



**AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 1, 2016
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. 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.

VI. PRESENTATIONS

1. Employee of the Fourth Quarter Presentation.

VII. CITY MANAGER'S REPORT

1. Monthly Department Reports for September 2016.
2. Update on City Recreation Center/Shelter Project and related matters.

VIII. CONSENT AGENDA

IX. UNFINISHED BUSINESS

1. **ORDINANCE NO. 2016-10-11-28 AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III. NOISE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 16, SECTION 16-54 AND BY ADDING NEW SECTIONS 16-82, 16-821, 16-83, 16-84, 16841, AND 16-85 REGARDING NOISE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

X. NEW BUSINESS (*DISCUSSION AND POSSIBLE ACTION*)

1. **ORDINANCE NO. 2016-11-1-29 AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV. SOLID WASTE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 42, SECTION 42-272 AND BY ADDING NEW SECTION 42-276 REGARDING BULKY WASTE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**
2. **RESOLUTION NO. 2016-11-1-20 A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2016 BASTROP COUNTY, TEXAS HAZARD MITIGATION PLAN DATED OCTOBER, 2016 AND MAKING CERTAIN FINDINGS RELATED THERETO**
3. **RESOLUTION NO. 2016-11-1-21 A RESOLUTION OF THE CITY OF ELGIN, TEXAS IN RECOGNITION OF MUNICIPAL COURT WEEK; RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE**

XI. 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.

None

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

XII. RECONVENE

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

XIII. ANNOUNCEMENTS

XIV. 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 Manager's Office at (512) 281-5724. Please provide forty-eight hours notice when feasible.

I, Thomas L. Mattis, City Manager 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 in accordance with Chapter 551 of the Texas Government Code.

Thomas L. Mattis

Thomas L. Mattis, City Manager



COUNCIL MEETING: November 1, 2016

ITEM: 1. Employee of the Fourth Quarter Presentation.

RESOURCE PERSON(S):

SUMMARY:

RECOMMENDATION(S):

ATTACHMENT: 1-Congratulations letter to Officer Edgardo Melara



October 25, 2016

Dear Officer Edgardo Melara,

Congratulations! You have been selected as the Employee of the Quarter for the 4rd Quarter of 2016. The Employee Awards Committee selected you for several reasons.

“Edgardo has been here since February 2015 and has done a fabulous job since. Edgardo is aggressive in finding criminals, drunk drivers, drug arrests and numerous warrant arrests. Edgardo has been a positive influence on those around him and he always has that positive attitude smile. Edgardo is a great officer and trainer. Edgardo should be rewarded as such as Employee of the quarter. Long overdue in my humble opinion.”

As Employee of the Quarter you may choose one day of paid leave, which needs to be taken within the next thirty days, or \$100 less payroll deductions. Please let your supervisor and Finance Department know if you select the day off or the cash option. Please plan to attend the City Council meeting on Tuesday, November 1st at 7 pm where Mayor Chris Cannon will present a Certificate of Appreciation to you. Each Employee of the Quarter will be considered for Employee of the Year.

Thank you for your service to the City of Elgin.

Sincerely,

Tom Mattis
City Manager

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

P.O. Box 591

310 North Main

Elgin, Texas 78621

Phone 512.281.5724



COUNCIL MEETING: November 1, 2016

ITEM: 1. Monthly Department Reports for September 2016.

RESOURCE PERSON(S):

SUMMARY:

RECOMMENDATION(S):

ATTACHMENT:

- 1-Library
- 2-Police Summary
- 3-Police Report
- 4-EDC
- 5-Community Development
- 6-Main Street
- 7-Utilities-Water & Wastewater
- 8-Utility Billing
- 9-Municipal Court
- 10-Parks
- 11-Planning and Code Enforcement
- 12-Public Works

Library Report for September 2016

Circulation September 2016 showed a 1% increase although FY 16 had a -1% loss.

Collection size is 39,569 items, slightly higher than last year.

Friends of the Elgin Library planned a Literary Event with Donna Janell Bowman on Sunday, October 16, at 2:00. She will be speaking about her book Step Right Up: How Doc and Jim Key taught the world about kindness.

Grants: We are to receive a Hancher Foundation grant for children's materials, one AWE computer and computer desks. It is for \$9,645 and will be administered by the Friends of the Elgin Library.

Programs: Children's librarian Melinda Torres worked with a parent's committee to do the Fall Fest. Their new ideas included baking, pumpkin decorating, short story and coloring page contests. She has restarted the Reading Buddy program and we have cute tents for the kids to sit and read in. Tani Tamdila with T2 Robotics did a robotics class on our Power Up @ Your Library Day. He has offered to do training monthly at area libraries.

Staff focused on last minute spending of the budget. We had a Step 'n Wash stepstool installed in both public restrooms. We had training with the One Click Digital staff as part of our Power Up @ Your Library Day On September 30th. They are our eBook and eAudiobook supplier.

Technology: The new router is working well. We have not had to reboot the network several times weekly with the replacement.

Categories	Units	Sept.'15	Sept. '16	Fiscal YTD '15	Fiscal YTD '16
Total Circulation		7,171	7,228	90,057	89,009
+ or - Same month previous year	Percent	9%-	1%+	9%-	1%-
Additions					
Interlibrary Loans	Each	0	7	20	25
New Patrons	Each	94	121	1,117	1,089
Collection					
Items Added	Each	329	169	3,872	4,199
Items Withdrawn	Each	366	71	3,212	2,669
Total Collection	Each	38,342	39,565	38,342	39,565
General Statistics					
Gate Count	Each	4,096	4,794	52,609	49,985
Hours Open	Hours	173	177	1,961	1,989
Library Tours	Each	0	0	7	2
Program Visitors	Each	603	300	6,474	5,973
Public Computer Use	Hours	665	530	8,932	7,663
Patrons using computers	Each	933	774	9,345	11,081
Volunteer Hours	Each	232	202	4,699	1,513
Receipts					
		\$1,277	\$1,816	\$28,666	\$27,838
Civic Center Use					
City	Each	4	3	33	34
Library	Each	10	26	183	189
Public Rental	Each	1	6	28	43
Other - not for profit	Each	4	9	88	110
Total Civic Center Use		19	44	332	376



Elgin Police Department

Office of the Chief

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



Elgin Police Department

September 2016

The month of September brought good news to the department. The 2015 Uniform Crime Reports for the State of Texas were released and our report shows a modest decrease in Part I crimes. Those crimes include Murder, Rape, Robbery, Aggravated Assault, Burglary, Arson, Motor Vehicle Theft, and Human Trafficking. We saw about a 5% decrease in reported Part I crimes for 2015 and although it's a modest decrease it is a decrease. We also saw the highest Part I clearance rate in the County. We cleared 38% of all Part I crimes for 2015 which is a very good clearance rate for a small department. The closest agency to that was Bastrop PD which cleared 31% of their Part I crimes for 2015. I'm very proud of the men and women working for the department. They put in a lot of hours and a lot of work to achieve those levels of service. This also marks the second year in a row that this department had the highest clearance rate for Part I crimes in all of Bastrop County.

September also marked the beginning of our 7th Citizens Police Academy. This year we have almost 40 community members in the class and so far it's been a rewarding experience for us to be able to interact with those community members. We have representatives from all parts of the community and almost every neighborhood is represented. The CPA is one of those events that we look forward to every year and this is proving to be a great class.

Elgin Police Department
Monthly Report September 2016

CATEGORY	Sep-16	15-Sep	14-Sep	13-Sep	12-Sep	11-Sep
Calls for Service						
Total Calls for Service	1277	974	998	893	646	827
Police calls	969	727	659	679	438	464
Fire calls	32	65	31	44	20	66
Animal calls	76	106	141	98	48	40
Activity logs	196	63	156	62	132	250
City calls	4	13	11	10	8	7
Pageouts	0	0	0	0	0	206
Offense Reports						
Total Offense Reports	100	77	65	88	62	70
Active (Open) cases	24	25	18	21	19	20
Cases Inactivated	15	13	16	21	15	14
Cases Closed	5	3	1	5	1	3
Documentation (no crime)	1	0	0	1	4	0
Other	1	2	2	1	0	31
Unfounded	1	0	1	0	0	1
Referred to other agency	1	3	2	0	2	1
Citations						
Total Citations	260	281	314	286	131	364
Citations for violations	141	122	179	120	69	202
Warnings	119	159	135	166	62	162
Collisions						
Total Accidents	28	36	19	19	26	20
Major accidents (with injury)	4	2	3	5	6	0
Minor accidents (no injury)	24	26	16	14	15	17
Leaving the scene accidents	0	8	0	0	5	3
Alarms						
Business alarms	19	30	15	19	12	12
Residential alarms	6	18	6	5	5	10
Fire alarms	0	3	3	4	0	4
Arrests						
Felony arrests	17	6	6	15	5	4
Misdemeanor arrests	40	20	14	28	15	27
Other arrests	4	6	6	3	2	0
Animal Control						
Total Animal Control calls	76	106	141	98	48	38
Animal Cruelty calls	0	1	0	0	0	0
Canine Impounds	10	11	20	19	15	10
Feline Impounds	5	7	25	24	21	1
Citations issued	6	4	5	0	0	0
Bite Cases	0	1	4	0	1	4
Dead animal calls	3	11	17	17	3	6
Wildlife calls	4	9	13	15	1	3
Rabies cases	0	0	1	0	0	0
Rabies cases positive	0	0	1	0	0	0

TO: Elgin City Council and City Manager

RE: Economic Development Corp. Monthly Report by Owen Rock

Date: Tuesday, October 11, 2016 council meeting

- Attended the TML conference in Austin
- EDC Staff met with a developer who is interested in purchasing two buildings in the downtown area.
- EDC staff placed marketing materials in local and regional newspapers to advertise Hog Eye and other events in Elgin
- Staff continues to meet with a local land owner and planning firm to discuss a new project on 290.
- Staff continues to meet with a residential developer along with other property owners to discuss planning and layout of new roads for a residential/commercial development.
- Staff closed on property in the 290 business park and is currently in negotiations with another local company to expand into the park
- Continue to work with the USDA to finalize a grant application for technical assistance for the proposed co-packaging/kitchen incubator.
- Staff attended the Texas Economic Development Council in San Antonio
- Sales tax allocations for October were up 24.44% from last October and they are up 10.81% from this period compared to last 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



MEMORANDUM

To: Tom Mattis, City Manager
From: Amy Miller, Community Development Director
Date: October 12, 2016
RE: Community Development Department Report September 2016

The Light up Elgin Holiday Light fundraising project led by the Friends of Elgin Parks and the Elgin Main Street Board raised over \$5,000 and continues to accept donations. Funds will be used to refurbish existing holiday lighting elements and to provide new lights. Save the date for a Community Lighting on Friday November 18.

A Beautiful Exchange moved from its 2nd Street location to 114 North Main Street, their former location has leased to Liberty Tax. Don and Cathe Koslosky are on schedule to open The Brique at 19 North Main with a soft opening for Hogeye weekend. Hat Creek Provisions Company opened and is in operation at 109 Central Avenue.

The TCF downtown Sidewalk project has had a final inspection. The FM 1100 TAP sidewalk project is in process with TXDOT to determine a timeline for letting. We continue to work with TXDOT to review FM 1100 for the Engineering and Environmental grant.

Projects

- Safe Routes to School Walk & Bike to school day Friday October 7 had good participation.
- Working with UT architecture students on a studio project to develop conceptual plans for new construction at 301 North Main Street.
- 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.
- Planned Live Downtown Work Downtown meet your neighbor events for September, October and November.
- Hogeye Festival planning: Marketing and graphic design work, Over Yonder Film Festival, sponsorships, media / press releases, booking music, logistics etc.
- Provide orientation for two new board members Phil Kost for HRB and Joe Mallon for MSB.
- Organizing business training classes with Chamber and EDC for the fall.

- Delivered / Distributed fall winter issue of Downtown 78621.
- Planning for holiday events and Small Business Saturday
- Marketing coordination and support for Sip Shop and Stroll, 2nd Thursdays from 5-8 downtown.
- City of Elgin E-News
- Facebook Pages: City of Elgin, Visit Elgin, Envision Elgin
- Instagram – visitelgintx

Boards & Committees, Seminars

CAMPO Technical Advisory Committee
 CAMPO Active Transportation Advisory Committee
 Historic Review Board
 Main Street Board
 Hogeye Festival Committee
 Promotion Tourism Committee
 Organization Committee
 Design Committee
 Bastrop County Transportation Plan Steering committee
 Elgin ISD Farm 2 School grant
 Clean Air Coalition Advisory Committee, CAPCOG

Upcoming Events

First Saturday Sidewalk Sales from 10am-5pm in Downtown
 Every Saturday Elgin Farmers' Market 9am – 1pm Downtown
 October 13, Sip Shop and Stroll
 October 20-22, Hogeye Festival
 October 31, Safe Trick or Treat
 November 5 Veterans Appreciation parade
 November 18, Community lighting event
 November 26 Small Business Saturday
 December 2 Holiday Concert with the Students of Elgin ISD elementary schools
 December 3 Home for Holiday By the Tracks & Lighted Parade
 November – December Santa Sightings photos with Santa downtown
 December 8 Sip Shop and Stroll



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: September 2016

DATE SUBMITTED: 10-10-2016

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
September 15, 2016	Hogeye Festival which includes the new Over Yonder Film Festival. Home for the Holidays – November 18 through December events. October events including Sip Shop and Stroll & Safe Trick opr treat. Holiday lights, business training classes for the fall, property renovations and business development.

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

Meeting Dates:	Update on projects or activities
September 6, 2016	Planned Work downtown? live downtown? - meet your neighbor events for Sept, October & November.

PROMOTION:

Meeting Dates:	
September 8, 2016	Small business Saturday to include a Where's Priscilla hunt, similar to where's Waldo, but featuring our famous Hogeye pig – Priscilla. Home for the Holidays – November 18 through December including holiday concert with Elgin ISD Elementary students. Sip Shop and Stroll themes – set October to be Makers Night. Safe Trick or Treat – many downtown businesses to participate.

DESIGN:

Wednesday September 7, 2016	Holiday lights – fundraising continues. Planned lights to order for phase 1, secured cost estimates. Determined to hold TPWD grant application until 2017. TCF sidewalk project completed except for final punch list items.

ECONOMIC RESTRUCTURING:

Meeting Dates:	Update on projects or activities
September 8, 2016	Hat creek provisions opened and in full operation. Business training classes for October to include Social Media with Sarah Marshal form THC and Exceptional customer service with Alyssa Cook. . Working with businesses to find lease space, and working with buyers and sellers on space. The occupancy rate continues to decrease! Renovation of 19 North Main well underway, slated to open before Hogeye as The Brique, restaurant.

2. Program Commentary (*list critical issues, problems, and successes/ completed projects of the past month*):
Renovation including new roof began on 30 North Main.
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*):
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.*

October 1 First Saturday Sidewalk Sales

Sidewalk sales throughout downtown.

October 13 Sip Shop and Stroll

Makers Night – businesses to host an artist or other maker like a food product person so attendees can meet the makers! 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.

October 22 Hogeye Festival

Saturday, October 22 from 10:00a.m until 6:00p.m., Elgin goes hog wild for this free family festival. It is a time for family friendly fun and casual feasting in the Sausage Capital of Texas with all the pink pork trimmings this proud central Texas town can root up. The festival features live music and entertainment on three stages, handmade arts and crafts, children's activities, Road Hog Car Show, a children's costume pet parade, a carnival, BBQ Pork Cook-Off, In a Pig's Eye Dart Contest, Hogalicious Dessert Contest, Cow Patty Bingo, the Pearls Before Swine Art Show, the Over Yonder Film Festival, and great festive food! Free Festival Shuttle available at the Hwy 95 North Park and Ride, the festival is held downtown at 109 Depot Street. www.hogeyefestival.com

October 31 – Safe Strick or Treat

Enjoy treats throughout downtown and Veterans Memorial Park 6pm to 8pm

November 5 Veterans Appreciation Parade

Parade organized by Elgin Veterans of Foreign Wars and American Legion Post 10am through downtown.

November 18 – Community lighting program

Kick off the Holiday Season with a community lighting program at Elgin City Hall 310 North Main Street 6pm. See the new animated singing Christmas tree in action and stroll through downtown to enjoy the first lights of the season.

November 26 Small Business Saturday

Where's Priscilla? Celebrate Small Business Saturday by shopping locally in downtown Elgin and finding Priscilla – complete your Priscilla Passport and have a chance to win Downtown Dollars gift certificates!

Friday December 2 Holiday Concert

Share your Goodwill by EISD Elementary students 6pm Veterans Memorial Park

Saturday December 3 Holiday BY the Tracks

Featuring an Elgin Hot Chocolate Competition, Holiday Bazar at the Elgin Farmers Market, store specials throughout downtown, Lighted parade and more starts at 9am continues through evening. Details at www.elgintx.com

Picture's with Santa Throughout the month downtown

Saturday, December 3rd Elgin Farmers Market

Thursday December 8th 10am-12pm Advocacy Outreach 200 Depot Street Ste. A

Thursday, December 8th 5pm Christmas Party with Santa Claus Elgin Public Library

December 10th 2pm – 6pm Daisy's Furniture and Home Décor 116 East First Street

December 16th 2pm – 6pm Daisy's Furniture and Home Décor 116 East First Street

December 15th 4pm to 8pm The Owl Wine Bar & Home Goods Store 106 North Main

December 20th 12pm – 4pm Prosperity Bank 31 North Main

December 24th 2pm – 6pm Daisy's Furniture and Home Décor 116 East First Street

Monthly Reports September 2016

Department 023 Water Treatment

Well # 10	261,000 Gallons
Well # 11	0 Gallons
Well # 14	19,576,000 Gallons
Well # 15	16,685,000 Gallons
Water loss due to leaks or flushing	150,000 Gallons
Total Water Pumped	36,372,000 Gallons

Chemicals Used

Chlorine	931 Pounds
Sequest	300 Pounds

Distribution Samples

Bacteriological Samples Taken	11
Average Chlorine Residual	1.55 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	2
Service Line Breaks	8
Miscellaneous Repairs/Complaint Calls	20
New Connections/Taps	2
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	1
Service Lines	15
After Hours Call-Outs	15

Line Repairs/New Installations

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

Lift Station Maintenance/Repairs

Hour Meter Reads/Daily Site Checks	9 Daily
Pumps Pulled	2
Pumps Installed	0
Pumps De-raged	4
Motors Pulled	0
Motors Installed	0
Electrical Issues (Repair/Replace Parts)	0
Floats Cleaned/Replaced	2
Grass/Weed Maintenance	9
After Hours Call Outs	15

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	1
Pumps Installed	1
Motors Pulled	2
Motors Installed	2
Control System/Electrical Repairs	3
Cleaned Wet Well Floats	4
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	498,800 Gallons
Maximum Daily Flow	716,100 Gallons
Average Daily Flow	569,800 Gallons
Total Monthly Flow	17,092,900 Gallons

Effluent DO (Dissolved Oxygen) Average	6.36
Effluent Chlorine Residual Average	1.99 mg/l
Effluent pH Average	7.48
Total Phosphorus Average	0.199
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	2.9
TSS (Total Suspended Solids) Average	2
Ammonia/Nitrates Average	0.162

Remarks : Employee Gregory Gregg continues to be out recovering from shoulder surgery.

Vernon Johnson has officially retired and Randy Nickel was promoted to the Operator II position. Jason

provide a lot of information for the upcoming expansion and maintenance projects.

UTILITY BILLING REPORT		September 2016
Billed out	\$399,201.76	
Past due notices	718	\$90,318.59
Work orders-Cut offs	71	
Disconnected for non pmt	64	
Extension to pay 1st	55	
Extension due for disconnect	3	
Meter tamper fee	0	
After Hour turn on	0	
Accounts set to final		for non pmt

METER REPORT		
WORK ORDERS	COMPLETED	INCOMPLETE
START READ	54	9
FINAL READ	52	1
TRANSFERS / IN AND OUT	3	0
CTO'S / DISCONNECT NON-PMT	78	0
SET METER	6	5
ERT REPLACEMENTS	9	17
METER REPLACEMENTS	34	12
VISUAL READS	23	0
FAILURE TO READ (MOBILE MISS)	82	0
RE READS	43	0
WL / CHECK FOR WATER LEAK	20	0
METERS DATA LOGGED	1	0
MISCELLANEOUS	21	0
TOTAL NUMBER OF WORK ORDERS	426	44
CURB STOPS		
BROKEN CURB STOPS	0	33
TOTAL NUMBER OF WORK ORDER	0	33
BULK WATER		
PURCHASES	14	
TRIPS/GALLONS	22/6,580	
TOTAL COLLECTED	\$40.25	

Dodie Navejas, Utility Billing Supervisor

310 N. Main Street

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month September

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 Oct 19, 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

78711-2066

PHONE: (512) 463-1625

FAX: (512) 936-2423

CRIMINAL SECTION

City of CITY OF ELGIN Month September 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:	12,864	13	0	0	2,537	22
a. Active Cases	8,874	11	0	0	1,254	4
b. Inactive Cases	3,990	2	0	0	1,283	18
2. New Cases Filed	125	0	0	0	42	0
3. Cases Reactivated	20	0	0	0	16	1
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	9,019	11	0	0	1,312	5
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	78	0	0	0	19	0
b. Dismissed by Prosecution	8	0	0	0	9	0
7. Dispositions at Trial:						
a. Convictions						
1) Guilty Plea or Nolo Contendere	11	0	0	0	13	1
2) By the Court	0	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
b. Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	0	0
8. Compliance Dismissals:						
a. After Driver Safety Course	19					
b. After Deferred Disposition	2	0	0	0	5	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	2					
g. All Other Transportation Code Dismissals	0	0	0	0	0	0
9. All Other Dispositions	5	0	0	0	2	0
10. Total Cases Disposed	125	0	0	0	48	1
11. Cases Placed On Inactive Status	42	0	0	0	29	0
12. Total Cases Pending End of Month:	12,864	13	0	0	2,531	21
a. Active Cases	8,852	11	0	0	1,235	4
b. Inactive Cases	4,012	2	0	0	1,296	17
13. Show Cause Hearings Held	7	0	0	0	8	2
14. Cases Appealed:						
a. After Trial	0	0	0	0	0	0
b. Without Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

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

ADDITIONAL ACTIVITY

Court CITY OF ELGIN		Number Given	Number Requests For Counsel
Month September	Year 2016		
1. Magistrate Warnings:			
a. Class C Misdemeanors		50	
b. Class A and B Misdemeanors		15	15
c. Felonies		14	11
			TOTAL
2. Arrest Warrants Issued:			71
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			1
c. Felonies			3
3. Capiases Pro Fine Issued			50
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			4
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			0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			27
16. Cases in Which Fine and Court Costs Waived for Indigency			0
17. Amount of Fines and Court Costs Waived for Indigency			\$0.00
18. Fines, Court Costs and Other Amounts Collected:			\$16,947.88
a. Kept by City			
b. Remitted to State			\$9,762.07
c. Total			\$26,709.95

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



September 2016 Parks Report.

The Parks Department is coming up on its one year anniversary. We are really proud to have made it this far and for our department to be growing with employees and responsibilities. It feels good to look back over the year and see progress on some projects. We are excited that things have worked out so well and we are finally finding a good routine here in the park system. We have been able to stay ahead of mowing needs and respond quickly to maintenance issues as they come up.

Hogeye Festival

This will be the first year that the Parks Department will be the primary department for Festival support. We are working festival volunteers to make sure we have everything taken care of. There are several stages and tents to set up as well as coordinating the trash and litter pick up all day long. We are working on a plan and feel confident we can take on this challenge with no issues.

Downtown Holiday lighting

Materials are ordered for this downtown holiday lighting project and should be in Elgin the first week in November. This lighting project will be a significant improvement for Christmas decorations in our town. It is our goal to create something local residents can be proud to see and something weekend tourist would like to come see. We are confirming our plans for installation in the next few weeks. Installation will take a rented lift and several days of work for the parks department. We are prepared to get it all done before the Thanksgiving Holiday.

Goals for October 2016

- Provide event support for the Hogey Festival
- Plan and coordinate safe trick or treat trail
- Plan and coordinate Veterans' appreciation parade
- Tree trimming and mulching the younger trees in park

Park Activity Summary		2016
Facility	Number of uses	
Park/ Pavilion Rental	21	
Ball Field Rental	62	
Fleming Community Center	42	
Pool Attendance	0	
Water Aerobics	0	
Pool Rentals	0	
Deposits	\$1,386.10	

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

Type of Inspections	Sep-15	Sep-16	Fiscal Yr. To Date	Calendar Yr. To Date
Building	69	72	594	495
Electrical	44	37	420	332
Plumbing	40	28	458	385
Gas	33	53	268	205
Mechanical	26	23	200	157
TOTAL	212	213	1940	1574
Building				
Permits	13	16	226	186
Value	\$ 430,503.90	\$ 1,308,261.39	\$ 12,793,153.39	\$ 10,455,525.51
Fees	\$ 3,373.00	\$ 7,993.86	\$ 84,173.86	\$ 72,314.26
Electrical				
Permits	7	11	150	127
Fees	\$ 1,422.50	\$ 1,567.50	\$ 23,607.50	\$ 19,507.50
Plumbing				
Permits	3	15	136	117
Fees	\$ 592.50	\$ 2,232.50	\$ 22,000.00	\$ 18,840.01
Gas				
Permits	5	11	88	71
Fees	\$ 692.50	\$ 1,417.50	\$ 12,329.50	\$ 10,147.00
Mechanical				
Permits	16	3	87	69
Fees	\$ 2,507.50	\$ 442.50	\$ 13,842.50	\$ 11,047.50
Total All Fees	\$ 8,588.00	\$ 13,653.86	\$ 155,953.36	\$ 131,856.27

**September 2016
Building Permits**

Number of Permits		Type/Classification	Permit Fees		Valuation	
Sep-15	Sep-16		Sep-15	Sep-16	Sep-15	Sep-16
3	3	New Single Family	\$ 2,118.00	\$ 2,155.36	\$ 268,912.00	\$ 276,630.00
		New Duplex				
		New Manufactured				
		New Multi-Family				
	1	New Commercial		\$ 3,664.00		\$ 780,000.00
	2	New Industrial		\$ 1,520.00		\$ 200,000
		New Swimming Pools				
		Moving Permit				
5	4	New Signs	\$ 88.00	\$ 151.25	\$ 2,959.90	\$ 7,254.39
3	4	Residential	\$ 71.50	\$ 151.25	\$ 3,632.00	\$ 7,800.00
2	1	Non-Residential	\$ 1,095.50	\$ 352.00	\$ 155,000.00	\$ 36,577.00
	1	Demolitions	\$ -	waived		\$ -
13	16		\$ 3,373.00	\$ 7,993.86	\$ 430,503.90	\$ 1,308,261.39
ZBOA Request		None				
P & Z Request		124 Fisher-Zone Change from R-3 to Specific Use, Franz Addition-Preliminary & Final Plats, Maple Lane-Revised Concept				
Code Enforcement	Active Sept 2015	Active Sept 2016	Closed Sept 2015	Closed Sept 2016	Calendar YTD	
Abandoned/Junked	5	3	2		34	
Animal Control					1	
Beer Permits						
Environmental			18	2	52	
Fire Code			3		11	
Health and Sanitation	4				14	
Illegal Signs			76	110	601	
Property Maintenance	2	2	16	17	137	
Unsafe Structures			1		5	
Water/Sewer			2		18	
Zoning			1	2	17	
Total	11	5	119	131	890	

*Zoning Board of Adjustments

Submitted By:

Carlos Navejas

Date:

October 17, 2016

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

The City of Elgin Planning and Development department issued three (3) permits for new single family dwellings in the month of September, two (2) were in the Saratoga Farms Subdivision, Section One which is right next to Wal-Mart and the third is on North Avenue C. The City began utilizing the services of ATS Engineers to perform building plan reviews and construction inspections.

The Planning and Zoning Commission met on Monday, September 26th on one (1) Zoning Change request for 124 Fisher Street. The owner of the property requested a zoning change from R-3 Single Family, Duplex & Mobile Home/Industrialized to S-P Specific Use so that the Elgin Alcoholics Anonymous group could operate there. The request was recommended to the Elgin City Council. They also approved a Preliminary and a Final Plat for a simple subdivision request submitted by Gene and Dorothy Franz. The final item on the agenda was the Revised Concept Plan for the Maple Lane Subdivision. The developer revised the plat from 6 lots to 5 lots and ensured that all lots had street frontage no less than thirty-five feet to comply with our ordinance. The Revised Concept plan was passed.

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 September 30, 2016 is 890. Illegal signs (signs placed in the right-of-way) and property maintenance (weedy lots) were the main focus of our Code Enforcement officers again this month. Code Enforcement was kept busy notifying property owners of violations and/or abating tall grass. Charlie Navejas was promoted to the Senior Code Enforcement position taking Jim Cazares' place. A new Code Enforcement Officer in Training was hired. Michael Hinds (formerly a Meter Reader 1 in the Utility Administration Department) was transferred effective September 27th and has begun training with Charlie.

Public Works – September – 2016

Public Works Department has been very busy working several hours of overtime repairing and prepping the streets of Elgin for the 2016 Street Project which began end of September.

Right of Way and Easement mowing and maintenance:

Mowing and maintenance is ongoing

Weed Eat and Mow

Weed eat and mow down town from Lexington to Brenham

Permanent Street, utility cut repairs, and pot hole repairs:

- 3 Level-ups on West Cleveland
- 3 Level-ups on South Avenue C
- Numerous pothole patches around town
- Numerous level-ups on Raymond Johnson Road
- 5 Level-ups on North Avenue H
- Numerous level-ups on Canary Street
- Numerous level-ups on County Line road
- Numerous level ups on Zaragoza Street
- Numerous level-ups on North Avenue F
- Reworked tie-ins on West 2nd Street
- Reworked tie-ins on North Avenue F
- Added cold mix to the edge of pavement on County Line Road

Curb and Gutter Cleaning:

- Canary Street
- Cardinal Street
- Anderson Drive
- South Avenue C
- West Cleveland
- West Alamo from US 290 to Williams Street
- Williams Street from West Alamo to Brenham
- Kennedy from Alamo to West Brenham Street

Signs:

- Installed 2 - dip signs on South Avenue C
- Installed 2 - new dip signs on West 11th Street
- Installed 2 - 20mph on West 2nd Street at the curve

Trees and Brush:

- Trimmed low hanging limbs in alley between East 8th Street and East 9th Street
- Trimmed brush on Lexington Road and North Avenue C
- Removed limb 900 block North Main Street
- Removed limb 800 block North Main Street
- Removed limb 400 block North Avenue A
- Trimmed brush on Ochoa Street
- Trimmed brush on Carlson Lane

Trimmed brush on South Avenue B from El Paso Street to West Alamo Street
Removed fallen limb 300 block North Avenue A
Removed fallen limb North Avenue H & East 8th Street
Fallen limb Canada Street & North Main Street
Fallen limb East 10th & North Main Street
Fallen limb Taylor Road & North Main Street

Miscellaneous:

Clean down town every Monday and Friday
Watered planters downtown
1 RCP to drive way 200 block West 2nd Street
Filled in vehicle ruts in ally behind 800 block North Avenue C
Put out flyers notifying residents to remove vehicles from public right of ways during working hours for chip seal roads

2016 Street Paving Project: Began September 28, 2016 with a scheduled October 6, 2016 completion

Texas Capital Fund Main Street Program: Downtown Sidewalk Project is nearing completion with sidewalk and handicap ramps being installed in the South Avenue C and West Austin Street area.

2015-2016 Drainage Project: 5 sealed bids were received September 26, 2016 for Proposal 1 West Brenham Street Culvert, Bids ranging from \$357,365 .65 to \$461,002.10

2016 Elgin Traffic Calming Project: The City of Elgin has requested sealed proposals for the construction of the Elgin Traffic Calming Project. Principal items of construction are assembly and installation of modular rubber speed cushions and corresponding traffic signs.

TxDot S.H.-95 North Project: Work continues.

Joe Parten
Director, Public Works
City of Elgin



COUNCIL MEETING: November 1, 2016

ITEM: 2. Update on City Recreation Center/Shelter Project and related matters.

RESOURCE PERSON(S):

SUMMARY: Discussed at previous meetings; The staff continues to review final plans for the new City Recreation Center/Shelter Project in anticipation of a recommendation to award a construction bid for same in the near future.

To assist in this process, the Recreation Center/Shelter Building Committee was formed from members of Council and staff. The Committee held its first meeting this week and made significant progress toward gaining a consensus on a final design that will be recommended to the Council as a whole. It is currently anticipated that such recommendation will come before Council at its December 6 meeting.

This item will provide for general discussion and an update on the project; and plans moving forward.

RECOMMENDATION(S): Council review and discussion as stated; and direction to staff, if any, as appropriate

ATTACHMENT:



COUNCIL MEETING: November 1, 2016

ITEM: _____ Fiscal Year 2016 Fourth Quarter Investment Report

RESOURCE PERSON(S): Sidney LaQuey, Finance Director
Laura Schwartz, Finance Administrator

SUMMARY: Quarterly Investment Report for July 2016 through September 2016.

RECOMMENDATION(S):

ATTACHMENT: 1-2016 4th Quarter Investment Report

<u>TYPE</u>	<u>FUND</u>	<u>ACCOUNT NAME</u>	<u>Ending 6/30/2016</u>	<u>Total of Deposits / (Withdrawals)</u>	<u>Interest</u>	<u>Ending 9/30/2016</u>
Prosperity Bank						
	99	Clearing Account	\$ 280,505.01	(90,386.73)	129.68	190,247.96
	018	Economic Development Corp.	10,025.84	0.00	6.30	10,032.14
	018	Schlottkey's EDC (Pledged As Collateral)	102,276.27	(40,800.00)	196.89	61,673.16
		Sub-toal	<u>392,807.12</u>	<u>(131,186.73)</u>	<u>332.87</u>	<u>261,953.26</u>
First National Bank						
	99	Main Checking	3,479,316.45	(2,188,923.51)	3,197.18	1,293,590.12
	001	Court Security	31,581.65	0.00	51.77	31,633.42
	001	Police Equipment	1,947.81	0.00	3.19	1,951.00
	001	Court Technology	6,261.07	0.00	10.26	6,271.33
	002	Community Impact Fees-Water	102,925.45	0.00	168.72	103,094.17
	002	Community Impact Fees-Sewer	58,830.04	0.00	96.44	58,926.48
	003	General Fund Debt Service	5,652.19	0.00	9.27	5,661.46
	072	General - ATS Clearing	581,360.60	138,730.43	1,034.31	721,125.34
	002	USDA Rural Dev	0.00	1,000.00	5.51	1,005.51
	018	Economic Development Corp.	55,253.36	35,601.78	92.70	90,947.84
	018	EDC Sales Tax Reserve	34,322.70	0.00	56.26	34,378.96
	001	Money Market General Operations	3,500.89	0.00	5.74	3,506.63
	001	Money Market TIRZ #1	285,485.88	0.00	467.98	285,953.86
		Sub-toal	<u>4,646,438.09</u>	<u>(2,013,591.30)</u>	<u>5,199.33</u>	<u>2,638,046.12</u>
		TOTAL - DEPOSITS	<u>5,039,245.21</u>	<u>(2,144,778.03)</u>	<u>5,532.20</u>	<u>2,899,999.38</u>

TYPE	FUND	ACCOUNT NAME	Ending 6/30/2016	Total of Deposits / (Withdrawals)	Interest	Ending 9/30/2016
Tex Pool						
	002	CUSTOMER DEPOSITS	40,013.22	0.00	37.74	40,050.96
	002	UTILITY BOND RESERVE	227,784.71	0.00	214.88	227,999.59
	002	COMMUNITY IMPACT FEES-WATER	90,065.67	0.00	85.00	90,150.67
	002	COMMUNITY IMPACT FEES-SEWER	30,694.86	0.00	28.97	30,723.83
	018	ECONOMIC DEVELOPMENT CORP.	342,188.90	0.00	322.84	342,511.74
	003	GENERAL FUND DEBT SERVICE	55,033.02	0.00	51.93	55,084.95
	99	CONSOLIDATED OPERATING	548,521.85	0.00	517.51	549,039.36
		Sub-total	<u>1,334,302.23</u>	<u>0.00</u>	<u>1,258.87</u>	<u>1,335,561.10</u>
Tex Star						
	01	GENERAL FUND	392,068.39	0.00	394.43	392,462.82
	02	W/WW FUND	653,857.72	0.00	657.82	654,515.54
		Sub-total	<u>1,045,926.11</u>	<u>0.00</u>	<u>1,052.25</u>	<u>1,046,978.36</u>
Logic						
		2015 CO's	5,196,101.65	0.00	8,377.01	5,204,478.66
		Sub-toal	<u>5,196,101.65</u>	<u>0.00</u>	<u>8,377.01</u>	<u>5,204,478.66</u>
		TOTAL - INVESTMENTS	<u>7,576,329.99</u>	<u>0.00</u>	<u>10,688.13</u>	<u>7,587,018.12</u>
		TOTAL - DEPOSITS AND INVESTMENTS	<u>12,615,575.20</u>	<u>(2,144,778.03)</u>	<u>16,220.33</u>	<u>10,487,017.50</u>

Signature

Sidney LaQuey SPA
Finance Director



COUNCIL MEETING: November 1, 2016

ITEM: 1. _____ **ORDINANCE NO. 2016-10-11-28 AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III. NOISE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 16, SECTION 16-54 AND BY ADDING NEW SECTIONS 16-82, 16-821, 16-83, 16-84, 16841, AND 16-85 REGARDING NOISE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

RESOURCE PERSON(S):

SUMMARY: Discussed at previous meetings; Certain revisions to the Noise Ordinance were proposed to modify the decibel level reading for a violation and also utilize time of day and distance as guiding principles in determining if a sound is in violation of normal sensibilities.

This Ordinance was approved by Council at their October 11 meeting, but upon review by Mayor Pro-Tem Gonzalez (who was not in attendance at that meeting) it appears there may have been some confusion as to the agreed-upon decibel limitations. While a previously-discussed limit of 70 decibels was included in initial drafts of the Ordinance, the final version set that limit at 65 decibels. The purpose of this agenda item is to allow for a review of said limits and to verify consensus on this matter.

RECOMMENDATION(S): Consideration of possible amendment(s) or clarifications to the Ordinance as proposed by Mayor Pro-Tem Gonzalez and/or direction to staff as appropriate.

ATTACHMENT: 1-Ordinance
 2-DBA levels

ORDINANCE NO. 2016-10-11-28

AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III. NOISE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 16, SECTION 16-54 AND BY ADDING NEW SECTIONS 16-82, 16-821, 16-83, 16-84, 16-841, AND 16-85 REGARDING NOISE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

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

I.

That Chapter 16, Sections 16-54, 16-82, 16-83, 16-84, and 16-85, Revised Code of Ordinances, City of Elgin, Texas, 2013, are hereby deleted in their entirety and replaced with the following:

Sec. 16-54. - Definitions.

For the purpose of this section the following terms have the definitions herein ascribed to them:

Authorized event - An event is deemed to be authorized if the event received an official permit for the event through the City of Elgin, an authorized sporting event at the City of Elgin Parks & Recreation, and events approved by the Elgin Independent School District at their campuses within the City of Elgin.

Chief of Police – The City of Elgin Chief of Police or his designated representative.

City Official with Enforcement Authority – The City of Elgin Chief of Police, his designated representative, or any Code Enforcement Official for the City of Elgin.

Commercial District – Nonresidential property means any real property within the limits of the city which is not zoned as R-1, R-2, R-3 or A.

Construction – Any site preparation, assembly, erection, repair, alteration or similar action, or demolition of buildings or structures.

Decibel (dB) – the unit of measurement for sound level at a specific location.

Domestic Power Tool – any mechanically, electrically, or gasoline motor-driven tool, including, but not limited to,

- (1) Chainsaws;
- (2) Lawn Equipment;
- (3) Drills; and
- (4) Power sprayers.

Emergency Work – any work or action necessary to deliver essential services including repairing water, gas, electric, telephone, sewer facilities, or public transportation facilities, removing fallen trees from rights-of-way, or abating life threatening situations.

Impulsive Sound – any sound having a duration of less than one second with an abrupt onset and rapid decay.

Measurement with Sound Level Meter or Decibel Meter – measurement of the level of sound made by any source for the purpose of determining whether or not the sound falls within permissible levels according to this ordinance. All measurements will conform to the following:

- (1) Measurement must be taken so as to provide a proper representation of the sound being measured;
- (2) The microphone of the meter should be positioned so as not to create any unnatural enhancement or diminution of the measured sound. A windscreen for the microphone should be used whenever possible.
- (3) Except as otherwise provided, measurements will be taken at or near the nearest property line of the property where the sound is being received.

Measuring Instrument – an instrument such as a sound level meter or decibel meter, integrating sound meter, or dosimeter used to measure sound pressure levels conforming to Type 1 or Type 2 standards as specified in the latest version of ANSI standard S1.4-1983.

Motor Vehicle – any vehicle that is propelled or drawn on land by an engine or motor.

Muffler – a sound dissipative device or system for attenuating the sound of escaping gases of an internal combustion engine.

Noise – any sound of a level and duration that is or can be harmful to human health, or would unreasonably interfere with the enjoyment of life or property in the City.

Noise Control Ordinance – the City of Elgin Noise Control Ordinance.

Noise Disturbance – means any sound which exceeds the sound level limits set forth in this ordinance;

Plainly Audible – any sound or noise from any source that can be clearly heard by a person with normal hearing faculties at a distance of 200 feet or more from the real property line of the source of the sound or noise in a commercial or industrial district at limits specified in the ordinance; or any sound or noise from any source that can be clearly heard by a person with normal hearing faculties at a distance of 50 feet or more from the real property line of the source of the sound or noise in a residential district at limits specified in the ordinance. This is subject to any exceptions and levels listed elsewhere in the ordinance.

Public right-of-way – any street, avenue, boulevard, road, highway, sidewalk, or alley that is leased, owned, or controlled by a government entity.

Public Space – any real property or structure thereon that is leased, owned, or controlled by a governmental entity.

Real Property Line – means either:

- (1) The imaginary line, including its vertical extension, that separates one parcel of real property from another; or
- (2) The vertical and horizontal boundaries of a dwelling unit in a multi-dwelling unit building.

Residential District - Residential property means any property zoned as R-1, R-2, R-3 or A.

Sound Level – means the instantaneous sound pressure level measured in decibels with a sound level meter or decibel meter.

Sec. 16-82. – Noise Disturbances.

The following acts, among others, are declared to be per se violations of this article. The following enumerations shall not be deemed to be exclusive:

- (1) No person will create, operate, or cause to be operated on private property any source of sound in such a manner as to create a noise which exceeds the limits set forth in this Ordinance. Any noise measured in excess of the parameters set forth in this Ordinance is declared to be a nuisance and is prohibited.

- (2) No Live band may continue to play after 10 p.m. in any residential district.

(3) Motor Vehicles:

- a. The operation of a motor vehicle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.
- b. Operating a motor vehicle with a muffler cut out, bypass, or similar device.
- c. Operating or permitting to be operated any vehicle which, by virtue of disrepair, or manner of operation, or so loaded, alone or in combination with other motor vehicles, creates a grating, grinding, rattling, or any other loud noise that violates use district noise level restrictions.
- d. Operating any motor vehicle with a dynamic braking device (commonly known as an engine brake, Jacobs Brake, or Jake Brake) engaged, except for the aversion of imminent danger.
- e. Personal or commercial vehicular music amplification or reproduction equipment operated in such a manner as to cause a noise disturbance.
- f. The sounding of any horn or signal device on any motor vehicle, except as a danger signal for more than 10 seconds.

(4) Construction Work:

- a. Construction work during the hours of 9:00 p.m. and 6:00 a.m. in or adjacent to any residential district.
- b. Construction work in any commercial or Industrial district in excess of 80 decibels during the hours of 6:00 a.m. and 9:00 p.m. or in excess of 65 decibels during the hours of 9:00 p.m. and 6:00 a.m.

- (5) Garbage collection in any zoning district between the hours of 8:00 p.m. and 7:00 a.m.

(6) The operation of domestic power tools during the hours of 9:00 p.m. and 7:00 a.m. so as to cause a noise disturbance.

(7) Keeping an animal that makes any sound that:

- a. Creates a noise disturbance across a residential real property line;
- b. Is frequent or of a continued duration for 10 or more consecutive minutes; or
- c. Is intermittent for a period of 30 or more minutes.

(8) Radios, television sets, musical instruments, or other similar devices:

- a. Operating or playing, or allowing the operation or playing of a radio, television, phonograph, musical instrument, or similar device that reproduces or amplifies sound so it creates a noise disturbance for any person other than the operator of the device.
- b. Operating or playing any self-contained, portable, handheld music or sound amplification or reproduction equipment in a public space or public right-of-way so as to cause a noise disturbance.

(9) The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.

(10) Operation of any public loudspeaker in a fixed position, moveable position, or mounted on a sound vehicle in a public space or public right-of-way for the purpose of communication or sound reproduction so it violates the requirements of this Ordinance unless a permit has been approved by the City Council of the City of Elgin.

(11) An exterior burglar alarm of a building or motor vehicle activated so it continues its operation for more than five minutes for continuous airborne sound and 15 minutes for impulsive sound after it has been activated.

(12) Sounding or permitting the sounding of any amplified signal from any bell, chime, siren, whistle, or similar device intended primarily for nonemergency purposes from any place for more than ten (10) consecutive seconds in an hourly period.

(13) Causing by the use of any device any ground vibration that is perceptible without instruments at any point beyond the property boundary of the source of the vibration.

(14) The operation of any engine of any motor vehicle with a manufacturer's gross weight specification in excess of ten thousand (10,000) pounds within a residential area or within three hundred (300) feet of a residential structure for a period in excess of fifteen (15) minutes unless the vehicle is located in an enclosed structure.

Sec. 16-83. – Commercial Noise Curfew.

Commercial District entities utilizing a band, music or any type of amplified sound will not be allowed to operate such equipment before 10:00am, or after 12:00 pm, Sunday, Monday, Tuesday, Wednesday, Thursday, and Friday and before 10:00am, or after 1:00 am on Saturday. This curfew is in addition to all other requirements of this article and does not replace or provide a defense for violating any other provision of this article.

Sec. 16-84. – Affirmative Defenses.

It shall be an affirmative defense that the noise was as a result of the following activities:

1. A person at an authorized event;
2. A person operating a bell for a religious activity;
3. A person operating an emergency vehicle;
4. A person operating an audible warning device on a vehicle or train as required by state law;
5. A siren or other warning device emitting a noise for the purposes of warning the population of dangerous weather or other events. A noise from such a warning device is exempt regardless of whether the sound is made for the purposes of warning or testing; or
6. A person operating equipment or making deliveries for site development or site preparation between 6:00 a.m. and 7:00 p.m. on Monday through Friday, and 8:00 a.m. and 6:00 p.m. on Saturday and Sunday or as such deliveries may be allowed by other Elgin ordinance.
7. A public performance, gathering, or parade for which a permit has been obtained from the City of Elgin, so long as the event is within the requirements of the permit.
8. Any sanctioned Elgin Independent School District or Elgin Youth Association sporting event between the hours of 7:00 a.m. and 11:59 p.m.
9. Noise made to signal for emergency help.
10. Noise resulting from emergency work as defined in this Ordinance.
11. Any activity to the extent regulation thereof has been preempted by State or Federal law.

Sec. 16-85. – Offenses.

1. A person commits an offense if the person creates a noise nuisance, as defined in this article, or uses sound generating equipment in violation of a provision of this article.
2. Notice:
 - a. *Generally.* Prior to issuance of a court summons or ticket, a violator will be given notice to stop the noise or the source of the noise.
 - b. *No waiting period.* If the violation does not cease after notice, the violator may receive a court summons or ticket on the same date as the original notice.
 - c. *Notice good for a year.* Once a notice is received, the violator will not be entitled to another warning notice for a noise violation at any time in the next 365 days.

- d. *Notice Requirement Not Applicable to Other Offenses Occurring Contemporaneously.* The requirement for notice does not apply to any other violation found while investigating a noise complaint.
- e. *Notice Requirement Not Applicable to Vehicles.* Notice is not required for noise violations emanating from vehicles.

III.

That Chapter 16, Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to add the following:

Sec. 16-821. – Permissible Sound Levels.

The following maximum sound levels are hereby established for zoning districts as follows:

- (1) Residential districts –80 dB(A) during the hours of 7:00 a.m. and 9:00 p.m. and 50 dB(A) during the hours of 9:00 p.m. and 7:00 a.m. regardless of the day of the week.
- (2) Commercial and Industrial districts – 80 dB(A) during the hours of 7:00 a.m. to 9:00 p.m. and 65 dB(A) during the hours of 9:00 p.m. and 7:00 a.m. unless otherwise specified in this Ordinance.

Sec. 16-841. – Temporary Noise Exemption Permits.

- (1) A person or organization may apply for a permit to engage in any activity that creates a noise that would otherwise constitute a nuisance or be in violation of this ordinance.
- (2) Any application for a noise exemption permit must be made in writing and submitted to the Chief of Police of the City of Elgin at least 10 days prior to the next regularly scheduled meeting of the City Council unless the City Manager determines that unforeseeable circumstances justify a shorter amount of time. The Chief of Police will forward the application with a recommendation to the City Secretary for placement on the agenda of the next regularly scheduled meeting of the City Council.
- (3) The application for a permit must include, at a minimum, the following:
 - a. The name, address and telephone number of the applicant including both daytime and nighttime contact information;
 - b. The description of the type, duration, and location of the noise, specifically including the date and time the noise will occur;
 - c. The name, if different from the applicant, or the owner of the property on which the noise will occur and a written letter of permission from the owner and any tenants or other persons occupying the property from which the noise will occur;
 - d. A statement from the applicant that all property owners within 200 linear feet to the property on which the noise originates will be provided written notification within 24 hours of making the application of their right to respond directly to the City Council to voice support or opposition to the application; and
 - e. A copy of the notification(s) sent to any property owners.

- (4) If the City Council grants a permit for a temporary noise exemption notice shall be given to all City Departments of the date and time the permit begins and ends; the name and contact information of the permit holder and who will be generating the noise; a description of the basic nature of the noise; the specific location of the noise; and any special limitations or restrictions placed on the permit.

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

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2016.

CHRIS CANNON, Mayor
City of Elgin, Texas

ATTEST:

THOMAS L MATTIS, City Manager

Noise level	Noises at this dB level	Action
150 dB	Explosion	Instantaneous damage to your ears!
140 dB	Rifle shot	
130 dB	Pain threshold of an average human	
110 dB	• Rock concert or night club • Airplane taking off • Baby crying loudly • Jack hammer	Limit to 4 mins exposure time without hearing protection.
105 dB	• Personal music players, IPODs, MP3 players at high volume e.g. 80% of the maximum level • Stereo	
95 dB	Hammering nails into wood	
90 dB	• Thunder • Chainsaw • Lawn mower	Limit to about 2 hours without hearing protection.
85 dB (the damage threshold)	• Heavy traffic • Motor bike • Vacuum cleaner • Electric mower • Kitchen blender	Prolonged exposure to noise at this level results in hearing loss, so limit to 8 hours without hearing protection.
70- 80 dB	• Hair dryer • Flushing toilet • Loud telephone ringing • Busy office • Noisy restaurant	
60 dB	Chatting with your girlfriends	
Up to 20 dB	• Rustling leaves • Clock ticking	



COUNCIL MEETING: November 1, 2016

ITEM: 1. _____ **ORDINANCE NO. 2016-11-1-29 AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV. SOLID WASTE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 42, SECTION 42-272 AND BY ADDING NEW SECTION 42-276 REGARDING BULKY WASTE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

RESOURCE PERSON(S):

SUMMARY: Discussed at previous meetings; This item is for consideration of an amendment to city code to affect certain changes and/or clarify requirements for the curbside collection of bulk trash. This agenda item will also be utilized for a broader discussion of bulk trash collection services and policies in general.

As part of this discussion, staff will be presenting a detailed report on this topic that will include certain recommendations designed to address problem areas previously identified by Council and plans moving forward in this regard. A staff memorandum relating to this discussion is include with the meeting packet.

RECOMMENDATION(S): Consideration of the Ordinance and staff report/recommendation(s) as presented; and direction to staff, if any, by Council as appropriate.

ATTACHMENT: **1-Staff memorandum**
 2-Ordinance

Memorandum

Date: October 25, 2016

To: Mayor and City Council

Subject: Residential Curbside “Bulk Trash”
Collection Services



In recent months, city officials have engaged in a lengthy discussion and review of curbside “bulk trash” or “bulky waste” collection services provided to city residents. The primary focus has been to address a concern about ineffective/inconsistent collection of such waste and the resulting overall appearance of the City.

Under the terms of its contract with the City’s service provider, Republic Services, and established operating procedures:

- “Bulky waste”, is defined as “Stoves, refrigerators . . . , water tanks, washing machines, furniture, loose brush (as defined), and other waste materials other than construction debris, dead animals, hazardous waste, or stable matter with weights or volumes greater than those allowed for containers.”
- The service provider is contractually obligated to provide curbside collection of such bulky waste “every other week . . . to all residential customers”.
- Customers are limited to bulky waste collection of no more than “(6) containers of Garbage or the equivalent” - which effectively equates to three (3) cubic yards.
- Customers are required to submit a form to city staff when requesting the collection of bulk trash to provide proper documentation and maintain effective management of collection services. The form is available on-line and at City Hall during normal business hours.
- City staff compiles a list of all residences requesting bulk trash collection and provides same to Republic on the Monday preceding each designated collection day.

When these basic conditions and procedures have all been followed – by both city forces and the general public - the City and Republic have been very successful in collecting all such bulk trash in a timely manner. However, a variety of factors have negatively contributed to our ability to achieve our goal of removing such waste from city rights-of-way (ROW):

- Failure of customers and/or residents to comply with the rules of procedure – most importantly, the required notification/request for pick up.
- Large volumes of bulk waste that exceed the policy limits (and “the reasonableness test”) have overwhelmed routine collection capabilities.
- Large volumes of yard waste (brush, tree limbs, etc.) also represent a major challenge to timely collection of bulk trash. Republic has typically hauled such waste intact - although it often does not qualify for collection under the terms of the service agreement. This practice results in their trucks traveling to the landfill with a non-

- From Republic's perspective, periodic mechanical issues, storm events, unscheduled stops, excessive trash from move outs, commercial/construction debris, and hazardous items have also contributed to this situation.
- When problems of non-compliance have occurred, effective communication and/or enforcement of rules has not always occurred, which subsequently results in bulk waste remaining (often in the street ROW) for extended periods of time.
- Communication has not always been consistent and effective between Utility Billing staff (who manages the collection list and communicates with Republic as to service provided to residents) and Code Enforcement staff (who has primary responsibility for enforcing rules and notifying property owners of areas of non-compliance).

With all of these factors in mind, the general staff assessment of current issues and/or problems is as follows:

- (1) The collection of bulk waste as described herein in a very unique service provided to the residents of Elgin - a service level that is much higher than what is typically provided by most municipalities. The collection of bulk trash is not unique, but an every-other-week curbside collection service certainly is; and any expectation that the City should increase or enhance these services would certainly have cost implications for all rate payers - but would provide little or no direct benefit to most residents.

It is important to note that even the continuation of bulk trash collection services at the current level, in and of itself, will likely necessitate a rate increase by the service provider in any contract renewal (which is scheduled to occur within the next year).

The permanent, long-term solution to the current bulk trash collection problem can be most effectively addressed by eliminating the current service altogether and converting it to a service level more typical of municipalities (twice a year curbside collection). Given the fact that the current service has already been established, however, it is assumed that this would not be an acceptable alternative.

- (2) The written rules and requirements - and standard operating procedures - for the collection of bulk waste are comprehensive and can ultimately result in the desired goal, *if they are followed consistently by staff and Republic Services*, including the enforcement of rules against those who do not comply.
- (3) While the rules as written are adequate, current city code does not provide specificity as to time limits for when such waste can be placed and/or remain at the curb.
- (4) The accumulation of much of this bulk waste is a violation of City ordinances that prohibit unsightly or unsanitary conditions and the placement of any unauthorized material in the city-owned ROW.
- (5) Property owners – more so than the residents or occupants of property – must accept ultimate and full responsibility for the proper management of *all trash* that exists at or is adjacent to their property, including bulk waste.
- (6) In those case where city forces are utilized to abate violations and remove trash from private property, the City's current process and cost assessment policies are inadequate; and provide no real incentive for property owners to accept full responsibility for addressing the problem.
- (7) Active, consistent, and "aggressive" enforcement of rules is an imperative for the city to eliminate problems with bulk trash

Conclusion/recommendation:

City staff and Republic Services should embrace a vigilant and even-handed approach to strict compliance with rules, procedures, and limitations for collection of bulk trash as defined by city ordinances and our service agreement; recognizing that while the system depends on property owners doing their part, city forces must provide timely and consistent services to achieve the desired goal.

For purposes of clarity, two minor city code amendments are recommended (as previously discussed with Council): Chapter 42, Article IV, Section 42-272 should be amended to read:

“Brush waste means large limbs, not longer than four (4) feet in length and six (6) inches in diameter, and wooded shrubbery.”;

and Section 42-276 should be added to state, in part:

“Bulky waste and brush waste shall not be placed out for collection earlier than 5:00 p.m. two days before the established collection day and shall be moved from the collection site no later than 7:00 a.m. the date after the collection day.”

City staff must do a better job of communicating internally as to collection efforts. Specifically, Utility Billing and Republic must notify Code Enforcement in a timely manner as to known areas of non-compliance; and they, in turn, must respond effectively. Such efforts must specifically include enforcement of limitations on move-outs, commercial, and construction debris.

It is also recommended that city code be amended to increase and/or establish new fees and cost assessment for those property owners who fail to address violations that are abated by city forces. Such fees should contain a financially “punitive” element that serves to motivate property owners to accept responsibility and address such problems themselves.

Staff will also conduct a review of all communication efforts with the general citizenry to assure ease of access to - and understanding of - all applicable information (including the adequacy of all Spanish-language information).

“Aggressive” code enforcement is an absolute key to the success of this effort. City staff must be consistent and timely in their enforcement efforts; and such enforcement must extend to fines and the utilization of the legal process against property owners who do not comply with the rules. This approach will likely result in some unhappy property owners – **which is why it is important to have the full support of the City Council in this effort** – but the City must send a clear message to all residents and property owners that the accumulation of trash will not be tolerated if we hope to address this problem on a permanent basis.

Assuming Council’s concurrence, it is the staff’s intent to proceed as stated and re-assess this situation within the next 6-8 months. By that time, we should be able to determine the effectiveness of this approach and whether additional measures are warranted.

Please let me know if your comments or questions; or would like to request additional information.



Thomas L. Mattis
City Manager

cc: Gary Gauci, Republic Services
Gary Cooke, Director of Planning
Charlie Navejas, Code Enforcement
Dodie Navejas, Utility Billing Supervisor
Amanda Carter, Municipal Judge

ORDINANCE NO. 2016-11-1-29

AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV. SOLID WASTE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, , BY AMENDING CHAPTER 42, SECTION 42-272 AND BY ADDING NEW SECTION 42-276 REGARDING BULKY WASTE; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

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

I.

That Chapter 42, Section 42-272, Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to add the following new definition to be placed in its proper alphabetical order in said section:

Sec. 42-272. - Definitions.

Brush waste means large limbs longer than four (4) feet in length and six (6) inches in diameter, and wooded shrubbery.

II.

That Chapter 42, Section 42-276, Revised Code of Ordinances, City of Elgin, Texas, 2013, is hereby amended to read as follows:

Sec. 42-276. – Bulky waste and brush waste.

- (a) Bulky waste and brush waste shall not be placed out for collection earlier than 5:00 p.m. two days before the established collection day and shall be moved from the collection site no later than 7:00 a.m. the date after the collection day.
- (b) The existence of bulky waste or brush waste at the collection site outside of the times established by this section shall be considered a public nuisance.
- (c) Any person who shall continue any violation beyond the time limit provided shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as per Section 1-15 of this Code. Each day in which any such violation shall continue shall be deemed a separate offense.
- (d) Any person violating any of the provisions of this section shall become liable to the city for any expense, loss, or damage occasioned by the city by reason of such violation.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

READ, PASSED, and ADOPTED on first reading this 1st day of November, 2016.

CHRIS CANNON, Mayor
City of Elgin, Texas

ATTEST:

THOMAS L. MATTIS, City Manager



COUNCIL MEETING: November 1, 2016

ITEM: 2. RESOLUTION NO. 2016-11-1-20 A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2016 BASTROP COUNTY, TEXAS HAZARD MITIGATION PLAN DATED OCTOBER, 2016 AND MAKING CERTAIN FINDINGS RELATED THERETO

RESOURCE PERSON(S):

SUMMARY: The Federal Emergency Management Administration (FEMA) has concluded its review of the Bastrop County Hazard Mitigation Plan and has found it to be approvable, pending adoption. In order for the plan to receive final FEMA approval, the various jurisdictions affected by it (including the City of Elgin) must formally adopt the plan - and said action has now been requested by the DPS Supervising Program Director.

As Emergency Management Coordinator for the City, EPD Chief Bratton has participated in its development and recommends adoption of the plan and Resolution as presented.

NOTE: While an Executive Summary is included with the meeting packet, the entire Plan document could not be loaded into the Agendase system due to its size (570 pages). Copies are the entire plan are available for review by contacting the City Manager's Office during normal business hours.

RECOMMENDATION(S): Adoption of the Resolution and 2016 Bastrop County Hazard Mitigation Plan as presented

ATTACHMENT:

1-Resolution

2-Executive Summary - 2016 Hazard Mitigation Plan

RESOLUTION NO. 2016-11-1-20

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING
AND ADOPTING THE 2016 BASTROP COUNTY, TEXAS HAZARD
MITIGATION PLAN DATED OCTOBER, 2016 AND MAKING
CERTAIN FINDINGS RELATED THERETO**

WHEREAS, Section 322 of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165) requires local governments to develop a hazardous mitigation plan as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects; and,

WHEREAS, the Code of Federal Regulations (CFR) at Title 44, Chapter 1, part 201, requires the City to prepare and adopt a local mitigation plan every five years; and,

WHEREAS, a steering committee comprised of members of the County, and the City of Elgin, selected and deemed appropriate by the Commissioners Court in his authority to do so as granted by the people, as well as the City's leadership was convened in order to assess the risks of hazards facing the County and the City, and to make recommendations on actions to be taken to mitigate these hazards; and,

WHEREAS, a request for proposals was issued through the Texas Colorado Regional Floodplain Coalition to hire an experienced consulting firm to work with the County to update a comprehensive hazard mitigation plan for the County and the City of Elgin; and,

WHEREAS, the plan incorporates the comments, ideas and concerns of the community and of the public in general, which this plan is designed to protect, ascertained through a series of public meetings, publication of the draft plan, press releases, and other outreach activities; and

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

Section 1. The 2016 Bastrop County, Texas Hazard Mitigation Plan, dated October 2016 is hereby approved and adopted; and that the City resolves to properly support in the plan.

Section 2. A copy of the plan is attached to and made part of this Resolution as if copied verbatim therein.

Section 3. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 1st day of November, 2016.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

THOMAS L MATTIS, City Manager

Bastrop County Hazard Mitigation Plan Update

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The Disaster Mitigation Act of 2000 (DMA) is federal legislation that requires proactive, pre-disaster planning as a prerequisite for some funding available under the Robert T. Stafford Act. The DMA encourages state and local authorities to work together on pre-disaster planning. The planning network called for by the DMA helps local governments articulate accurate needs for mitigation, resulting in faster allocation of funding and more cost-effective risk reduction projects.

Hazard mitigation is the use of long- and short-term strategies to reduce or alleviate the loss of life, personal injury, and property damage that can result from a disaster. It involves strategies such as planning, policy changes, programs, projects, and other activities that can mitigate the impacts of hazards. It is impossible to predict exactly when and where disasters will occur or the extent to which they will impact an area. However, with careful planning and collaboration among public agencies, stakeholders, and citizens, it is possible to minimize losses that disasters can cause. The responsibility for hazard mitigation lies with many, including private property owners; business and industry; and local, state, and federal government.

Bastrop County and a partnership of local governments within the county have developed and maintained a hazard mitigation plan to reduce risks from natural disasters and to comply with the DMA.

PLAN UPDATE

Federal regulations require monitoring, evaluation, and updating of hazard mitigation plans. An update provides an opportunity to reevaluate recommendations, monitor the impacts of implemented actions, and evaluate whether there is a need to change the focus of mitigation strategies. A jurisdiction covered by a hazard mitigation plan that has expired is no longer in compliance with the DMA.

Bastrop County and its communities participated in previous hazard mitigation plans as part of the Texas Colorado River Floodplain Coalition (TCRFC). The TCRFC is a non-profit, 501(c)(3) organization formed in June 2001 by the cities and counties of the Lower Colorado River Authority (LCRA) in response to flood devastation requiring more coordinated damage prevention efforts. In 2004, the TCRFC developed a Hazard Mitigation Action Plan entitled *Creating a Disaster Resistant Lower Colorado River Basin*, which was approved by the Federal Emergency Management Agency (FEMA) in 2004. In 2011, TCRFC completed the *TCRFC Multi-Jurisdictional Hazard Mitigation Plan Update 2011-2016* as a regional partnership of 15 counties (including Bastrop County) and 63 jurisdictions. The 2011-2016 update was completed with technical support from the LCRA and the outside consultant team of H2O Partners, Inc., and PBS&J.

In accordance with recent FEMA guidance that requires individual hazard mitigation plans for each county and Texas Division of Emergency Management's 2010 "two-county maximum" policy, this update to the *TCRFC Multi-Jurisdictional Hazard Mitigation Plan Update 2011-2016* was developed to be specific to Bastrop County and its participating communities: the Cities of Bastrop, Elgin, and Smithville.

The development of this hazard mitigation plan update consisted of the following phases:

- **Phase 1: Organize and Review**—A planning team was assembled to provide technical support for the plan update, consisting of TCRFC representatives, key county and city staff, and a team of technical consultants. The first step in developing the plan update was to re-establish a planning partnership. Planning partners participating in the update were the Cities of Bastrop, Elgin, and Smithville. A Steering Committee was assembled to oversee the plan update, consisting of planning partner staff and community representatives from the planning area. Coordination with other county, state, and federal agencies involved in hazard mitigation occurred throughout the plan update process. This phase included a comprehensive review of the previous *TCRFC Multi-Jurisdictional Hazard Mitigation Plan Update 2011-2016*, and existing programs that may support or enhance hazard mitigation actions.

- **Phase 2: Update the Risk Assessment**—Risk assessment is the process of measuring the potential loss of life, personal injury, economic impact, and property damage resulting from natural hazards. This process assesses the vulnerability of people, buildings, and infrastructure to natural hazards. All facets of the risk assessment of the plan were re-visited by the planning team and updated with the best available data and technology. The work included the following:
 - Hazard identification and profiling
 - Assessment of the impact of hazards on physical, social, and economic assets
 - Vulnerability identification
 - Estimation of the cost of potential damage
- **Phase 3: Engage the Public**—A public involvement strategy agreed upon by the Steering Committee was implemented by the planning team. All meetings were open to the public. Meetings were held to present the risk assessment as well as the draft plan. The public was encourage to participate through a county-specific hazard mitigation survey and the county website that included information on the plan.
- **Phase 4: Assemble the Updated Plan**—The planning team and Steering Committee assembled key information into a document to meet the DMA requirements for all planning partners.
- **Phase 5: Adopt/Implement the Plan**—Once pre-adoption approval has been granted by the Texas Division of Emergency Management and FEMA Region VI, the final adoption phase will begin. Each planning partner will individually adopt the updated plan. The plan maintenance process includes a schedule for monitoring and evaluating the plan’s progress annually and producing a plan revision every 5 years. Throughout the life of this plan, a representative of the original Steering Committee will be available to provide consistent guidance and oversight.

MITIGATION GUIDING PRINCIPLE, GOALS, AND OBJECTIVES

The guiding principle for the Bastrop County Hazard Mitigation Plan Update is as follows:

- To reduce or eliminate the long-term risks to loss of life and property damage in Bastrop County from the full range of natural disasters.

The following plan goals and objectives were determined by the Steering Committee:

- **Goal 1: Protect public health and safety.**
 - **Objective 1.1:** Advise the public about health and safety precautions to guard against injury and loss of life from hazards..
 - **Objective 1.2:** Maximize the utilization of the latest technology to provide adequate warning, communication, and mitigation of hazard events.
 - **Objective 1.3:** Reduce the danger to, and enhance protection of, dangerous areas during hazard events.
 - **Objective 1.4:** Protect critical facilities and services.
- **Goal 2: Protect existing and new properties.**
 - **Objective 2.1:** Reduce repetitive losses to the National Flood Insurance Program.
 - **Objective 2.2:** Use the most cost-effective approaches to protect existing buildings and public infrastructure from hazards.
 - **Objective 2.3:** Enact and enforce regulatory measures to ensure that development will not put people in harm’s way or increase threats to existing properties.

- **Goal 3:** Increase public understanding, support and demand for hazard mitigation.
 - **Objective 3.1:** Heighten public awareness of the full range of natural hazards they face.
 - **Objective 3.2:** Educate the public on actions they can take to prevent or reduce the loss of life or property from all hazards.
 - **Objective 3.3:** Publicize and encourage the adoption of appropriate hazard mitigation measures.
- **Goal 4:** Build and support local capacity and commitment to continuously become less vulnerable to hazards.
 - **Objective 4.1:** Build and support local partnerships to continuously become less vulnerable to hazards.
 - **Objective 4.2:** Build a cadre of committed volunteers to safeguard the community before, during, and after a disaster.
 - **Objective 4.3:** Build hazard mitigation concerns into planning and budgeting processes.
- **Goal 5:** Promote growth in a sustainable manner.
 - **Objective 5.1:** Incorporate hazard mitigation into the long-range planning and development activities.
 - **Objective 5.2:** Promote beneficial uses of hazardous areas while expanding open space and recreational opportunities.
 - **Objective 5.3:** Utilize regulatory approaches to prevent creation of future hazards to life and property.
- **Goal 6:** Maximize the resources for investment in hazard mitigation.
 - **Objective 6.1:** Maximize the use of outside sources of funding.
 - **Objective 6.2:** Maximize participation of property owners in protecting their properties.
 - **Objective 6.3:** Maximize insurance coverage to provide financial protection against hazard events.
 - **Objective 6.4:** Prioritize mitigation projects, based on cost-effectiveness and starting with those sites facing the greatest threat to life, health and property.

IDENTIFIED HAZARDS OF CONCERN

For this plan, the Steering Committee considered the full range of natural hazards that could impact the planning area and then listed hazards that present the greatest concern to the county. The process incorporated review of state and local hazard planning documents, as well as information on the frequency, magnitude, and costs associated with hazards that have impacted or could impact the planning area. Anecdotal information regarding natural hazards and the perceived vulnerability of the planning area's assets to hazards was also included. Based on the review, this plan addresses the following natural hazards of concern:

- | | |
|---------------------|----------------|
| • Coastal Erosion | • Extreme Heat |
| • Dam/Levee Failure | • Earthquake |
| • Drought | • Flood |
| • Expansive Soils | • Hail |

- | | |
|--------------------------------|------------------|
| • Hurricane and Tropical Storm | • Tornado |
| • Land Subsidence | • Wildfire |
| • Lightning | • Wind |
| • Thunderstorm | • Winter Weather |

MITIGATION ACTIONS

Mitigation actions presented in this plan update are activities designed to reduce or eliminate losses resulting from natural hazards. The update process resulted in the identification of 42 mitigation actions targeted for implementation by individual planning partners as listed in Table ES-1. The Steering Committee ranked the mitigation actions in order of priority, with 1 being the highest priority. The highest priority mitigation actions are shown in red on the table, medium priority actions are shown in yellow and low priority actions are shown in green.

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
BASTROP COUNTY										
1	All-hazards roadway system	Identify repetitive traffic incident locations and study all-hazard risks to roadway system. Develop plans for mitigating identified risks, improving life safety, and making roadways more resilient to all-hazards.	7	LPR SIP EAP	G1, G2, G3, G4, G5, G6	1.1, 1.2, 1.3, 1.4, 2.2, 2.3, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 5.1, 5.3, 6.1, 6.4	>\$100,000	Grants	Long Term	High
2	Develop an effective mitigation, response and recovery plan for wildfire in the urban wildland interface areas	Develop an effective mitigation, response and recovery plan for wildfire in the urban wildland interface areas by building local capacity, enlisting support from the development community and citizens groups, identifying the more hazardous areas of the “fireplain” and implementing the goals and projects discussed in the Bastrop County Wildfire Protection Plan adopted by the Bastrop County Commissioners’ Court in April 2008.	1	LPR	G1, G2, G3, G4, G5, G6	1.3, 1.4, 2.2, 3.1, 3.2, 3.3, 4.1, 4.2, 4.3, 5.1, 6.1, 6.2	>\$100,000	Grants, Donations, General Funds	Ongoing	High
3	Upgrade low water crossing to include a cast-in-place, multi-box (2) culvert-bridge at Caldwell Road and Wet Weather Creek	Flooding occurs over road at this low water crossing.	24	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Low

*Bastrop County Hazard Mitigation Plan Update***TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
4	Upgrade low water crossing to include a cast-in-place, multi-box (2) culvert-bridge at Old Sayers Road and Big Sandy Creek	Flooding occurs over road at this low water crossing.	23	SIP	G1, G2, G6	1.3, 1.4, 2.2	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Low
5	Upgrade low water crossing to include a cast-in-place, multi-box (2) culvert-bridge at Upper Elgin River Road and Cotton Creek	Flooding occurs over road at this low water crossing.	22	SIP	G1, G2, G6	1.3, 1.4, 2.2	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Low
6	Upgrade existing culvert to include a cast-in-place, multi-box (2) culvert-bridge at Longhorn Trail and Creek Crossing	Flooding occurs over road at this low water crossing.	14	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Medium

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
7	Upgrade structurally deficient wooden bridge to include a box culvert-bridge at Patterson Road and Bartons Creek	The wooden bridge is deficient and needs to be replaced.	13	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	Medium
8	Upgrade low water crossing to include cast-in-place, multi-box (3) culvert-bridge at Friendship Road and Turner Creek A & B	Flooding occurs over road at this low water crossing.	6	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	High
9	Upgrade to a box culvert-bridge at Hall Road and Young's Branch	The bridge is deficient and needs to be replaced.	12	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Medium
10	Upgrade low water crossing to include cast-in-place, multi-box (2) culvert-bridge at Pine Canyon Drive and Wet Weather Creek	Flooding occurs over road at this low water crossing.	11	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	Medium

Bastrop County Hazard Mitigation Plan Update

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
11	Upgrade low water crossing to include cast-in-place, box culvert-bridge at Meduna Road and Barton Oaks Draw 1	Flooding occurs over road at this low water crossing.	21	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	Low
12	Upgrade 5-foot CMP to include cast-in-place, multi-box (2) culvert-bridge at Paffen Road and Grassy Creek Draw	Flooding occurs over road at this low water crossing.	20	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	Low
13	Upgrade low water crossing to include cast-in-place multi-box (2) culvert-bridge at O'Grady Road and Wet Weather Creek	Flooding occurs over road at this low water crossing.	19	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants, CIP Funds	Short Term	Low
14	Circle Road public safety improvement	Flooded/damaged roadway presents risk to citizens and first responders.	5	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.4	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	High

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
15	County roadway erosion control	Damage to county roadways due to erosion will be repaired and mitigated by repairing and replacing culverts and drainage ditches as necessary.	4	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	>\$100,000	Grants	Ongoing	High
16	Expansive soils analysis	County will perform soil analysis and engineer buildings to withstand expansive soils.	16	SIP	G2, G5, G6	2.2, 5.1, 6.1, 6.2, 6.3, 6.4	\$10,000 to \$100,000	Grants, Bonds, CIP Funding	Ongoing	Medium
17	Expansive soils county building monitoring	County will work to monitor existing county structures and take action as necessary which may include watering slabs and foundations and repair of damaged slabs and foundations to prevent more structural damage.	17	LPR SIP	G2, G4, G5, G6	2.2, 4.3, 5.1, 6.1, 6.2, 6.3, 6.4	<\$10,000	Grants, Bonds, CIP Funding	Ongoing	Medium
18	Upgrade low water crossing at Marlin Road and Paint Creek Draw	Roadway floods during rain events, reducing routes of emergency ingress egress for citizens and first responders. Roadway becomes damaged by flood waters and debris. Five or six 24-inch CMPs will be installed.	15	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Medium
19	Upgrade low water crossing at Old Sayers Road and Little Sandy Creek	Roadway floods during rain events, reducing routes of emergency ingress egress for citizens and first responders. Roadway becomes damaged by flood waters and debris. Single box culvert will be installed.	18	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	Medium
20	Replace paint at Creek Road Bridge	Damage to county road bridge caused by weather and debris. Bridge will be replaced.	2	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	>\$100,000	TXDOT, Grants	Short Term	High

Bastrop County Hazard Mitigation Plan Update

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
21	Squirrel Run Ingress Egress Project	Private property will be purchased or dedicated to public use to construct roadway.	3	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	\$10,000 to \$100,000	Road and Bridge Budget, Grants	Short Term	High
22	All-hazards public information	County staff and officials will attend community activities and distribute information about all-hazards. Timing/content may be a function of National Seasonal Preparedness Messaging Calendar (ready.gov), local government identified needs, citizen requests, etc.	8	EAP	G1, G2, G3, G4, G5, G6	1.1, 1.2, 1.3, 1.4, 2.1, 3.1, 3.2, 4.1, 5.1, 6.1, 6.2	<\$10,000	Grants	Ongoing	High
23	All-hazards weather radio awareness	County will promote NOAA all-hazards weather radio and other alternative methods to notify citizens. County will foster relationships with NWS and work with the community to understand value of weather radio.	9	EAP	G1, G3, G4	1.1, 1.2, 1.3, 1.4, 3.1, 3.2, 4.1	<\$10,000	Grants	Ongoing	High
24	All-hazards public information platform	Design and construct a combined communications center with EOC and dispatch functionality to provide for public information needs and serve as a warning point for all-hazards.	10	SIP EAP	G1, G2, G3, G4, G5, G6	1.1, 1.2, 1.3, 1.4, 2.1, 3.1, 3.2, 4.1, 5.1, 6.1, 6.2	>\$100,000	Grants	Ongoing	High
CITY OF BASTROP										
1	Wildfire mitigation – new developments and ETJ	The city has passed a 1445 Agreement and is currently updating its Comprehensive Plan outlining goals and strategies for this program.	1	LPR NSP	G1, G3, G4, G5, G6	1.3, 3.3, 4.1, 4.3, 5.1, 5.3, 6.1, 6.2	>\$100,000	Grants, Local Funds, Cooperative Partnerships	Ongoing	Medium

EXECUTIVE SUMMARY

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
2	Communication equipment	The city will continue to upgrade/replace older communication equipment, purchase additional equipment, and explore the use of non-traditional means of communicating with resources responding to the incident as well as notifying the public.	2	LPR NSP EAP	G1, G4	1.2, 4.1	>\$100,000	Grants, Local Funds, Municipal Bonds	Ongoing	High
3	Fire & Safety Inspector staffing	Building codes have been updated to comply with 2011 International Building Codes and an evaluation of staffing needs is being conducted.	8	LPR EAP	G1	1.3, 1.4	\$10,000 to \$100,000	Grants, Tax Revenue	Ongoing	High
4	Piney Creek Drainage Improvements	The city has recently introduced an ordinance to annex the portion of the creek so that this action can be completed.	5	SIP NSP	G1, G2, G5	1.3, 2.2, 2.3, 5.3	>\$100,000	Grants, Tax Revenue, Municipal Bonds	Ongoing	High
5	Gills Branch Drainage Improvements	The city has identified funding and will be starting the bid process for this project.	3	LPR NSP	G1, G2	1.3, 2.2	>\$100,000	Grants, Tax Revenue, Municipal Bonds	Ongoing	High
6	Floodplain education	The city will need to identify funding and a location at the library for a public computer in order to access this information.	9	EAP	G1, G2, G3, G4, G5, G6	1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 4.1, 4.3, 5.1, 6.2	< \$10,000	Grants, Tax Revenue, Public Donations	Short Term	Medium

Bastrop County Hazard Mitigation Plan Update

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
7	Electric power line upgrade	The city is in the process of replacing wooden power poles with metal power poles and will explore the possibility of placing some lines underground.	6	LPR SIP	G1, G3, G4, G6	1.2, 1.3, 1.4, 3.3, 4.1, 6.1	>\$100,000	Grants, Tax Revenue, Electric Revenue	Ongoing	High
8	Public shelters	Existing city buildings would be modified or a new facility built that would be used as a shelter during an emergency.	4	LPR SIP	G1, G6	1.3, 6.1	>\$100,000	Grants, Tax Revenue, Public Donations	Long Term	Medium
9	Portable pumps and generators	The city has purchased and installed two electric generators (one at the elevated tower and the other for the water treatment plant) which will ensure water can be pumped in the event of a power outage. A portable pump is still required for wastewater.	7	LPR SIP NSP	G1	1.4	\$10,000 to \$100,000	Grants, Tax Revenue, Municipal Bonds	Short Term	High
10	Public awareness campaigns	The city is conducting drought contingency planning and public service announcements pertaining to water conservation, winter storm advisories, heat related injuries, etc. through the distribution of pamphlets, flyers, and social media.	10	EAP	G1, G3	1.1, 1.2, 1.3, 3.1, 3.2	\$10,000 to \$100,000	Tax Revenue	Short Term	High

EXECUTIVE SUMMARY

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
CITY OF ELGIN										
1	Construction of a 14,800 square foot recreation/shelter/EOC facility	The City of Elgin has selected the site and determined that the recreation/shelter facility will cost \$3 million. Requests for Qualifications will be solicited from architectural and engineering firms. Requests for Proposals will then be solicited.	1	SIP	G1, G3, G4, G5, G6	1.3, 1.4, 3.3, 4.1, 4.3, 5.1, 6.1	>\$100,000	City Funds, Grants	Short Term	High
2	Acquisition of generators	The city has applied for funding via an ORCA grant. Once funded the units will be purchased and placed in appropriate accessible areas.	2	SIP	G1, G2, G6	1.3, 1.4, 2.2, 6.1	>\$100,000	ORCA Grant	Short Term	High
3	2 nd Street Drainage Project	This project has been completed as Phase I of the stormwater drainage project.	3	SIP	G1, G2, G3	1.3, 1.4, 2.1, 2.2, 3.3	>\$100,000	TXDOT, City Funds	Ongoing	High
4	Brenham Street Crossing	This project is Phase II of the stormwater drainage project. Phase I has been completed.	4	SIP	G1, G2, G4	1.3, 1.4, 2.1, 2.2, 4.1	>\$100,000	ORCA Grant, City Funds, CDBG	Long Term	High

*Bastrop County Hazard Mitigation Plan Update***TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
5	Conduct public outreach to educate citizens on a full range of hazards they face and how to protect themselves, their families, and their businesses in disaster situations	The City of Elgin has: a weekly newsletter that can include hazard education, Turn Around Don't Drown bumper stickers available to the public, and a 24-hour TV station available for use. The city is also in the process of joining NFIP's CRS to further mitigate flooding in the city.	5	EAP	G1, G2, G3, G4, G5	1.1, 1.3, 2.1, 2.3, 3.1, 3.2, 3.3, 4.1, 4.2, 5.2	<\$10,000	City Funds, Grants	Ongoing	High
CITY OF SMITHVILLE										
1	Expand Smithville Recreation Center to improve shelter-in-place capability	(1) Apply for \$1.5 million GLO-HUD grant to expand the Smithville Recreation Center (COMPLETE). (2) Property acquisition (COMPLETE). (3) Identify architect/engineer to design facility expansion. (4) Construct facility.	2	SIP	G1, G2, G4	1.1, 1.3, 1.4, 2.2, 4.1	>\$100,000	GLO-HUD	Short Term	Medium
2	Educate/inform citizens about local hazards and mitigation techniques	(1) Implement education and awareness program for identified hazards via city website. (2) Participate in America's "Preparathon" to promote public awareness of identified hazard(s). (3) Implement CodeRed notification system to alert community of pending threat. (4) Conduct community-wide tornado alert drills using outdoor notification system.	3	EAP	G1, G3, G4	1.1, 1.2, 3.1, 3.2, 3.3, 4.2	<\$10,000	City Funds	Ongoing	High

**TABLE ES-1.
RECOMMENDED MITIGATION ACTIONS**

Action No.	Title	Description	Mitigation Action Ranking	Action Type	Applicable Goals	Applicable Objectives	Estimated Cost	Potential Funding Sources	Timeline	Benefit
3	Evaluate city-wide flood risk and identify mitigation alternatives	(1) Conduct analysis of flood-prone areas to determine risk and mitigation techniques/alternatives. (2) Prioritize findings and recommendations for hazard mitigation. (3) Obtain engineering cost estimate for city-wide drainage improvements. (4) Identify funding source(s) to improve city-wide drainage infrastructure. (5) Implement flood mitigation techniques/alternatives. (6) Remove/clean debris from culverts and bar ditches (ONGOING).	1	SIP	G2, G3, G6	2.1, 2.2, 2.3, 3.1, 3.2, 3.3, 6.1, 6.2, 6.3, 6.4	>\$100,000	Federal, State Grants, Revenue Bonds	Short Term	Medium
CDBG	Community Development Block Grant	LPR	Local Plans and Regulations							
CIP	Capital Improvement Plan	NFIP	National Flood Insurance Program							
CMP	Corrugated Metal Pipe	NOAA	National Oceanic and Atmospheric Administration							
CRS	Community Rating System	NSP	Natural Systems Protection							
EAP	Education and Awareness Programs	NWS	National Weather Service							
EOC	Emergency Operations Center	ORCA	Office of Rural Community Affairs							
ETJ	Extra Territorial Jurisdiction	SIP	Structure and Infrastructure Project							
GLO-HUD	General Land Office – Housing and Urban Development	TXDOT	State of Texas Department of Transportation							



COUNCIL MEETING: November 1, 2016

ITEM: 3. **RESOLUTION NO. 2016-11-1-21 A RESOLUTION OF THE CITY OF ELGIN, TEXAS IN RECOGNITION OF MUNICIPAL COURT WEEK; RECOGNIZING THE IMPORTANCE OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND IMPARTIAL ADMINISTRATION OF JUSTICE**

RESOURCE PERSON(S):

SUMMARY: Requested by city staff and the Texas Municipal Courts Education Center; This Resolution supports the week of November 7-11, 2016 as Municipal Court Week in Elgin and Texas in general; recognizing the important work of municipal courts and the people who work in the courts. It embraces the principle of judicial independence and succinctly states the proper relationship between city council and the municipal court. It is an opportunity for the city council to demonstrate their recognition of procedural safeguards for all defendants, including indigent defendants, and to show support of the municipal court in independently applying all laws in a way that promotes public confidence in the integrity and impartiality of the judiciary.

RECOMMENDATION(S): Adoption of the Resolution as presented

ATTACHMENT: 1-Resolution

RESOLUTION NO. 2016-11-1-21

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS IN RECOGNITION
OF MUNICIPAL COURT WEEK; RECOGNIZING THE IMPORTANCE
OF MUNICIPAL COURTS, THE RULE OF LAW, AND THE FAIR AND
IMPARTIAL ADMINISTRATION OF JUSTICE**

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Texas; and,

WHEREAS, more people come in contact with municipal courts than all other Texas courts combined and public impression of the Texas judicial system is largely dependent upon the public's experience in municipal court; and,

WHEREAS, the City of Elgin established its Municipal Court in 1978; and,

WHEREAS, state law authorizes a municipality to either appoint or elect a municipal judge for a term of office, the Elgin Municipal Court is a state court and its judges are members of the state judiciary; and,

WHEREAS, the procedures for the Elgin Municipal Court operations are set forth in the Texas Code of Criminal Procedure and other laws of the State of Texas; and,

WHEREAS, the City of Elgin is committed to the notion that our legal system is based on the principle that an independent, fair, and competent judiciary will interpret and apply the laws that govern us and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and,

WHEREAS, Elgin Municipal Judges are not policy makers for the City of Elgin but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and,

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Texas contain procedural safeguards in criminal cases for all defendants, including indigent defendants, and supports the Elgin Municipal Court in complying with such legal requirements.

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

Section 1. The week of November 7-11, 2016 is hereby recognized as Municipal Court Week in recognition of the fair and impartial justice offered to our citizens by the City of Elgin Municipal Court.

Section 2. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 1st day of November, 2016.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

THOMAS L. MATTIS, City Manager