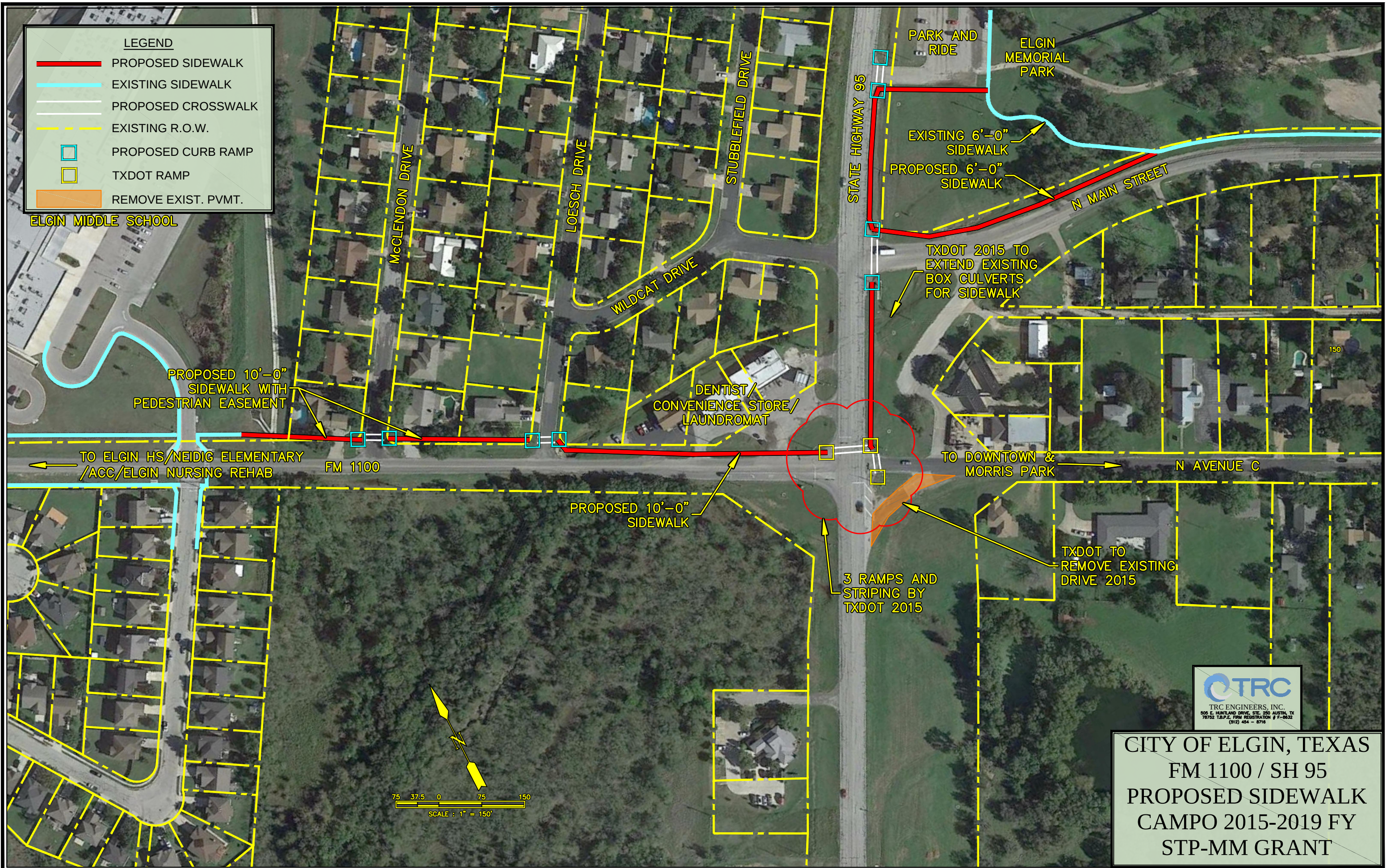
By: _____
Kenneth Stewart
Director of Contract Services
Texas Department of Transportation

CSJ: 0914-00-393
District #: 14-AUS
Code Chart 64#: 13300
Project: Elgin Connections
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA #: 20.205

ATTACHMENT A
RESOLUTION OF LOCAL GOVERNMENT

CSJ: 0914-00-393
District #: 14-AUS
Code Chart 64#: 13300
Project: Elgin Connections
Federal Highway Administration
CFDA Title: Highway Planning and
Construction
CFDA #: 20.205

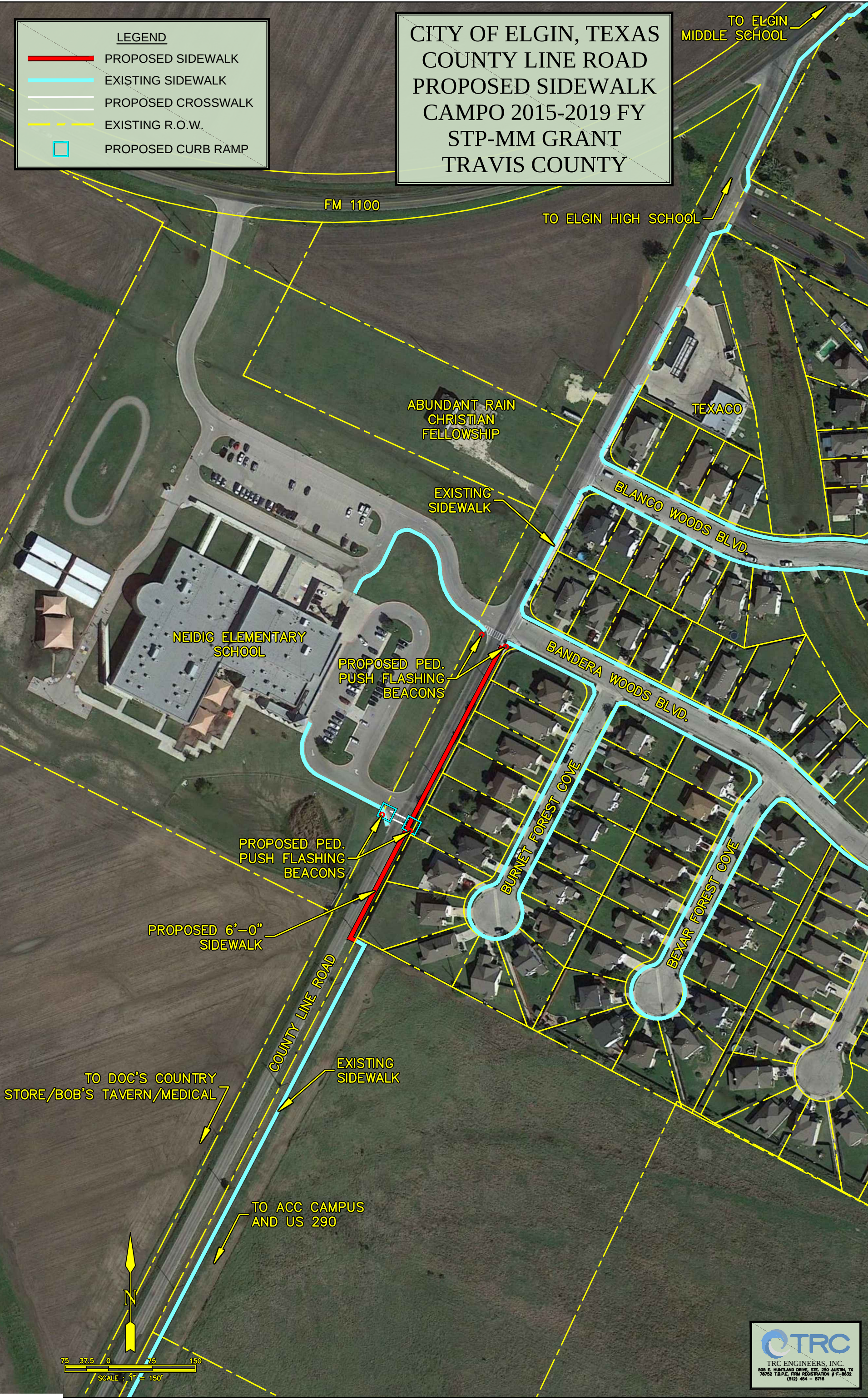
ATTACHMENT B
PROJECT LOCATION MAP



LEGEND

- PROPOSED SIDEWALK
- EXISTING SIDEWALK
- PROPOSED CROSSWALK
- EXISTING R.O.W.
- PROPOSED CURB RAMP

CITY OF ELGIN, TEXAS
COUNTY LINE ROAD
PROPOSED SIDEWALK
CAMPO 2015-2019 FY
STP-MM GRANT
TRAVIS COUNTY



CSJ: 0914-00-393 Fed. # STP: {enter STP}
 Code Chart 64#: 13300
 Project: Elgin Connections
 FHWA CFDA #: 20.205
 Not Research and Development

ATTACHMENT C

PROJECT ESTIMATE AND SOURCE OF FUNDS

(State or LG) Performs PE Work or Hires Consultant / (State or LG) Lets Project to Construction

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes additional percentage for TDC apportionment where applicable		State Participation		Local Government (LG) Participation Includes any EDC reduction where applicable	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0	0%	\$0
Preliminary Engineering	\$269,546	80%	\$215,637	0%	\$0	20%	\$53,909
Environmental Cost	\$0	0%	\$0	0%	\$0	0%	\$0
Right of Way	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities	\$0	0%	\$0	0%	\$0	0%	\$0
Construction	\$0	0%	\$0	0%	\$0	0%	\$0
In-kind donation Value (Add to Total Project Cost - 20% Maximum value)	\$0	0%	\$0	0%	\$0	0%	\$0
Work by LG Subtotal	\$269,546		\$215,637		\$0		\$53,909
Work Performed by the State (Local Participation paid up front by LG to TxDOT)							
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Right of Way ³	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities ²	\$0	0%	\$0	0%	\$0	0%	\$0
Construction ²	\$808,894	80%	\$647,115	15.8%	\$127,805	4.2%	\$33,974
Work by State Subtotal	\$808,894		\$647,115		\$127,805		\$33,974

CSJ: 0914-00-393 Fed. # STP: {enter STP}
 Code Chart 64#: 13300
 Project: Elgin Connections
 FHWA CFDA #: 20.205
 Not Research and Development

Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes additional percentage for TDC apportionment where applicable		State Participation		Local Government (LG) Participation Includes any EDC reduction where applicable	
		%	Cost	%	Cost	%	Cost
Preliminary Engineering ¹	\$20,221	80%	\$16,177	0%	\$0	20%	\$4,044
Environmental Cost ¹	\$20,221	80%	\$16,177	0%	\$0	20%	\$4,044
Right of Way ¹	\$20,221	80%	\$16,177	0%	\$0	20%	\$4,044
Utilities ¹	\$20,220	80%	\$16,176	0%	\$0	20%	\$4,044
Construction ²	\$80,883	80%	\$64,706	0%	\$0	20%	\$16,177
Direct State Costs Subtotal	\$161,766	80%	\$129,413	0%	\$0	20%	\$32,353
Indirect State Costs	\$79,125		\$0		\$79,125		\$0
TOTAL PARTICIPATION	\$1,319,331		\$992,165		\$206,930		\$120,236
In-kind Contribution Credit Applied						0%	\$0
TOTAL REMAINING PARTICIPATION AFTER IN-KIND CONTRIBUTION							\$120,236

The estimated total participation by Local Government is \$120,236, plus 100% of overruns.

Total estimated payment by Local Government to State is \$66,327.

¹Local Government's first payment of \$32,353 is due to State within 30 days from execution of this contract.

²Local Government's second payment of \$33,974 is due to State within 60 days prior to the Construction contract being advertised for bids.

³If ROW is to be acquired by State, Local Government's share of property cost will be due prior to acquisition.

The eligible percent of required local match is stated in the nomination and must be 20% or greater, unless In-Kind, EDC adjustments or TDCs are applied.

This is an estimate, the final amount of Local Government participation will be based on actual costs.

Maximum federal TAP funds available for Project are \$992,165.



COUNCIL MEETING: July 5, 2016

ITEM: 5. Discussion and action to consider a Resolution Authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the Community Development Fund; authorizing the Interim City Manager, City Manager, and or the Mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant program.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director
Sydney Laquey, Finance Director
Doug Prinz, Utilities Director

SUMMARY: The city is working with Langford Community Management Services to develop a grant application for improved water and wastewater services. This is a required resolution that must be reviewed by council and does not require that the project be finalized. The maximum grant application will be \$300,000 the maximum local match would be 25% of the project. We will keep council informed as the development of the application progresses. Applications are due in early February.

RECOMMENDATION(S): Approve Resolution _ authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the Community Development Fund; authorizing the Interim City Manager, City Manager, and or the Mayor to act as the City's executive officer and authorized representative in all matters pertaining to the City's participation in the Texas Community Development Block Grant program.

ATTACHMENT: 1-Resolution 2016-07-05-11CDBG grant

Resolution No. 2016-07-05-11

A RESOLUTION OF THE CITY COUNCIL OF THE 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 INTERIM CITY MANAGER, CITY MANAGER, AND/OR THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the city of Elgin desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- to 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 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 filed on 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 \$300,000 of grant funds to provide water and/or sewer improvements.
4. That the City Council directs and designates the Interim City Manager, City Manager and/or the Mayor as the City's Chief Executive Officer and Authorized Representative to act in all matters in connection with this 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 applicable federal, state, local and programmatic requirements including but not limited to 24 CFR 58 and the Davis-Bacon Act.
6. That it further be stated that the City of Elgin is committing \$60,000 from its Utility Fund as a cash contribution toward the engineering and administration activities of this water and/or sewer project.

Passed and approved this 5th day of July, 2016.

Chris Cannon, Mayor

Lucretia Alvarez, City Secretary



COUNCIL MEETING: July 5, 2016

ITEM: 6. Discussion and action to consider a Resolution authorizing the Mayor as the Chief Executive officer and authorized representative to act in all matters in connection with the FEMA Mitigation project and committing the city to provide matching funds to complete the FEMA mitigation grant, Texas Community Block Grant Program (TxCDBG), the FEMA Mitigation grant.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director
Judy Langford, Community Management Services
Sydney Laquey, Finance Director
Doug Prinz, Utilities Director
Laura Schwartz, Purchasing Agent, Finance Administrator

SUMMARY: The city of Elgin Pucket water treatment plant experienced reduced operating capacity during the May and October flooding events. The FEMA HMGP grant would help fund major modifications at the plant that will directly impact operations and decrease the likelihood of reduced operating capacity due to flooding in the future. The city has a required local match of 25% of the total project. At this time project cost estimates are \$1,381,916 and the City's estimated match would be \$345,479.

**RECOMMENDATION(S): Recommend Council approve Resolution 2016-07-05-____
authorizing the Mayor as the Chief Executive officer and
authorized representative to act in all matters in connection
with the FEMA Mitigation project and committing the city to
provide matching funds to complete the FEMA mitigation
grant,**

ATTACHMENT: 1-Resolution 2016-07-05-12 FEMA HMGP

RESOLUTION No. 2016-07-05-12

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING THE MAYOR AS THE CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS IN CONNECTION WITH THE FEMA MITIGATION PROJECT AND COMMITTING THE CITY TO PROVIDE MATCHING FUNDS TO SECURE AND COMPLETE THE FEMA MITIGATION GRANT.

WHEREAS, the City of Elgin is developing application(s) for FEMA Mitigation funds to mitigate against future flood damage at the Elgin Puckett Water Treatment Plant and adjacent ground storage tanks and pump station to include booster pump and control valve elevation and relocation of the motor control building to higher ground; and;

WHEREAS, FEMA Mitigation Fund applicants are required to appoint an official to act as the Authorized Representative in all matters in connection with the Mitigation Grant; and

WHEREAS, FEMA Mitigation Fund applicants are required to commit 25% or more matching funds to secure and complete the FEMA Mitigation Grant,

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

- Section 1. That the Mayor is authorized to submit an application for FEMA Mitigation Funds to mitigate against future flood damage at the Elgin Puckett Water Treatment Plant and adjacent ground storage tanks and pump station to include booster pump and control valve elevation and relocation of the motor control building to higher ground;
- Section 2. That the Mayor be appointed the Chief Executive Officer and Authorized Representative to act on behalf of the City in all matters in connection with the FEMA Mitigation Project;
- Section 3. That the City is committing to provide 25% or more matching funds in contribution to the FEMA Mitigation Project, if the grant application is approved for funding.

PASSED AND APPROVED this 5th day of July, 2016

Chris Cannon, Mayor

ATTEST:

Lucretia Alvarez, City Secretary



COUNCIL MEETING: July 5, 2016

ITEM: 7. Discussion and action to award the construction contract to Casto Lopez Concrete, LLC in the amount of \$212,128.00 for the Community Development Block Grant (CDBG) program grant Contract No. 7215151 and authorize the Interim City Manager or the City Manager to approve change orders for up to 25% of the contract.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Amy Miller, Community Development Director
Doug Prinz, Utilities Director

SUMMARY: The City of Elgin received nine bids for the construction of 1,850 linear feet of 12" water line, fittings, hydrants, valves, and pavement repair for CDBG contract #7215151. TRC reviewed these bids and recommends that the city award the contract to Casto Lopez Concrete, LLC in the amount of \$212,128.00 and authorize the interim city manager or the city manger to authorize change orders up to 25% of the contract amount. The waterline will be placed in ROW of Hwy 290, at Ochoa, on Ochoa and connecting with Monterrey Street. The line will improve service for the Meyers Elgin Smokehouse, other businesses in the area and residences.

RECOMMENDATION(S): Approve to award the construction contract to Casto Lopez Concrete, LLC in the amount of \$212,128.00 for the Community Development Block Grant (CDBG) program grant Contract No. 7215151 and authorize the Interim City Manager or the City Manager to approve change orders for up to 25% of the contract.

ATTACHMENT:

1-CDBG Utility grant award recommendation



T.B.P.E. #F-8632

505 East Huntland Drive
Suite 250
Austin, TX 78752

512.454.8716 PHONE
512.454.2433 FAX

www.TRCSolutions.com

June 24, 2016

Mr. Doug Prinz, Director of Utilities
City of Elgin
P.O. Box 591
Elgin, Texas 78621-0591

**RE: 2016 Water Main Improvements
Bid Recommendation**

Dear Mr. Prinz:

Nine (9) sealed bids were received at Elgin City Hall on June 21, 2016 at 11:00 A.M. for the above-referenced project. The bids ranged from \$212,128.00 from Casto Lopez Concrete, LLC to \$523,213.00 from MA Smith Contracting Company, Inc.

The project consists of 1,850 linear feet of 12" water line, fittings, fire hydrants, valves, and pavement repair. The construction completion period is one hundred twenty (120) consecutive calendar days.

It is recommended that Casto Lopez Concrete, LLC be awarded the construction project in the amount of \$212,128.00. TRC conducted reference checks on projects supplied by the contractor and has attached those for your review. The Contractor has a bid bond and will be required to furnish a Standard Form of Agreement, Performance Bond and Payment Bond to the City. A detailed bid tabulation is attached for your reference.

If you have any other questions or comments, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Beau Perry", is positioned below the "Sincerely," text.

K. Beau Perry, P.E.
Vice President

CITY OF ELGIN
2016 Water Main Improvements
Bid Tabulation
June 21, 2016 - 11:00 AM



				Casto Lopez Concrete, LLC 6920 Bethune Ave. Austin, Texas 78752		Facilities Rehabilitation, Inc. 716 N. Main Street, Suite 3 Taylor, Texas 76574		Lee Contractors, Inc. 136 Market Street Georgetown, Texas 78626	
Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	12" PVC Water Main	1,854	LF	\$47.00	\$87,138.00	\$63.00	\$116,802.00	\$65.00	\$120,510.00
P.2	6" PVC Water Main	88	LF	\$58.00	\$5,104.00	\$50.00	\$4,400.00	\$50.00	\$4,400.00
P.3	12" Resilient Seat Gate Valves	3	EA	\$3,150.00	\$9,450.00	\$2,800.00	\$8,400.00	\$2,500.00	\$7,500.00
P.4	6" Resilient Seat Gate Valves	4	EA	\$1,600.00	\$6,400.00	\$1,500.00	\$6,000.00	\$1,150.00	\$4,600.00
P.5	Fittings	2	TON	\$4,500.00	\$9,000.00	\$8,000.00	\$16,000.00	\$6,000.00	\$12,000.00
P.6	Fire Hydrant Assemblies	5	EA	\$4,000.00	\$20,000.00	\$4,000.00	\$20,000.00	\$4,250.00	\$21,250.00
P.7	Remove 2" Water Valve	2	EA	\$800.00	\$1,600.00	\$800.00	\$1,600.00	\$1,500.00	\$3,000.00
P.8	3/4" Service Connection to Water Meter	5	EA	\$1,350.00	\$6,750.00	\$1,800.00	\$9,000.00	\$1,500.00	\$7,500.00
P.9	3/4" Service Connection to Vacant Lots	5	EA	\$1,250.00	\$6,250.00	\$1,500.00	\$7,500.00	\$1,800.00	\$9,000.00
P.10	2" Service Connection to Water Meter	1	EA	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
P.11	6" Tapping Sleeve and Valve	3	EA	\$3,500.00	\$10,500.00	\$3,500.00	\$10,500.00	\$5,000.00	\$15,000.00
P.12	OSHA Trench Protection	1,942	LF	\$1.00	\$1,942.00	\$1.00	\$1,942.00	\$1.00	\$1,942.00
P.13	Pavement Repair	449	LF	\$15.00	\$6,735.00	\$30.00	\$13,470.00	\$24.00	\$10,776.00
P.14	Pavement Repair (within TxDOT ROW)	563	LF	\$15.00	\$8,445.00	\$30.00	\$16,890.00	\$28.00	\$15,764.00
P.15	Tracer Wire	1,942	LF	\$1.00	\$1,942.00	\$1.00	\$1,942.00	\$1.00	\$1,942.00
P.16	Tree Removal	3	EA	\$500.00	\$1,500.00	\$500.00	\$1,500.00	\$500.00	\$1,500.00
P.17	Hydromulch	2,422	SY	\$1.00	\$2,422.00	\$3.00	\$7,266.00	\$2.00	\$4,844.00
P.18	Rock Check Berms	37	LF	\$40.00	\$1,480.00	\$30.00	\$1,110.00	\$50.00	\$1,850.00
P.19	Silt Fence	960	LF	\$3.50	\$3,360.00	\$3.00	\$2,880.00	\$3.00	\$2,880.00
P.20	Traffic Control Plan	1	LS	\$3,000.00	\$3,000.00	\$500.00	\$500.00	\$10,000.00	\$10,000.00
P.21	SWPPP	1	LS	\$2,800.00	\$2,800.00	\$3,000.00	\$3,000.00	\$6,000.00	\$6,000.00
P.22	Steel Casing by Bore	30	LF	\$477.00	\$14,310.00	\$300.00	\$9,000.00	\$400.00	\$12,000.00
	TOTAL BASE BID				\$212,128.00		\$262,202.00		\$276,758.00

CITY OF ELGIN
2016 Water Main Improvements
Bid Tabulation
June 21, 2016 - 11:00 AM



				Aaron Concrete Contractors, LP 4108 Nixon Lane Austin, Texas 78725		Whitestone Civil Construction, LLC P.O. Box 1537 Cedar Park, Texas 78630		Herschap Backhoe & Ditching, Inc. P.O. Drawer 489 Bastrop, Texas 78602	
Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	12" PVC Water Main	1,854	LF	\$61.00	\$113,094.00	\$65.00	\$120,510.00	\$60.00	\$111,240.00
P.2	6" PVC Water Main	88	LF	\$76.00	\$6,688.00	\$50.00	\$4,400.00	\$50.00	\$4,400.00
P.3	12" Resilient Seat Gate Valves	3	EA	\$2,400.00	\$7,200.00	\$3,500.00	\$10,500.00	\$2,500.00	\$7,500.00
P.4	6" Resilient Seat Gate Valves	4	EA	\$1,200.00	\$4,800.00	\$1,500.00	\$6,000.00	\$1,000.00	\$4,000.00
P.5	Fittings	2	TON	\$7,000.00	\$14,000.00	\$6,000.00	\$12,000.00	\$5,000.00	\$10,000.00
P.6	Fire Hydrant Assemblies	5	EA	\$2,800.00	\$14,000.00	\$3,500.00	\$17,500.00	\$4,500.00	\$22,500.00
P.7	Remove 2" Water Valve	2	EA	\$385.00	\$770.00	\$450.00	\$900.00	\$500.00	\$1,000.00
P.8	3/4" Service Connection to Water Meter	5	EA	\$1,500.00	\$7,500.00	\$1,800.00	\$9,000.00	\$2,000.00	\$10,000.00
P.9	3/4" Service Connection to Vacant Lots	5	EA	\$1,500.00	\$7,500.00	\$1,550.00	\$7,750.00	\$1,800.00	\$9,000.00
P.10	2" Service Connection to Water Meter	1	EA	\$2,200.00	\$2,200.00	\$1,900.00	\$1,900.00	\$4,500.00	\$4,500.00
P.11	6" Tapping Sleeve and Valve	3	EA	\$2,800.00	\$8,400.00	\$6,500.00	\$19,500.00	\$4,500.00	\$13,500.00
P.12	OSHA Trench Protection	1,942	LF	\$1.00	\$1,942.00	\$2.00	\$3,884.00	\$2.00	\$3,884.00
P.13	Pavement Repair	449	LF	\$32.00	\$14,368.00	\$75.00	\$33,675.00	\$95.00	\$42,655.00
P.14	Pavement Repair (within TxDOT ROW)	563	LF	\$52.00	\$29,276.00	\$110.00	\$61,930.00	\$150.00	\$84,450.00
P.15	Tracer Wire	1,942	LF	\$1.00	\$1,942.00	\$0.50	\$971.00	\$0.30	\$582.60
P.16	Tree Removal	3	EA	\$800.00	\$2,400.00	\$500.00	\$1,500.00	\$800.00	\$2,400.00
P.17	Hydromulch	2,422	SY	\$8.00	\$19,376.00	\$3.00	\$7,266.00	\$3.00	\$7,266.00
P.18	Rock Check Berms	37	LF	\$42.00	\$1,554.00	\$50.00	\$1,850.00	\$100.00	\$3,700.00
P.19	Silt Fence	960	LF	\$3.00	\$2,880.00	\$4.00	\$3,840.00	\$3.00	\$2,880.00
P.20	Traffic Control Plan	1	LS	\$6,400.00	\$6,400.00	\$10,000.00	\$10,000.00	\$4,000.00	\$4,000.00
P.21	SWPPP	1	LS	\$3,700.00	\$3,700.00	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00
P.22	Steel Casing by Bore	30	LF	\$965.00	\$28,950.00	\$850.00	\$25,500.00	\$400.00	\$12,000.00
	TOTAL BASE BID				\$298,940.00		\$363,376.00		\$365,457.60

CITY OF ELGIN
2016 Water Main Improvements
Bid Tabulation
June 21, 2016 - 11:00 AM



				Horseshoe Construction, Inc. 2309 S. Battleground Road La Porte, Texas 77571		Underground Water Solutions Co. 601 North Main Street Elgin, Texas 78621		MA Smith Contracting Co., Inc. 15308 Ginger Street Austin, Texas 78728	
Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	12" PVC Water Main	1,854	LF	\$90.00	\$166,860.00	\$119.00	\$220,626.00	\$90.00	\$166,860.00
P.2	6" PVC Water Main	88	LF	\$75.00	\$6,600.00	\$60.00	\$5,280.00	\$60.00	\$5,280.00
P.3	12" Resilient Seat Gate Valves	3	EA	\$3,500.00	\$10,500.00	\$2,900.00	\$8,700.00	\$3,700.00	\$11,100.00
P.4	6" Resilient Seat Gate Valves	4	EA	\$2,800.00	\$11,200.00	\$1,480.00	\$5,920.00	\$1,400.00	\$5,600.00
P.5	Fittings	2	TON	\$4,000.00	\$8,000.00	\$4,850.00	\$9,700.00	\$3,000.00	\$6,000.00
P.6	Fire Hydrant Assemblies	5	EA	\$8,000.00	\$40,000.00	\$4,000.00	\$20,000.00	\$3,500.00	\$17,500.00
P.7	Remove 2" Water Valve	2	EA	\$1,500.00	\$3,000.00	\$300.00	\$600.00	\$450.00	\$900.00
P.8	3/4" Service Connection to Water Meter	5	EA	\$1,500.00	\$7,500.00	\$2,300.00	\$11,500.00	\$1,900.00	\$9,500.00
P.9	3/4" Service Connection to Vacant Lots	5	EA	\$1,500.00	\$7,500.00	\$1,700.00	\$8,500.00	\$1,900.00	\$9,500.00
P.10	2" Service Connection to Water Meter	1	EA	\$1,800.00	\$1,800.00	\$2,400.00	\$2,400.00	\$3,600.00	\$3,600.00
P.11	6" Tapping Sleeve and Valve	3	EA	\$8,000.00	\$24,000.00	\$3,000.00	\$9,000.00	\$8,300.00	\$24,900.00
P.12	OSHA Trench Protection	1,942	LF	\$1.00	\$1,942.00	\$2.00	\$3,884.00	\$1.00	\$1,942.00
P.13	Pavement Repair	449	LF	\$45.00	\$20,205.00	\$79.00	\$35,471.00	\$55.00	\$24,695.00
P.14	Pavement Repair (within TxDOT ROW)	563	LF	\$65.00	\$36,595.00	\$115.00	\$64,745.00	\$300.00	\$168,900.00
P.15	Tracer Wire	1,942	LF	\$3.00	\$5,826.00	\$0.80	\$1,553.60	\$0.50	\$971.00
P.16	Tree Removal	3	EA	\$1,500.00	\$4,500.00	\$150.00	\$450.00	\$600.00	\$1,800.00
P.17	Hydromulch	2,422	SY	\$8.00	\$19,376.00	\$3.00	\$7,266.00	\$2.00	\$4,844.00
P.18	Rock Check Berms	37	LF	\$280.00	\$10,360.00	\$178.00	\$6,586.00	\$33.00	\$1,221.00
P.19	Silt Fence	960	LF	\$8.00	\$7,680.00	\$4.00	\$3,840.00	\$2.50	\$2,400.00
P.20	Traffic Control Plan	1	LS	\$5,000.00	\$5,000.00	\$22,000.00	\$22,000.00	\$16,500.00	\$16,500.00
P.21	SWPPP	1	LS	\$3,500.00	\$3,500.00	\$3,400.00	\$3,400.00	\$6,200.00	\$6,200.00
P.22	Steel Casing by Bore	30	LF	\$750.00	\$22,500.00	\$820.00	\$24,600.00	\$1,100.00	\$33,000.00
	TOTAL BASE BID				\$424,444.00		\$476,021.60		\$523,213.00

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Casto Lopez Concrete, LLC

CONTACT INFO: Venancio Lopez

AREA(S) OF WORK: ☐ UTILITIES

☒ CONCRETE

☐ ROADWAY & TRANSPORTATION

☒ GENERAL CONSTRUCTION

☐ OTHER: _____

REFERENCE: Zaxby's Chicken

CONTACT INFO: Dinnen Hite, 901-794-9292 Ext. 221

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

a. Was the construction started and completed on time?

Several delays, not due to them.

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?

N/A

c. Were there any significant delays or work stoppages?

Yes but not due to the contractor.

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

No

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

No

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

No

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

N/A

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Buda - Site work, Concrete, Footing, SS, Grease Trap, Domestic Water Service, Grading

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

For the most part yes, just have had to be very up-front regarding expectations.

- b. Were there any significant issues with the contractor's employees dealing with the public?
None
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
Some work crew rotations but nothing significant.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None

6. General:

- a. How much of the work was self performed versus sub contracted out?
All self-performed.
- b. Did the contractor do the utilities or sub contract them out?
Self-performed.
- c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?

If you are going to use them be very vocal and put in writing regarding scheduling and expectations. Be very up-front regarding expectations. Currently using them for another



CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Casto Lopez Concrete, LLC

CONTACT INFO: Venancio Lopez

AREA(S) OF WORK:

☐ UTILITIES

☒ CONCRETE

☐ ROADWAY & TRANSPORTATION

☒ GENERAL CONSTRUCTION

☐ OTHER: _____

REFERENCE: Drainage Improvements @ Cunnungham Elementary

CONTACT INFO: Fayes Kazi, 512-761-6161

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

a. Was the construction started and completed on time?

Yes

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?

N/A

c. Were there any significant delays or work stoppages?

None

Page 1 of 2

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Stormwater

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes

- b. Were there any significant issues with the contractor's employees dealing with the public?
None
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None

6. General:

- a. How much of the work was self performed versus sub contracted out?
99%
- b. Did the contractor do the utilities or sub contract them out?
Self-performed
- c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?
- Yes

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Casto Lopez Concrete, LLC

CONTACT INFO: Venancio Lopez

AREA(S) OF WORK: ☒ UTILITIES
☒ CONCRETE
☐ ROADWAY & TRANSPORTATION
☒ GENERAL CONSTRUCTION
☐ OTHER:

REFERENCE: Housing Authority of The City of Austin, May 2016,

CONTACT INFO: James Teasdale, 512-477-4488 Ext 1124

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

- a. Was the construction started and completed on time?
Started on time.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Project is currently still being conducted.
- c. Were there any significant delays or work stoppages?
Rain delayed project for a month, project is currently still being conducted.

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

Yes, but because the COA opted to add work not included in original scope of work.

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Storm Sewer installation.

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes, very well.

- b. Were there any significant issues with the contractor's employees dealing with the public?

Contractor handled multiple cases of vandalism to equipment very well. Very patient and understanding.

- c. Were there many complaints from the residents regarding the contractor?

None

- d. Did the contractor cleanup his work site sufficiently?

Yes

- e. Was there excessive personnel turnover for the contractor's field workers?

None

- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?

None

6. General:

- a. How much of the work was self performed versus sub contracted out?

All work Self-performed

- b. Did the contractor do the utilities or sub contract them out?

Self-performed

- c. Did the contractor do the roadway work or sub contract it out?

Self-performed

7. Would you hire this contractor again?

Yes, definitely. Been a good company to work with. Would be perfect for water line project in Elgin.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Facilities Rehabilitation Inc.

CONTACT INFO: German Ramirez, 512-352-6035

AREA(S) OF WORK:

☒ UTILITIES

☐ CONCRETE

☒ ROADWAY & TRANSPORTATION

☐ GENERAL CONSTRUCTION

☐ OTHER: _____

REFERENCE: Pemberton Heights WL Replacements, October 2015, \$7.72M

CONTACT INFO: Jim Steed, 512-801-0619

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

- a. Was the construction started and completed on time?
Yes even with several change orders.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Only due to the change orders requested by the City/Owner.
- c. Were there any significant delays or work stoppages?
None that didn't include the several change orders requested by the City/Owner.

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

Yes

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Waterline Replacement

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes, very cooperative.

- b. Were there any significant issues with the contractor's employees dealing with the public?
None at all.
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None at all.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None at all

6. General:

- a. How much of the work was self performed versus sub contracted out?
Most self-performed.
- b. Did the contractor do the utilities or sub contract them out?
Self-performed.
- c. Did the contractor do the roadway work or sub contract it out?
Paving work subbed out

7. Would you hire this contractor again?

Yes, without a doubt.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Facilities Rehabilitation Inc.

CONTACT INFO: German Ramirez, 512-352-6035

AREA(S) OF WORK:

☒ UTILITIES

☐ CONCRETE

☒ ROADWAY & TRANSPORTATION

☐ GENERAL CONSTRUCTION

☐ OTHER: _____

REFERENCE: Shoalcreek Rosedale Storm Water, March 2015, \$5.31M

CONTACT INFO: Travis Miller, 512-974-1564

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

- a. Was the construction started and completed on time?
Yes
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
N/A
- c. Were there any significant delays or work stoppages?
None caused by Facilities.

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

No

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Yes water quality improvements.

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None.

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes

- b. Were there any significant issues with the contractor's employees dealing with the public?
One crazy lady, not their fault. Employees handled well.
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None, only one safety guy but justified situation.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None

6. General:

- a. How much of the work was self performed versus sub contracted out?
Facilities was major sub to other company
- b. Did the contractor do the utilities or sub contract them out?
Facilities did all the utility work.
- c. Did the contractor do the roadway work or sub contract it out?
Sub-contract

7. Would you hire this contractor again?
Yes, definitely.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Facilities Rehabilitation Inc.

CONTACT INFO: German Ramirez, 512-352-6035

AREA(S) OF WORK: ☒ UTILITIES

☐ CONCRETE

☒ ROADWAY & TRANSPORTATION

☐ GENERAL CONSTRUCTION

☐ OTHER:

REFERENCE: UT Austin Fire Water Distribution, 2008, \$352,000

CONTACT INFO: Jim Schrull, 512-848-1517

DATE OF INTERVIEW: 06/23/2016

1. Project Time:

a. Was the construction started and completed on time?
Yes

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
N/A

c. Were there any significant delays or work stoppages?

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

N/A

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Installed 1500 LF of 8" High Pressrue Fire Main and 600 LF of Reclaimed Water Line

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

Had to keep an eye on them, seemed to want to try and cut corners

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes

- b. Were there any significant issues with the contractor's employees dealing with the public?
None
 - c. Were there many complaints from the residents regarding the contractor?
None
 - d. Did the contractor cleanup his work site sufficiently?
Yes
 - e. Was there excessive personnel turnover for the contractor's field workers?
None
 - f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None of the laborers where native english speakers but super's were easy to communicate with.
6. General:
- a. How much of the work was self performed versus sub contracted out?
All Self performed
 - b. Did the contractor do the utilities or sub contract them out?
Self Performed
 - c. Did the contractor do the roadway work or sub contract it out?
Self Performed
7. Would you hire this contractor again?
- Not sure, safety issues were bothersome.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Lee Contractors, Inc.

CONTACT INFO: Michael Lee

AREA(S) OF WORK: ☒ UTILITIES
☐ CONCRETE
☐ ROADWAY & TRANSPORTATION
☐ GENERAL CONSTRUCTION
☐ OTHER:

REFERENCE: City of Austin Water Line, December 2015

CONTACT INFO: Michael Engen, 512-342-2774

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

a. Was the construction started and completed on time?
Yes

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
N/A

c. Were there any significant delays or work stoppages?
None

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None, a few small ones but they were per the engineer.

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

Yes

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

2114 LF of 12" C-900 Water Line

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Very well, very responsive and easy to work with.

- b. Were there any significant issues with the contractor's employees dealing with the public?
None
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None

6. General:

- a. How much of the work was self performed versus sub contracted out?
100% Self-performed.
- b. Did the contractor do the utilities or sub contract them out?
Self-performed.
- c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?
Absolutely!

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Lee Contractors, Inc.

CONTACT INFO: Michael Lee

AREA(S) OF WORK: ☒ UTILITIES
☐ CONCRETE
☐ ROADWAY & TRANSPORTATION
☐ GENERAL CONSTRUCTION
☐ OTHER:

REFERENCE: Jerrel, Texas Water Line, September 2015

CONTACT INFO: David Yohe, 512-746-2114

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

a. Was the construction started and completed on time?

Yes

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?

N/A

c. Were there any significant delays or work stoppages?

None

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

5200 LF of 6" C-900 Water Line

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes

- b. Were there any significant issues with the contractor's employees dealing with the public?
None at all, worked very well with public considering the water line ran through multiple driveways and yards.
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
None

6. General:

- a. How much of the work was self performed versus sub contracted out?
All Self-Performed
- b. Did the contractor do the utilities or sub contract them out?
All Self-Performed
- c. Did the contractor do the roadway work or sub contract it out?
All Self-Performed

7. Would you hire this contractor again?

Yes, they are currently conducting another job for them now.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin Water Main Improvements - 245158

CONTRACTOR: Lee Contractors, Inc.

CONTACT INFO: Michael Lee

AREA(S) OF WORK: ☒ UTILITIES
☐ CONCRETE
☐ ROADWAY & TRANSPORTATION
☐ GENERAL CONSTRUCTION
☐ OTHER:

REFERENCE: Jonah Sud Water Line, 512-639-4781

CONTACT INFO: Chris, 512-639-4781

DATE OF INTERVIEW: 06/22/2016

1. Project Time:

a. Was the construction started and completed on time?

Yes

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?

N/A

c. Were there any significant delays or work stoppages?

None in their power, all owner initiated.

Page 1 of 3

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

None

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

None

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

None

- c. Did the contractor pay his sub-contractors timely?

N/A

- d. Were there any liens placed on the project from vendors or sub-contractors?

None

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

1525 LF of 12" C-900 Water Line

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

None

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Very well.

- b. Were there any significant issues with the contractor's employees dealing with the public?
None
- c. Were there many complaints from the residents regarding the contractor?
None
- d. Did the contractor cleanup his work site sufficiently?
Yes
- e. Was there excessive personnel turnover for the contractor's field workers?
None, two different crews at two different times but no "turnover"
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
A few with laborers but superintendents spoke fluent english

6. General:

- a. How much of the work was self performed versus sub contracted out?
Greater majority of project self-performed.
- b. Did the contractor do the utilities or sub contract them out?
Self-performed
- c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?

Yes, wish they would bid on more of our projects.



COUNCIL MEETING: July 5, 2016

ITEM: 8. Discussion and action to consider amending Section 11.1 Medical Insurance of the existing Employee Personnel Policy to include retiree benefits.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Bonnie Crankshaw, Human Resources
Sue Brashar, Council Member

SUMMARY: **This is an amendment for city retirees to have an option to purchase health,, dental, and vision insurance at the city rates.**

RECOMMENDATION(S): **Staff recommends consideration for approval.**

ATTACHMENT: **1-Retirement Insurance Benefits**

RETIREE INSURANCE BENEFITS

The City of Elgin will provide the opportunity for City of Elgin retirees to purchase health, dental, and vision insurance coverage for the retiree and/or the retiree's dependents as provided by these regulations.

This policy applies to all City of Elgin retirees.

A. **Requirements.** Retirement from City of Elgin through the Texas Municipal Retirement System (TMRS) shall require the following:

1. An employee must have become vested with the Texas Municipal Retirement System (TMRS) with five years of completed service and be 60 years of age; or
2. The employee must have 20 completed years of service with the Texas Municipal Retirement System (TMRS) and retire at any age.

B. **Responsibility of payments.** Retirees or the retiree's dependents shall be responsible for paying for the health, dental and vision insurance coverage at the same rates as the City of Elgin and shall make payments to the City by the 1st of the month. Payments can be made on a biweekly, monthly, quarterly or annual basis.

C. **End of coverage.** At the age of 65, and when eligible for federal Medicare benefits, a retiree's and/or dependent's health and dental coverage will cease.



COUNCIL MEETING: July 5, 2016

ITEM: 9. Discussion and action to consider Section 7.05 Tuition Reimbursement Program to be included in the existing Employee Personnel Policy.

RESOURCE PERSON(S): **Kenneth Reneau, Interim City Manager**
Bonnie Crankshaw, Human Resources

SUMMARY: **This is a new program for city employees to have educational benefits through tuition reimbursement.**

RECOMMENDATION(S): **Staff recommends consideration for approval.**

ATTACHMENT: **1-Tuition Reimbursement Program**

SECTION 7.05 TUITION REIMBURSEMENT PROGRAM

The City of Elgin's philosophy is to support employee training, education, and development opportunities which will prepare employees for increased responsibilities and enhance individual growth, promotion, and development. This policy outlines rules and practices for tuition reimbursement.

This policy applies to all regular full-time employees of the City of Elgin.

- A. **Policy.** The City of Elgin encourages employees to further their education and training in job-related knowledge and skills. Tuition reimbursement is available for undergraduate, and graduate level courses. Tuition reimbursement funds are available within authorized budget limits established by City Council.
- B. **Eligibility.** Employees must meet three (3) conditions below to be eligible for tuition reimbursement.
 - 1. Be a full time employee who has successfully completed their initial orientation period or a part time employee who worked for the City for more than one year and then began working full time.
 - 2. Courses must be job-related or a requirement of an official degree plan related to and useful in a municipal government setting.
 - 3. Courses must be taken in a classroom setting at a traditional college or satellite campus or through internet courses/programs that are regionally or nationally accredited to award Associate's, Bachelor's, and/or Master's degree.
- C. **Prior Authorization.** Part I of the Tuition Reimbursement Request must be submitted and approved prior to enrollment in any class or training. The Tuition Reimbursement Request must be approved by the Department Head, and City Manager.
- D. **General Guidelines.**
 - 1. Tuition reimbursement is available if funds have been appropriated through the budget process.
 - 2. An employee may take no more than nine (9) credit hours at a time to be eligible for assistance. The employee must maintain the equivalent of a 2.00 grade point average on a 4.00 point system and will not receive tuition reimbursement for a course with a final grade of less than a "C" nor for any course for which credit was not received.
 - 3. Tuition reimbursement may be used in conjunction with other types of public assistance or benefits such as veteran's benefits, public safety programs, social security benefits, or any other type of grant, loan or scholarship programs. If other assistance is being used by the employee, the City tuition reimbursement program may only be utilized secondary to the other public assistance, in order to cover any gaps in financial coverage up to the maximum reimbursement amount. Supporting documentation will be required when submitted for approval.

4. The City will reimburse for the cost of tuition charged by Austin Community College. The tuition reimbursement program does not cover the cost of registration, transportation, books, medical or parking fees.
5. Employees requesting tuition reimbursement will enter into a written agreement to remain with the City for one (1) year after the date of reimbursement. If an employee separates from City employment for any reason within the one (1) year period, the employee will be charged (required to pay back), at the time of separation from employment, the tuition expenses reimbursed by the City from their final check.
6. At the time the employee makes application requesting approval for the tuition reimbursement program, the employee must include with the application a copy of the official degree program or relevant college catalog which outlines the requirements for a specific degree being sought.
7. Participation in the tuition reimbursement program is voluntary on the part of the employee and unless arrangements are made with the Department Head at the approval of the City Manager, the City expects that class attendance will occur after business hours and will not interfere with performance of regular roles, tasks, and accountabilities of the employee. Voluntary enrollment in colleges and universities is considered not compensable time.
8. If classes are only offered during working hours, prior to registration employees need to request permission from their Department Head and the City Manager to attend class during work hours and submit a temporary flexible work arrangement request in order to show how those hours will be made up while attending.

E. **Reimbursement Amount.** The City will reimburse for the cost of tuition charged by Austin Community College. In no case will the City's reimbursement to employee exceed the cost of class(es).

F. **Reimbursement Process.** Once an employee has been approved for the tuition reimbursement, enrolled, and completed the college course work for the semester, the employee is required to complete Part II of the Tuition Reimbursement Form, request for reimbursement to their department director. The request outlining other monetary assistance or benefits received.

G. **Deadline.** The reimbursement application with appropriate supporting documentation must be submitted to the department director within 30 days of course completion, but not later than the start of the next semester. Once the request has been submitted, it will be forwarded to the City Manager for approval and then to the Finance Department for reimbursement. Finance will see that the appropriate reimbursement is received by the employee.



COUNCIL MEETING: July 5, 2016

ITEM: 10. Discussion and direction to staff regarding the current bulk waste service for brush and bulky items.

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

SUMMARY: Due to enhanced endeavors in keeping our city cleaner, there has been an increase in the amount of brush and bulky trash.

RECOMMENDATION(S):

ATTACHMENT: 1-Brush and Bulky Trash

The city's current agreement with Republic Services calls for free bulk and brush pickup. This agreement is contrary to the city's ordinance relating to unsightly or unsanitary conditions, as the ordinance does not allow for the accumulation of these materials beyond a certain time frame.

When the city entered into the agreement with Republic to provide these services for free as an extension of the residential trash fee, it was done for all the right reasons. It was assumed that the provision of this free service would result in a community free from these accumulations.

Sadly, this has not been the case, as large volumes of brush and used furniture have begun to overwhelm Republic's ability to cope with them. Coupled with a refusal of some residents to contact the city to schedule pickups, the problem has become one which warrants another look into alternative solutions.

Brush and limbs are, by volume, the largest component of the problem. Republic loads and hauls the limbs intact. This means that each truckload going to the landfill is not a compacted load. Equipment is tied up going back and forth to the landfill and less time is available to be on the street picking up brush. They recognized this and placed a volume limit they would pick up from any one residence. For some locations, this resulted in the pile staying there for weeks or being added to over time.

The problem with the huge volume and its associated unsightliness caused staff to ask Republic how much money it would charge to do a "sweep" of the entire city and pick up everything at once. Their estimated cost for disposal only was \$16,000. A local contractor with a chipper was contacted and he provided a truck, chipper, driver, and two man crew for \$1450 per day. His crew spent three days chipping.

Staff is seeking direction to put together a fee based service for brush and bulk items. There would be no charge for the 4 foot bundled branches as is currently the rule. A cost somewhere between \$25 and \$35 per load (3 cu yds, about a pickup truck load). This would cover the brush pickup. The used furniture, appliances, etc. would not be picked up by the contract chipper and would require a different approach.

If Republic is not going to be required to provide this free service there should be some form of concession on their part. This could be in the form of a rate reduction for residential customers, or an additional service not currently provided.

Staff would appreciate some insights into what the Council might consider in formulating changes to the Republic agreement, what concessions does Council think are reasonable for Republic to make, what is a reasonable range of costs for providing these services.



COUNCIL MEETING: July 5, 2016

ITEM: 1. The City Council will convene in Executive Session pursuant to Section 551.074 of the Texas Government Code regarding personnel matters for employment of City Manager.

RESOURCE PERSON(S):

SUMMARY:

RECOMMENDATION(S):

ATTACHMENT: