Elgin TEXAS
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ELGIN CITY CITY COUNCIL MINUTES
December 3, 2024
6:30 PM

CALL TO ORDER
Mayor McShan called the meeting to order at 6:30PM.

ROLL CALL
Mayor McShan called roll call. All Council Members were present.

Present:
Theresa Y. McShan, Mayor
Sue Brashar, Mayor Pro Tem
Matthew Callahan, Ward 3
Al Rodriguez, Ward 3
Forest Dennis, Ward 4
Joy Casnovsky, Ward 1
Arthur Gibson III, Ward 1
Chuck Swain, Ward 2
YaLecia Love, Ward 2

Staff:
Beau Perry, City Engineer/ Development Services Director
Michael Gonzalez, Public Works Director
Chris Noble, Chief of Police
Amy Miller, Community Services Director
Mark Schroeder, City Attorney
Pam Sanders, Human Resources Director
Sonia Browder, Media Specialist
Esmeralda Rangel, Assistant City Secretary
Patrick Krzan, Police Sergeant
Karol Jarmon, Public Works Administrative Assistant
Rodeny Jarmon, Public Works Superintendant

INVOCATION
Council Member Gibson provided the invocation.

PLEDGE OF ALLEGIANCE
Mayor McShan led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

PUBLIC HEARING

1. **PUBLIC HEARING ON A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF ELGIN, TEXAS AND TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36 (OR NEXT AVAILABLE NUMERICAL DESIGNATION) AND MAKING CERTAIN FINDINGS RELATED THERETO.**
   Mayor Mcshan read the caption of the Public Hearing. No Public Comment was made by any in attendance.

2. **PUBLIC HEARING ON AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS TO WIT: APPROXIMATELY 56.2727 ACRES OF LAND OUT OF THE WILLIAM HINES SURVEY 53, ABSTRACT NO. 345, IN TRAVIS COUNTY, TEXAS (OUT OF TRAVIS CO. APPRAISAL DISTRICT PARCEL NUMBER 237109), INCLUDING ADJACENT RIGHT-OF-WAY AND BEING FULLY DESCRIBED IN EXHIBIT "A-4"; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**
   Mayor Mcshan read the caption of the Public Hearing. No Public Comment was made by any in attendance.

PUBLIC COMMENT

Shametra McGregor from Operation Turkey thanked Council and the Elgin community on behalf of Operation Turkey. Mayor McShan and the Council presented Shametra with a Proclamation for Operation Turkey.

Wes Callais, 18304 Willow Sage Lane, provided public comment on the Interim City Manager position on the agenda. He appealed to council to "look outside the box" for a "substitute" City Manager, and expressed opposition to having an Interim City Manager that is currently on staff.

PRESENTATION

1. **Presentation of the Annual Audit Report for the period ending September 30, 2023 by BrooksWatson &Co. PLLC**
   Mike Brooks from Brooks and Watson presented the annual audit for Fiscal Year 2023-2024, summarized the audit, and answered questions from the council. Mr. Brooks was able to issue an unmodified opinion for this audit, meaning that these statements are free of any material misstatement and any or all footnotes are disclosed. Council Member Casnovsky requested that Mr. Brooks summarize the packets given to the Council. Mr. Brooks presented the firm's findings and recommendations which stated that the City does not possess the staff necessary that is capable of preparing the required statements, and the City utilizes a pooled cash fund and the firm recommends that funds that are in a deficit position should be addressed in a timely manner. Mayor McShan questioned Mr. Brooks about his recommendation for pooled cash. Mr. Brooks stated that it was common and an efficient way to manage, and he is not recommending the City change that. Mr. Brooks stated that the staff turn-over and incoming staff did not allow for timely bank reconciliations. The fourth finding was related to the investments and associated necessary staff needed for investment requirements. The final finding was related to upcoming accounting standard, which will be in effect for the FY 2024-2025 year.

CITY MANAGERS REPORT

1. **General Activity Report and/or Project Update**
   No questions or comments were made by council.

2. **Board of Adjustments Quarterly Report**
   Mayor McShan directed council to look at this report at their leisure.

3. **Building Standards Commission Quarterly Report**
   Mayor McShan directed council to look at this report at their leisure.

CONSENT AGENDA

1. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 3 FOR THE ELGIN POLICE DEPARTMENT PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO.**
   The resolution was approved on the consent agenda.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NUMBER 4 FOR THE ELGIN POLICE DEPARTMENT PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO.
   The resolution was approved on the consent agenda.

3. **Board and Commissions Appointment**
   The appointment to the Historic Review Board was approved on the consent agenda.

4. **City Council Regular Meeting Minutes - August 6,2024**
   The minutes were approved on the consent agenda.

5. **City Council Special Meeting Minutes - August 13, 2024**
   The minutes were approved on the consent agenda.

6. **City Council Regular Meeting Minutes - November 12, 2024**
   The minutes were approved on the consent agenda.

   Council Member Dennis motioned to approve the consent agenda. Council Member Love seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. **AN ORDINANCE SETTING THE TIME AND PLACE OF THE 2025 REGULAR MONTHLY MEETINGS OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE**
   Mayor McShan explained that this Ordinance would set the required meetings for the 2025 year, and the schedule has already been adjusted for certain events. Mayor Pro Tem Brashar motioned to approve the ordinance as it was presented. Council Member Gibson seconded the motion. All voted in favor. The motion carried.

2. **AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: APPROXIMATELY 56.2727 ACRES, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY 53, ABSTRACT NO. 345, IN TRAVIS COUNTY, TEXAS (OUT OF TRAVIS CO. APPRAISAL DISTRICT PARCEL NUMBER 237109), INCLUDING ADJACENT RIGHT-OF-WAY AND BEING FULLY DESCRIBED IN EXHIBIT "A-4", ATTACHED HERETO; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**
   Beau Perry, City Engineer, explained that this annexation was part of the Elgin Gateway Development Agreement voted on at the previous meeting, which allows the City to annex the commercial property and the multifamily property. Council Member Casnovsky

motioned to approve the ordinance as presented. Council Member Callahan seconded the motion. All voted in favor. The motion carried.

3. **AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**
Mayor McShan explained that the newly annexed property would be assigned to Ward 2 by this ordinance. Council Member Swain motioned to approve the ordinance as present. Council Member Love seconded the motion. All voted in favor. The motion carried.

4. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A STRATEGIC PARTNERSHIP AGREEMENT WITH TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 36 (OR NEXT AVAILABLE NUMERICAL DESIGNATION) AND MAKING CERTAIN FINDINGS RELATED THERETO.**
Beau Perry, City Engineer, explained that this agreement will ultimately give the City some control over the development of the ETJ MUD and work with the developer to meet the City's expectations. Council Member Dennis motioned to approve the resolution as it was present. Council Member Rodriguez seconded the motion. All voted in favor. The motion carried.

5. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH WGA ENGINEERS FOR DESIGN OF A DIRECT WATER WELL TIE IN AND MAKING CERTAIN FINDINGS RELATED THERETO**
Beau Perry, City Engineer, explained that this resolution was in response to the Council's direction to staff after the previous freeze to make certain that the City has redundancies in place to ensure that the City is not reliant on other entities when natural disasters occur. The project will require that the water treatment plant be taken offline several times and the tie in to the water well will allow the City to utilize that water, while still meeting various requirements for disinfection, while the water treatment plant is offline for construction or due to a natural disaster. Council Member Gibson questioned the cost of the water well tie-in, which Mr. Perry explained that this is just a resolution for engineering. The construction of the project will go out for bid, and return to council for a vote. Council Member Rodriguez questioned the impact to citizens when the treatment plant is taken offline, which Mr. Perry responded that the water well tie-in would mean citizens would see no impact. Council Member Dennis sought confirmation of the location of the well which Mr. Perry responded that it is Water Well 15 located at the water treatment plant.
Mayor Pro Tem Brashar motioned to approve the resolution as it was present. Council Member Gibson seconded the motion. All voted in favor. The motion carried.

6. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF ELGIN, TEXAS AND THE ELGIN CHAMBER OF COMMERCE FOR EXPENDITURE OF HOTEL OCCUPANCY TAX FUNDS; AND PROVIDING FOR A RELATED MATTERS**
Amy Miller, Director of Community Services, explained that City of Elgin currently has a 3 year with the Chamber of Commerce for the expenditure of the Hotel Motel Tax that is expiring this year. Ms. Miller is presenting a new 3 year contract that has been prepared by City staff and the Chamber President. There have been several changes made to the proposed contract from the previous contract. City Council Casnovsky questioned the reporting requirements. Council Member Dennis questioned the location transition the Chamber of Commerce is currently going through. Ms. Miller explained that this is not related to their location change, and is just the receiving and expenditure of Hotel Motel tax

dollars. The lease of a City property was a separate agreement. Council Member Dennis questioned the change of leadership for the Chamber, and Ms. Miller explained that it does not currently affect the agreement. Council Member Casnovsky questioned the continuation of a visitor's center, and it was confirmed that they will still be operating a visitor's center. Council Member Swain motioned to approve the resolution as it was present. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

7. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS**
   Mayor McShan explained that this was previously tabled, and the City has 126 votes to cast. Council Member Rodriguez confirmed that the Elgin Independent School District cast their votes for David Glass. Council Member Dennis motioned to cast all 126 votes for David Glass. Council Member Callahan seconded the motion. All voted in favor. The motion carried.

8. **Discussion And Possible Direction To Staff Regarding The Distribution Of Community Non-Profit Support Funding As Included In The FY2024-2025 Annual Operating Budget**
   Mayor McShan tabled this item with the intention to return to this item at the January 7, 2025 City Council Meeting.

9. **Discuss and take action to appoint acting city manager**
   Mayor McShan adjourned the public meeting to convene in Executive Session to discuss this item.

10. **Discuss and possible take action regarding process for appointment or selection of interim city manager.**
    Mayor McShan adjourned the public meeting to convene in Executive Session to discuss this item.

11. **Discuss and take possible action regarding creation of City Charter committee or amendments to City Charter.**
    Mayor McShan adjourned the public meeting to convene in Executive Session to discuss this item.

EXECUTIVE SESSION

Mayor McShan adjourned the public meeting into Executive Session at 7:21 P.M..

RECONVENE

Mayor McShan reconvened the meeting into open session at 8:15 P.M. from Execute Session. Mayor Pro Tem Brashar motioned to appoint Beau Perry as Acting City Manager. Council Member Dennis seconded the motion. All voted in favor. The motion carried.

ANNOUNCEMENTS

Sonia Browder, Media Specialist, issued a reminder that Holiday by the Tracks will be taking place this weekend, and there will be many events to enjoy. Parking from Brenham to Central Avenue will be closed for the Lighted Parade. All of these announcements are also available on the City's social media accounts.

ADJOURNMENT

Mayor McShan adjourned the meeting at 8:21 P.M.

ATTEST:

Theresa Y. McShan, Mayor

Peyton Standifer, City Secretary