



**ELGIN CITY COUNCIL AGENDA
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
September 16, 2025
6:30 PM**

Members of the public may watch the meeting at:

https://www.youtube.com/channel/UC3OGBV_IoV0Nr3AqM1jJTzA

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

- 1. PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL LOCATED AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS. (PERRY)**

VI. PUBLIC HEARING ON BUDGET AND TAX RATE

This proposed budget will raise more revenue from property taxes than last year's budget by \$830,490 which is a 12.95% increase over last year and of that amount \$268,137 is tax revenue to be raised from new property added to the tax roll this year. Taxpayer Impact: The total tax rate (per \$100 of value) is proposed to be an 8.64% change from 2024 (0.5700 tax rate) to 2025 (0.619296 tax rate). The average homestead taxable value from 2024 (\$265,922) saw a change of 2.63% to 2025 (\$272,924). The tax due on an average homestead increased from \$1,515 in 2024 to \$1,690 in 2025, which is a 11.55% difference. The total tax levy on all properties will see a 12.94% change from \$6,415,020 in 2024 to \$7,245,510 in 2025.

- 1. (Second Reading) AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS**

THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

- 2. (Second Hearing) AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR APPORTIONMENT OF SAID LEVY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.**

VII. PUBLIC COMMENT

The "PUBLIC COMMENT" item posted on the agenda is reserved for members of the public who would like to address the City Council regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the City Council during the meeting shall do so under the "PUBLIC COMMENT" agenda item. Speakers shall 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. **As of May 1, 2022, all such public comments will be done IN PERSON. You may email public comments and they will be distributed to each of the Council Members but not read out loud.**

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 a "PUBLIC COMMENT FORM".

Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or Staff Member. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from any personal attacks or derogatory comments directed at any Council Member, Staff Member, other individual, or group.

VIII. ANNOUNCEMENTS

IX. PRESENTATION

- 1. A PROCLAMATION HONORING THE LATE EDDIE COCKRELL SHAW**
- 2. A PROCLAMATION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AND BULLYING PREVENTION MONTH IN THE CITY OF ELGIN**
- 3. A PROCLAMATION DECLARING SEPTEMBER AS CAPCOG PREPAREDNESS MONTH IN THE CITY OF ELGIN**
- 4. A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 22-26, 2025 AS FALLS PREVENTION AWARENESS WEEK IN THE CITY OF ELGIN**
- 5. A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 2025 AS SENIOR CENTER AWARENESS MONTH IN THE CITY OF ELGIN**
- 6. A PROCLAMATION RECOGNIZING SEPTEMBER 2025 AS HUNGER ACTION MONTH IN THE CITY OF ELGIN**

X. CITY MANAGERS REPORT

1. **Library Advisory Board Quarterly Report**
2. **Building Standards Commission Quarterly Report**
3. **Board of Adjustments Quarterly Report**
4. **Parks and Recreation Advisory Board Quarterly Report**
5. **Update to Council on Short Term Rental Properties (Perry)**
6. **Review and Discuss the Remaining Meeting Dates in 2025**

XI. CONSENT AGENDA

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the City Council and will be enacted with one motion, one second, and one vote. Any member of the City Council may pull any item from the Consent Agenda in order that the City Council discuss and act upon it individually as a part of the Regular Agenda.

1. **City Council Special Meeting Minutes - August 26, 2025**
2. **City Council Regular Meeting Minutes - September 2, 2025**
3. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS CANCELING THE OCTOBER 28, 2025, MEETING AND RESCHEDULING THE TUESDAY, NOVEMBER 11, 2025, MEETING TO MONDAY, NOVEMBER 17, 2025, AND PROVIDING FOR A SAVINGS CLAUSE.**
4. **Authorize the Mayor to Execute a Letter of Intent with Emergency Services District No. 1 for Trinity Ranch Property**
5. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY COUNCIL TO DISCUSS, CONSIDER, AND SELECT ENGINEERING AND ARCHITECTURAL SERVICE PROVIDER TO COMPLETE APPLICATION AND PROJECT IMPLEMENTATION FOR THE HAZARD MITIGATION ASSISTANCE (HMA) FUNDING ADMINISTERED BY THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND/OR THE TEXAS WATER DEVELOPMENT BOARD. (GONZALEZ)**
6. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, RATIFYING PAYMENT AND AUTHORIZATION PAY APPLICATION TO GRANT WORKS FOR MILESTONE 6 OF THE PISTOL HILL BOOSTER STATION PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO. (GONZALEZ)**

XII. NEW BUSINESS

1. **AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE. (PERRY/SANDERS)**

2. **AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2025 TAX YEAR. (PERRY/SANDERS)**
3. **AN ORDINANCE TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN. (Sanders)**
4. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ESTABLISHING OFFICIAL HOLIDAYS TO BE OBSERVED BY THE CITY OF ELGIN AS A PART OF THE BENEFITS PROVIDED TO FULL-TIME STAFF; PROVIDING THAT CITY OFFICES AND BUILDINGS SHALL BE CLOSED IN OBSERVANCE OF SUCH HOLIDAYS; ESTABLISHING RULES FOR HOLIDAYS FALLING ON WEEKENDS; PROVIDING FOR RELATED MATTERS; AND ESTABLISHING AN EFFECTIVE DATE. (SANDERS)**
5. **AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL LOCATED AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS. (PERRY)**
6. **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, GRANTING TO SIENERGY GAS, LLC A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE. (GONZALEZ)**
7. **Appointment/Re-Appointment of Members to Various City Commissions, Boards, and/or Committees Including the Planning & Zoning Commission, Board of Adjustments, Library Advisory Boards, Park & Recreation Advisory Board, Economic Development Corporation Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standard Commission**
8. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING PERSONS FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS**
9. **Consider and Take Possible Action to Approve Waiver of Performance Requirements Under the Funding Agreement Between The City of Elgin and the Elgin Chamber of Commerce for Expenditure of Hotel Occupancy Tax Funds for the First Quarter of 2025 and Second Quarter of 2025 Quarterly Payments, and Authorize Payment of the Quarterly Funding, with Findings that Such Payment Serves a Valid Public Purpose.**

XIII. 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.

- 1. Section 551.074 – Personnel Matters. Deliberation regarding the process for hiring a new City Manager, including discussion of candidate qualifications, recruitment and selection methods, and consideration of interim management arrangements pending the appointment of a new City Manager.**
- 2. Section 551.071 – Consultation with Attorney. Consultation with the City Attorney regarding legal issues related to the City Manager recruitment process and the use of interim appointments.**

XIV. RECONVENE

The City Council will reconvene in Open Session to consider and take possible action regarding items discussed in Executive Session, including but not limited to: a. Establishing the process and timeline for hiring a new City Manager. b. Appointment of an Interim City Manager. c. Authorize the Mayor to enter an employment contract with an Interim City Manager

XV. ADJOURNMENT

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512)229-3223. Please provide forty-eight hours notice when feasible.

I, Peyton Standifer, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Wednesday, September 10, 2025, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in black ink, appearing to read "Peyton Standifer". The signature is written in a cursive, flowing style.

Peyton Standifer, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL LOCATED AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS. (PERRY)

DEPARTMENT: Development Services

PROPOSED ACTION: No Council action is requested or required at this time. This item is to allow for public comment on the proposed Specific Use Permit.

BACKGROUND:

An application to operate a Short-Term Rental (STR) at 907 North Avenue C was received from the new property owners on July 17, 2025. The Planning and Zoning Commission held the first of the two required public hearings on this matter on August 25, 2025. This is the second of the two required public hearings. As required for all Specific Use Permits (SUP), notices were mailed to property owners within 200-feet of the property requesting the SUP and a sign was placed on the property announcing the meetings.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

1. 907 N Ave C SUP Ordinance
2. 202500069 Vicinity Map
3. 907 N Ave C AirBnB Specific Use Application
4. 202500069 200' Notice + Map

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. 2025-09-16-

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow a Short-Term Rental, in the R-2: Single-Family and Duplex Dwelling district at the property described in Exhibit “A”; and

WHEREAS, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested permit on August 25, 2025, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended approval of a Specific Use Permit allowing the Short-Term Rental, for a period of two years and with the following conditions: there shall be no more than ten (10) overnight occupants in the R-2: Single-Family and Duplex Dwelling district as shown in Exhibit “A”; and

WHEREAS, on the 16th day of September 2025, after proper notification, the City Council held a public hearing on the requested application, and

WHEREAS, the City Council determines that the Specific Use Permit provided for herein promotes the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further finds that enactment of this Ordinance is not inconsistent with or in conflict with any other polices or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

II.

The Zoning District for the Property shall remain R-2: Single-Family and Duplex Dwelling, and the Ordinance granting a Specific Use Permit on the property to allow the Short-Term Rental for a period of _____ and with/without the recommended conditions, is hereby adopted.

III.

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

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

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

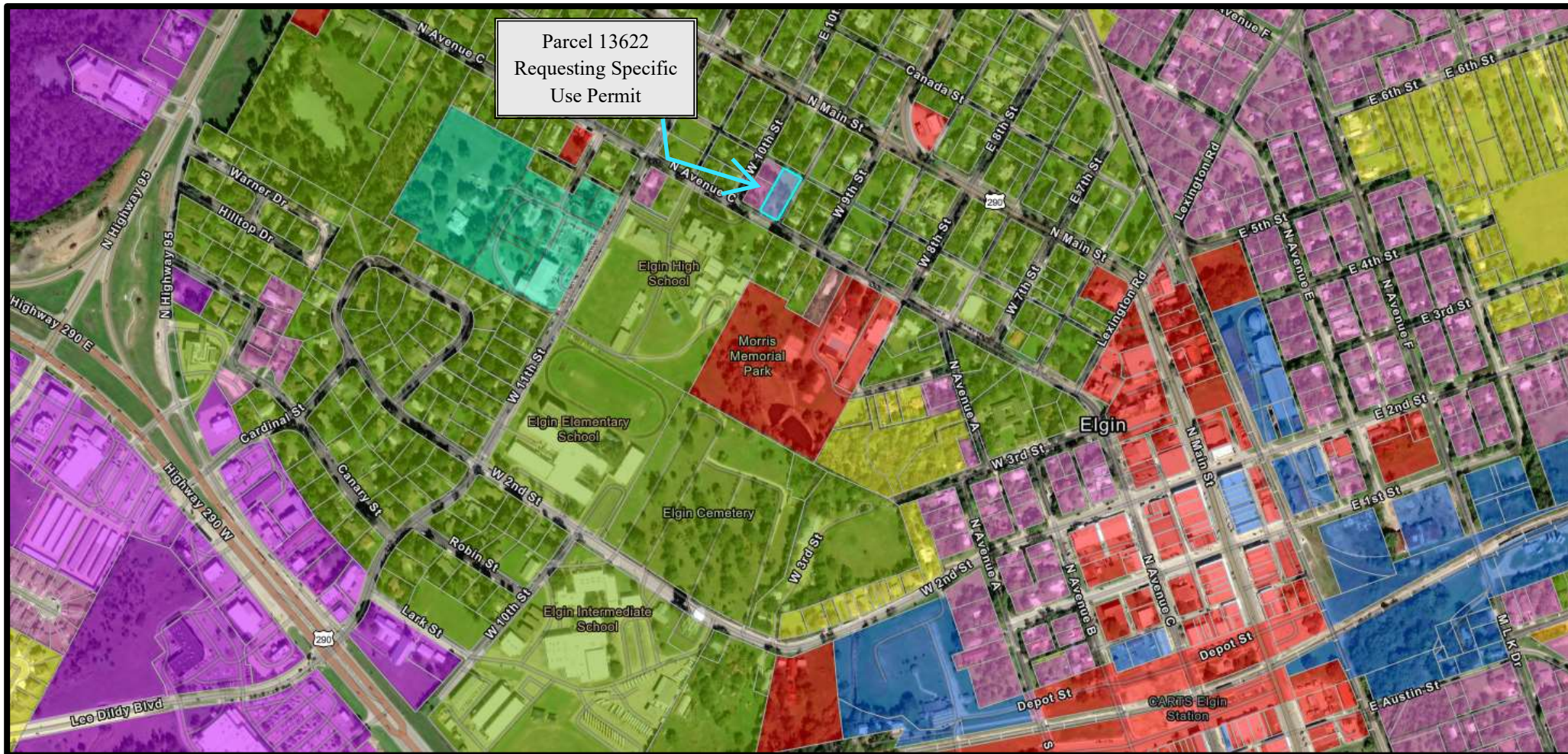
READ, PASSED, and ADOPTED on first reading this the 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

Vicinity Map



SPECIFIC USE APPLICATION

Date: 7-16-25

SITE INFORMATION

Project Address: 907 Ave C, Elgin, TX 78621

Parcel Identification Number (if no address): Parcel # 13622

APPLICANT

Name: Engine No. 9 Holdings, LLC. (Jason and Lisa Milliken)

Postal Address: 125 Bunny Run, Elgin, TX 78621

E-Mail Address: jason@texasroofing.com; Phone Number: 512-466-1181

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Jason L. Milliken
Digitally signed by Jason L. Milliken
DN: c=US, e=jason@texasroofing.com,
o=Texas Roofing Co., CN=Jason L. Milliken
Date: 2025.07.16 10:55:31 -0500

Jason L. Milliken

7-16-25

Signature

Printed Name

Date

Project Description:

Conversion of an existing single-family home, located at 907 N. Ave C, into a STR property. We intend to do a small addition on the east side to increase the size of a bedroom and allow room for a laundry room. The home will undergo interior remodeling as well. It will be furnished to accomodate guests on a STR basis through platforms such as Airbnd or VRBO. The residence will remain consistent with the character of the surrounding neighborhood and will not be used for commercial events or large group rentals. Parking will be accomodated on-site via the existing driveway.



802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintexas.gov

Operating Agreement of Engine No. 9 Holdings, LLC
A Texas Limited Liability Company

This Operating Agreement ("Agreement") is entered into and made effective as of July 15, 2025, by and between the following persons (collectively referred to as the "Members"):

- Jason L. Milliken, residing at 125 Bunny Run, Elgin, TX 78621
- Lisa Milliken, residing at 125 Bunny Run, Elgin, TX 78621

1. Company Formation

1.1 Formation. The Members formed a Texas limited liability company by filing a Certificate of Formation (Form 205) with the Texas Secretary of State.

1.2 Name. The name of the Company is Engine No. 9 Holdings, LLC.

1.3 Principal Office. The principal office is located at 125 Bunny Run, Elgin, TX 78621.

1.4 Registered Agent. Jason L. Milliken shall serve as the Company's registered agent at the above address.

2. Purpose

The purpose of the Company is to engage in the ownership, rental, and management of real estate and any other lawful business activity permitted in the State of Texas.

3. Term

The Company shall continue until dissolved as provided in this Agreement.

4. Members and Capital Contributions

4.1 Initial Members. The Members of the Company are:

- Jason L. Milliken – 50%
- Lisa Milliken – 50%

4.2 Initial Contributions. Each Member has contributed or agreed to contribute capital, cash, or assets as agreed upon.

5. Management

5.1 Management. The Company shall be Member-managed.

5.2 Authority. Jason L. Milliken shall serve as the Managing Member, authorized to act on behalf of the Company for all operational, financial, legal, and real estate matters.

6. Allocations and Distributions

6.1 Profits and Losses. Profits and losses shall be allocated equally (50/50) to the Members.

6.2 Distributions. Distributions shall be made at the discretion of the Managing Member, and in proportion to ownership interest.

7. Tax Treatment

The Company shall be taxed as a partnership under IRS default rules. The Company will file Form 1065 annually and issue Schedule K-1s to each Member.

8. Banking

All Company funds shall be held in a designated business account. No personal funds shall be commingled with Company funds.

9. Transfer of Membership Interest

No Member may sell, assign, or transfer their interest without written consent of the other Member.

10. Dissolution

The Company shall be dissolved upon:

- Written agreement of the Members, or
- Event requiring dissolution under Texas law

Upon dissolution, the assets shall be liquidated and distributed in accordance with ownership percentages after all debts are paid.

11. Miscellaneous

11.1 Governing Law. This Agreement is governed by the laws of the State of Texas.

11.2 Amendments. This Agreement may be amended only in writing signed by both Members.

11.3 Entire Agreement. This Agreement constitutes the entire agreement of the Members.

Signatures

Jason L. Milliken

Signature
Date: _____

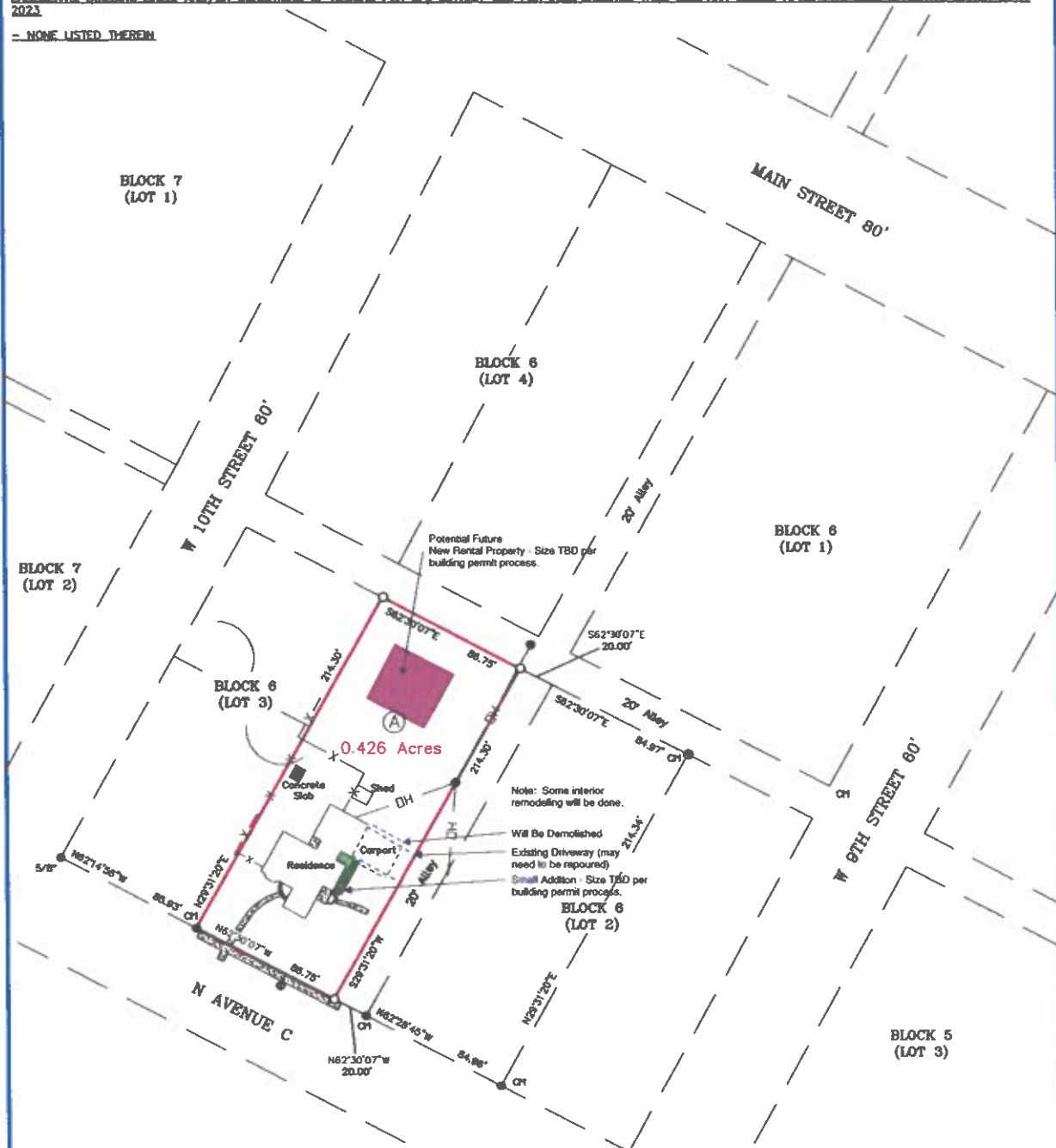
Lisa Milliken

Signature
Date: _____

SURVEY PLAT of 0.426 acres of land being the southeast one-half of Lot 3, Block 6, WADE & OWENS ADDITION to the city of Elgin, Bastrop County, Texas, as described in that certain Warranty Deed with Vendor's Lien as recorded in Volume 135 Page 368, Deed Records Bastrop County, Texas, to Arville E. Johnson and being shown on the map of the Wade and Owens Addition to the City of Elgin in Volume 53, Page 537, Deed Records and in Cabinet 1, Page 1000, Plat Records both Bastrop County, Texas.

EASEMENTS, BUILDING LINES, AND/OR CONDITIONS OF RECORD PER GFA 2311621-ELG PER INDEPENDENCE TITLE COMPANY ISSUED APRIL 7TH, 2023 EFFECTIVE MARCH 28TH, 2023.

- NONE LISTED THEREIN



Arville E. Johnson
Warranty Deed with Vendor's Lien
Volume 135 Page 368 DBRCT
Called South East One-Half of
Lot Three (3) in Block Six (6) of
Wade and Owens Addition to the
Town of Elgin, Texas

Owners: Jason and Lisa Milliken
125 Bunny Run, Elgin, TX 78621
Survey marked up by Jason Milliken on
7-17-25.

NOTES:

1. EASEMENTS, BUILDING LINES OR CONDITIONS OF RECORDS PER GFA 2311621 PER INDEPENDENCE TITLE COMPANY.

2. BEARING BASIS GRID NORTH LAMBERT CONFORMAL CONIC PROJECTION COORDINATE BASIS GRID IN U.S. SURVEY FEET A PART OF STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83 GRID DISTANCES AND AREA SHOWN HEREIN.

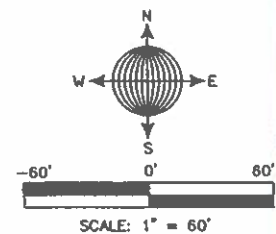
SURVEYORS CERTIFICATION:

TO THE OWNER, LEASEHOLDER, AND TITLE COMPANY, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND TO THE BEST OF MY KNOWLEDGE IS CORRECT AND THERE ARE NO VISIBLE DISCREPANCIES, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY SHOWN HEREON.

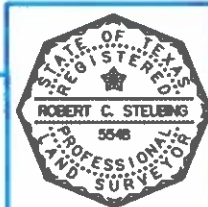
LEGEND

1/2" IRON ROD FOUND OR SIZE NOTED
CAPPED IRON ROD SET - RPLS 5548
CONTROLLING MONUMENT
WATER METER
UTILITY POLE
RECORD INFORMATION
BUILDING LINE
BLUEBONNET ELECTRIC EASEMENT
PUBLIC UTILITY EASEMENT
OVERHEAD UTILITY
FENCE LINE
PLAT RECORDS
BASTROP COUNTY TX
DEED RECORDS
BASTROP COUNTY TX
OFFICIAL PUBLIC RECORDS
BASTROP COUNTY TX
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OFFBCT
CONCRETE



ADDRESS: 907 N. AVE C
ELGIN, TEXAS



STEUBING LLC
FIRM # 10194596

525 TAHITIAN DRIVE
BASTROP, TEXAS 78602
PH# (512)-567-9256

DRAWING NAME: WA3628-2023 THOMPSON-DWG

Robert C. Steubing 05/04/2023

ROBERT C. STEUBING DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO 5548



August 11, 2025

NOTICE OF A SPECIFIC USE PERMIT REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The attached map shows this lot making the request (red solid shape) and your lot within the notice area (blue circle). This notice is to inform you of public hearings to be held by Planning & Zoning Commission and the City Council as denoted below:

Project #202500069: An ordinance granting a Specific Use Permit for the operation of a short-term rental on property located on a parcel of land known by the Bastrop County Central Appraisal District as Parcel 13622, located at 907 N. Ave C, (W & O, BLOCK 6, LOT 3 (E 1/2)) City of Elgin, Texas, Bastrop County, said tract being more described in Exhibit "A"; and providing for a savings clause and repealing conflicting ordinances and resolutions.

Notice is given of public hearings to be held:

- By the Planning & Zoning Commission on **Monday, August 25, 2025** beginning at 6:30 P.M. Central Standard Time (CST) for a recommendation.
- By the City Council on **Tuesday, September 16, 2025** beginning at 6:30 P.M. Central Standard Time (CST) for consideration.

These meetings will be held at Elgin Public Library Annex (Civic Center) at 404 N. Main St. Elgin, TX, 78621, U.S.A. The public is welcome to attend and may give a public comment on this item. Any person may be represented by another person, neighbor, or attorney.

Any interested person may also express written comments by emailing the Development Services Department at planninganddevelopment@elgintexas.gov or by postal mail at the following:

City of Elgin
Development Services Department
P.O. Box 591
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to planninganddevelopment@elgintexas.gov or to (512) 281-0119 or may be requested from the Development Services Department, Fleming Community Center, 802 N. Avenue C, Elgin, TX 78621 U.S.A. from 8:30 A.M – 4:00 P.M. Central Standard Time, Monday – Friday.

BCAD 13622
200' SPECIFIC USE
NOTIFICATION

Red Shading: Parcel 13622
Requesting Specific Use Permit
Blue Shading: Notified Properties
Within 200'



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: *(Second Reading)* AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

DEPARTMENT: Finance

PROPOSED ACTION: No Council action is required - this is to allow for public comment on the FY 25-26 Budget

BACKGROUND:

- The Proposed Budget was filed with the City Secretary on July 15, 2025, and posted online in accordance with Texas Local Government Code Chapter 102.
- Notice of this public hearing was published on August 13, 2025, and the proposed budget has remained available for public inspection and can be viewed online: <https://www.elgintexas.gov/DocumentCenter/View/12384/FY-25-26-Proposed-Budget-Document?bidId=>
- Tonight's hearing satisfies the public participation requirement prior to final adoption.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

1. Ordinance Adopting Budget 1st and 2nd Readings
2. Budget Summaries

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Elgin has submitted to the City Council, a proposed budget of revenues and expenditures of the City of Elgin; and,

WHEREAS, the City Council has received said proposed budget, a copy which has been filed with the City Secretary of the City of Elgin; and,

WHEREAS, proper and timely notice that public hearings on such budget would be held on September 2, 2025, and September 16, 2025 was given and made in accordance with the law and within the time limits set forth by law; and

WHEREAS, such public hearings were held in accordance with applicable law, prior to final adoption of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS THAT:

Section 1 The proposed budget of revenue and expenses for conducting the affairs of the City of Elgin, providing a financial plan for the ensuing fiscal year beginning October 1, 2025, and ending September 30, 2026, as submitted to the City Council by the City Manager of said City, and represents the official spending program, and the same is in all things adopted and approved as the budget of all current expenditures/expenses as well as fixed charges against said City for the fiscal year beginning October 1, 2025, and ending September, 30, 2026.

Section 2 The funding included in the attached budget are hereby appropriated from the prospective funds for the payment of expenditures on behalf of the city government as established in the approved budget document for the fiscal year ending September 30, 2026.

Section 3 In accordance with § 102.008(1), Local Government Code, The City Manager is directed to file with the City Secretary a true copy of the final budget as adopted by the City Council, and the City Secretary is directed to certify as a true copy said budget and file it with this Ordinance in the official records of the City.

Section 4 In accordance with § 102.008(2), Local Government Code, the City Secretary is directed to act to ensure that a copy of the budget is posted on the City's website.

Section 5 All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency

between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 6 The provisions of this Ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable, and that all said remaining provisions shall continue in full force and effect.

Section 7 The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 8 This Ordinance shall be and remain in full force and effective on October 1, 2025, in accordance with state law.

APPROVED AND ADOPTED ON FIRST READING this 2nd day of September 2025

APPROVED AND ADOPTED ON SECOND READING this 16th day of September 2025

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

City of Elgin
Property Tax Information & Scenarios
FY2025-2026 Budget

	FY 2024-2025 Tax Year 2024	FY2025-2026 Tax Year 2025	Change from Prior Year	
Total Taxable Value	\$1,128,987,099	\$1,169,959,200	\$40,972,101	4%
New Property		\$43,297,010		

TAX RATE SCENARIOS

	Tax Rate Scenarios	Revenue w/out freeze	Approx. Freeze revenue	Revenue for each Fund	Currently in Budget	Additional Revenue Based on Tax Rate Scenario	Tax Bill for Average Home	Difference to Current Tax Rate/yr
							\$273,000	
Scenario #1 Tax Rate	\$0.560000						\$1,529	-\$27
Amt to General Fund	\$0.442638	\$5,178,684	\$424,706	\$5,603,390	\$4,986,200	\$617,190		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #2 No-New-Revenue Tax Rate	\$0.569382						\$1,554	-\$2
Amt to General Fund	\$0.452020	\$5,288,450	\$424,706	\$5,713,156	\$4,986,200	\$726,956		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #3 CURRENT Tax Rate	\$0.570000						\$1,556	
Amt to General Fund	\$0.452638	\$5,295,680	\$424,706	\$5,720,386	\$4,986,200	\$734,186		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #4 Tax Rate	\$0.580000						\$1,583	\$27
Amt to General Fund	\$0.462638	\$5,412,676	\$424,706	\$5,837,382	\$4,986,200	\$851,182		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #5 Tax Rate	\$0.590000						\$1,611	\$55
Amt to General Fund	\$0.472638	\$5,529,672	\$424,706	\$5,954,378	\$4,986,200	\$968,178		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #6 Tax Rate	\$0.600000						\$1,638	\$82
Amt to General Fund	\$0.482638	\$5,646,668	\$424,706	\$6,071,374	\$4,986,200	\$1,085,174		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #7 Tax Rate	\$0.610000						\$1,665	\$109
Amt to General Fund	\$0.492638	\$5,763,664	\$424,706	\$6,188,370	\$4,986,200	\$1,202,170		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #8 Voter-Approval Tax Rate	\$0.619296						\$1,691	\$135
Amt to General Fund	\$0.501934	\$5,872,423	\$424,706	\$6,297,129	\$4,986,200	\$1,310,929		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		

The amount of revenue 1 cent on the tax rate brings the City **\$116,996**

**General Fund
FY2025-2026 Budget**

	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Fund Balance			372,143
Revenues	15,656,119	16,785,356	16,738,772
Expenses	(15,656,119)	(16,165,613)	(15,783,304)
Revenues less Expenses	-	619,743	955,468
Adjustments			
FY2025 EMS expenses		(111,600)	
FY2026 EMS expenses			(1,287,900)
Electric expense reimbursement		102,000	
Parks expense reimbursement		404,000	
Sidewalk expense reimbursement		8,000	
Projects related to bond projects reimbursement		300,000	
Move unencumbered from prior years for use		200,000	
Compensation Study		(50,000)	
4% Salary/COLA expense increase Jan 2026			(285,663)
8% Insurance expense increase			(59,177)
Contingency for unexpected expenses			(300,000)
Adjustments total		852,400	(1,932,740)
Revenues less Expenses		1,472,143	(977,272)
USE OF FUND BALANCE			
Contingency budget (use of fund balance)		(300,000)	300,000
Use of Fund Balance		(800,000)	800,000
Total Use of Fund Balance		(1,100,000)	1,100,000
Adjusted Funding Sources less Expenses		372,143	494,871
Revenue Changes			
Increase Property Tax Revenue			
Expense Changes			
Reduce EMS Expenses based on contract			95,311
Personnel Adjustments			(425,000)
TOTAL EXPENSES		(16,327,213)	(18,045,733)
** Bottom Line: Funding Sources less Expenses		372,143	165,182

**** Estimated Bottom Line**

**Utility Fund
FY2025-2026 Budget**

	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Fund Balance			731,264
Revenues	8,966,371	9,591,979	9,385,839
Expenses	(8,248,363)	(8,860,715)	(8,883,695)
Revenues less Expenses	718,008	731,264	502,144
Adjustments			
4% Salary/COLA expense increase Jan 2026			(59,122)
8% Insurance expense increase			(15,426)
Adjustments total		-	(74,548)
Revenues less Expenses		731,264	427,596
Revenue Changes			
Expense Changes			
Personnel Adjustments			(272,000)
TOTAL EXPENSES		(8,860,715)	(9,230,243)
** Bottom Line: Funding Sources less Expenses		731,264	886,860

***: Estimated Bottom Line**

**Debt Services Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	978,516		1,227,723	1,210,370
Revenues	3,237,757	4,261,060	4,195,225	4,150,773
Expenditures	2,988,550	4,078,231	4,212,578	4,067,931
Revenues less Expenditures	249,207	182,829	(17,353)	82,842
Ending Fund Balance	1,227,723		1,210,370	1,293,212

**Economic Development Corporation
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Net Working Capital	1,906,091		2,122,757	1,795,573
Revenues	1,595,512	2,211,960	1,570,000	2,870,800
Expenses				
EDC Operations	824,486	700,136	828,934	1,178,876
EDC Support	200,974	1,285,000	880,000	1,480,000
EDC Debt	351,100	255,963	188,250	187,844
Roy Rivers Road Project	2,286	-	-	-
Total Expenses	1,378,846	2,241,099	1,897,184	2,846,720
Revenues less Expenses	216,666	(29,139)	(327,184)	24,080
Ending Net Working Capital	2,122,757		1,795,573	1,819,653

**Hotel Motel Tax Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	190,022		134,670	57,662
Revenues				
Hotel/Motel Tax	97,035	130,000	130,000	132,600
Interest Income	9,955	1,000	3,300	3,000
Special Events	-	36,504	-	-
Total Revenues	106,990	167,504	133,300	135,600
Expenses				
Holiday Decorations	25,309	18,000	18,000	18,540
Banner Program	6,464	8,000	8,000	8,240
Promotional Signage Prog	14,457	18,000	18,000	18,540
Promotional Tourism	6,160	17,000	17,000	17,510
Chamber of Commerce	43,159	20,000	40,000	40,000
Electric Utility	2,519	15,000	15,000	5,000
Building Maintenance Contract	27,770	35,000	35,000	36,050
Real Estate Insurance	-	22,804	22,804	-
Transfer to General Fund	36,504	36,504	36,504	36,504
Total Expenses	162,342	190,308	210,308	180,384
Revenues less Expenses	(55,352)	(22,804)	(77,008)	(44,784)
Ending Fund Balance	134,670	(22,804)	57,662	12,878

**Main Street Program Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	79,331		116,059	166,059
Revenues				
Hogeye Festival	81,826	85,000	85,000	85,000
Fundraising	-	4,200	-	-
Downtown 78621	21,700	-	6,000	6,000
Interest Income	811	400	2,000	2,000
Donations Special Events	130	3,000	-	-
Grants - Main Street America	-	-	60,000	-
Total Revenues	104,467	92,600	153,000	93,000
Expenses				
Travel/Training Expenses	279	4,000	4,000	4,000
Office Supplies	-	600	600	600
Hogeye Festival	47,314	44,600	45,000	45,000
Promo Tourism	7,101	16,400	16,400	16,400
Downtown 78621	-	8,500	8,500	8,500
Business Assistance	7,083	10,000	10,000	10,000
Dues & Memberships	418	1,000	1,000	1,000
Design Committee	5,544	7,500	7,500	7,500
Grant Expense - Main Street America	-	-	10,000	50,000
Total Expenses	67,739	92,600	103,000	143,000
Revenues less Expenses	36,728	-	50,000	(50,000)
Ending Fund Balance	116,059	-	166,059	116,059

**PEG Capital Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	207,475	-	208,808	219,650
Revenues				
Franchise Fee Cable	-	14,242	14,242	15,000
Interest Income	1,333	700	2,700	2,700
Total Revenues	1,333	14,942	16,942	17,700
Expenses				
Office Furniture/Equipment	-	300	300	300
IT Hardware	-	1,180	3,300	3,300
IT Services	-	2,500	2,500	2,500
Total Expenses	-	3,980	6,100	6,100
Revenues less Expenses	1,333	10,962	10,842	11,600
Ending Fund Balance	208,808	10,962	219,650	231,250

**LEOSE Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Interest Income	5	250	3,000	3,000
Law Enforcement Education	4,124	2,200	2,200	-
Total Revenues	4,129	2,450	5,200	3,000
Expenses				
Law Enforcement Training		2,450	2,450	3,000
Total Expenses	-	2,450	2,450	3,000
Revenues less Expenses	4,129	-	2,750	-

Court Security & Technology Fund
FY2025-2026 Budget

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	180,544	-	206,721	220,205
Revenues				
Court and Child Safety Fees	69	50	50	50
Court Technology	7,541	6,800	10,000	8,000
Court Security Fee	9,076	7,672	12,000	9,000
Court Truancy Prevention Fee	8,728	7,144	11,000	9,000
Interest Income	1,087	900	3,000	3,000
Total Revenues	26,501	22,566	36,050	29,050
Expenses				
Regular Salary/Wages		6,000	6,000	6,000
Social Security		462	462	462
Worker's Compensation		291	291	291
Unemployment Services		113	113	113
Security Maint/Equip	324	2,000	2,000	2,000
IT Services - Contract		2,900	2,900	2,900
Software		5,800	5,800	5,800
Non Capital IT Hardware		5,000	5,000	5,000
Total Expenses	324	22,566	22,566	22,566
Revenues less Expenses	26,177	-	13,484	6,484
Ending Fund Balance	206,721	-	220,205	226,689

Tax Increment Re-Investment Zone #1 (TIRZ)
FY2025-2026 Budget

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	1,141,380	-	1,089,989	1,073,947
Revenues				
Current Property Taxes	252,408	271,438	305,000	305,000
Interest Income	39,359	22,000	22,000	22,000
Current Tax Revenues - County	-	220,000	-	-
Total Revenues	291,767	513,438	327,000	327,000
Expenses				
Appraisal (CAD) Services	4,581	3,603	3,603	3,603
Tax Collections - County	3,867	3,844	3,844	3,844
Street Lights - Electric	741	1,626	1,626	1,626
Bond Principal	130,000	130,000	130,000	140,000
Bond Interest	203,569	203,569	203,569	192,969
Paying Agent Fee	400	400	400	400
Total Expenses	343,158	343,042	343,042	342,442
Revenues less Expenses	(51,391)	170,396	(16,042)	(15,442)
Ending Fund Balance	1,089,989	170,396	1,073,947	1,058,505

**Water Impact Fees Fund
Fund Summary
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Impact Fee - Water	831,329	400,000	800,000	400,000
CCN Water Transfer Fee	109,321	300,000	300,000	300,000
Interest Income	26,621	8,000	91,000	90,000
Total Revenues	967,271	708,000	1,191,000	790,000
Expenses				
Meters/boxes	-	200,000	200,000	200,000
Engineering Services	3,680	50,000	50,000	50,000
Water Line Upgrade	6,530	200,000	200,000	200,000
Aqua CCN Rights	109,719			
Total Expenses	119,929	450,000	450,000	450,000
Revenues less Expenses	847,342	258,000	741,000	340,000

**Sewer Impact Fees Fund
Fund Summary
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Impact Fee - Sewer	1,281,882	1,000,000	900,000	900,000
Interest Income	51,127	25,000	116,000	100,000
Total Revenues	1,333,009	1,025,000	1,016,000	1,000,000
Expenses				
Land Purchase	6,500		13,000	
Sewer Line Upgrade	17,404		64,000	
Transfer to CIP		302,000	302,000	
Total Expenses	23,904	302,000	379,000	-
Revenues less Expenses	1,309,105	723,000	637,000	1,000,000



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: *(Second Hearing)* AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR APPORTIONMENT OF SAID LEVY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

DEPARTMENT: Finance

PROPOSED ACTION: No Council action is required - this is to allow public comment on the proposed Tax Rate

BACKGROUND:

Each year, the City Council is required to adopt a property tax rate to support the approved budget. The proposed rate has been calculated in accordance with state law and the certified tax roll provided by the County Appraisal District. The rate consists of:

Maintenance & Operations (M&O): To fund general governmental services, including public safety, parks, street maintenance, and other operations (\$0.501934)

Interest & Sinking (I&S): To fund annual debt service requirements for existing bonds. (\$0.117362).

Adoption of the proposed tax rate (\$0.619296) will generate the revenue necessary to support the FY 2025–2026 adopted budget, including personnel costs, contractual services, and scheduled debt service payments. Without adoption of the proposed rate, the City would be unable to fully fund approved service levels or maintain compliance with debt obligations.

The proposed tax rate has been published in accordance with statutory notice requirements and exceeds the no-new-revenue tax rate, triggering the requirement for a public hearing.

This public hearing provides residents an opportunity to comment on the proposed tax rate. Following the hearing, Council will consider the second reading of the ordinance adopting the rate.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. City of Elgin Truth-in-Taxation 2025
2. Ordinance on Tax Rate 1st and 2nd Reading

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

2025 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

CITY OF ELGIN

(512) 281-2621

Taxing Unit Name

Phone (area code and number)

PO Box 591, Elgin, TX, 78621

www.elgintx.com

Taxing Unit's Address, City, State, ZIP Code

Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	Prior year total taxable value. Enter the amount of the prior year taxable value on the prior year tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 1,409,794,427
2.	Prior year tax ceilings. Counties, cities and junior college districts. Enter the prior year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision last year or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 131,596,125
3.	Preliminary prior year adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,278,198,302
4.	Prior year total adopted tax rate.	\$ 0.570000 /\$100
5.	Prior year taxable value lost because court appeals of ARB decisions reduced the prior year's appraised value. A. Original prior year ARB values: \$ 25,010,502 B. Prior year values resulting from final court decisions: - \$ 22,500,000 C. Prior year value loss. Subtract B from A. ³	\$ 2,510,502
6.	Prior year taxable value subject to an appeal under Chapter 42, as of July 25. A. Prior year ARB certified value: \$ 0 B. Prior year disputed value: - \$ 0 C. Prior year undisputed value. Subtract B from A. ⁴	\$ 0
7.	Prior year Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 2,510,502

¹ Tex. Tax Code §26.012(14)

² Tex. Tax Code §26.012(14)

³ Tex. Tax Code §26.012(13)

⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 1,280,708,804
9.	Prior year taxable value of property in territory the taxing unit deannexed after Jan. 1, 2024. Enter the prior year value of property in deannexed territory. ⁵	\$ 0
10.	Prior year taxable value lost because property first qualified for an exemption in the current year. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in the current year does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use prior year market value: \$ 6,122,018 B. Partial exemptions. Current year exemption amount or current year percentage exemption times prior year value: + \$ 1,593,333 C. Value loss. Add A and B. ⁶	\$ 7,715,351
11.	Prior year taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in the current year. Use only properties that qualified for the first time in the current year; do not use properties that qualified in the prior year. A. Prior year market value: \$ 233,951 B. Current year productivity or special appraised value: - \$ 2,374 C. Value loss. Subtract B from A. ⁷	\$ 231,577
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 7,946,928
13.	Prior year captured value of property in a TIF. Enter the total value of the prior year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the prior year taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 152,295,078
14.	Prior year total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,120,466,798
15.	Adjusted prior year total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 6,386,660
16.	Taxes refunded for years preceding the prior tax year. Enter the amount of taxes refunded by the taxing unit for tax years preceding the prior tax year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for the prior tax year. This line applies only to tax years preceding the prior tax year. ⁹	\$ 28,360
17.	Adjusted prior year levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 6,415,020
18.	Total current year taxable value on the current year certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 1,333,444,510 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ 0 C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0 D. Tax increment financing: Deduct the current year captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the current year taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ 142,903,107 E. Total current year value. Add A and B, then subtract C and D.	\$ 1,190,541,403

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³	
	A. Current year taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ 121,966,320	
	B. Current year value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ + \$ 0	
	C. Total value under protest or not certified. Add A and B.	\$ 121,966,320
20.	Current year tax ceilings. Counties, cities and junior colleges enter current year total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in the prior year or a previous year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 142,548,523
21.	Current year total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 1,169,959,200
22.	Total current year taxable value of properties in territory annexed after Jan. 1, of the prior year. Include both real and personal property. Enter the current year value of property in territory annexed. ¹⁸	\$ 0
23.	Total current year taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in the prior year. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, of the prior year and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for the current year. ¹⁹	\$ 43,297,010
24.	Total adjustments to the current year taxable value. Add Lines 22 and 23.	\$ 43,297,010
25.	Adjusted current year taxable value. Subtract Line 24 from Line 21.	\$ 1,126,662,190
26.	Current year NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.569382 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the current year county NNR tax rate. ²¹	\$ 0.000000 /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	Prior year M&O tax rate. Enter the prior year M&O tax rate.	\$ 0.402319 /\$100
29.	Prior year taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,280,708,804

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §26.012(6)

¹⁸ Tex. Tax Code §26.012(17)

¹⁹ Tex. Tax Code §26.012(17)

²⁰ Tex. Tax Code §26.04(c)

²¹ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total prior year M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 5,152,534
31.	Adjusted prior year levy for calculating NNR M&O rate. A. M&O taxes refunded for years preceding the prior tax year. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2024. This line applies only to tax years preceding the prior tax year. + \$ 20,638 B. Prior year taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no current year captured appraised value in Line 18D, enter 0. 306,095 - \$ C. Prior year transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. 0 +/- \$ D. Prior year M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. -285,457 \$ E. Add Line 30 to 31D. \$ 4,867,077	
32.	Adjusted current year taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,126,662,190
33.	Current year NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.431990 /\$100
34.	Rate adjustment for state criminal justice mandate. ²³ A. Current year state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ 0 B. Prior year state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. - \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0. \$ 0.000000 /\$100	
35.	Rate adjustment for indigent health care expenditures. ²⁴ A. Current year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state assistance received for the same purpose. \$ 0 B. Prior year indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state assistance received for the same purpose. - \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0. \$ 0.000000 /\$100	

²² [Reserved for expansion]²³ Tex. Tax Code §26.044²⁴ Tex. Tax Code §26.0441

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵ A. Current year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year, less any state grants received by the county for the same purpose..... \$ 0 B. Prior year indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2023 and ending on June 30, 2024, less any state grants received by the county for the same purpose..... \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 D. Multiply B by 0.05 and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 E. Enter the lesser of C and D. If not applicable, enter 0.	\$ 0.000000 /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶ A. Current year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, of the prior tax year and ending on June 30, of the current tax year..... \$ 0 B. Prior year eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023..... \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 D. Multiply B by 0.08 and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ 0.000000 /\$100
38.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information. A. Amount appropriated for public safety in the prior year. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year..... \$ 0 B. Expenditures for public safety in the prior year. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year..... \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0.000000 /\$100
39.	Adjusted current year NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ 0.431990 /\$100
40.	Adjustment for prior year sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in the prior year should complete this line. These entities will deduct the sales tax gain rate for the current year in Section 3. Other taxing units, enter zero. A. Enter the amount of additional sales tax collected and spent on M&O expenses in the prior year, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent..... \$ 0 B. Divide Line 40A by Line 32 and multiply by \$100..... \$ 0.000000 /\$100 C. Add Line 40B to Line 39.	\$ 0.431990 /\$100
41.	Current year voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$ 0.447109 /\$100

²⁵ Tex. Tax Code §26.0442²⁶ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	Disaster Line 41 (D41): Current year voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. ²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	\$ _____/\$100
42.	Total current year debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. ²⁸ Enter debt amount \$ 4,545,301 B. Subtract unencumbered fund amount used to reduce total debt. - \$ 0 C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0 D. Subtract amount paid from other resources - \$ 3,158,475 E. Adjusted debt. Subtract B, C and D from A.	\$ 1,386,826
43.	Certified prior year excess debt collections. Enter the amount certified by the collector. ²⁹	\$ 0
44.	Adjusted current year debt. Subtract Line 43 from Line 42E.	\$ 1,386,826
45.	Current year anticipated collection rate. A. Enter the current year anticipated collection rate certified by the collector. ³⁰ 101.00 % B. Enter the prior year actual collection rate..... 101.00 % C. Enter the 2023 actual collection rate. 101.00 % D. Enter the 2022 actual collection rate. 104.00 % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. ³¹	101.00 %
46.	Current year debt adjusted for collections. Divide Line 44 by Line 45E.	\$ 1,373,095
47.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,169,959,200
48.	Current year debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ 0.117362/\$100
49.	Current year voter-approval M&O rate plus current year debt rate. Add Lines 41 and 48.	\$ 0.564471/\$100
D49.	Disaster Line 49 (D49): Current year voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$ _____/\$100

²⁷ Tex. Tax Code §26.042(a)²⁸ Tex. Tax Code §26.012(7)²⁹ Tex. Tax Code §26.012(10) and 26.04(b)³⁰ Tex. Tax Code §26.04(b)³¹ Tex. Tax Code §526.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the current year county voter-approval tax rate.	\$ 0.000000 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November of the prior tax year or May of the current tax year, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November of the prior year, enter 0.	\$ _____
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November of the prior tax year or in May of the current tax year. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November of the prior year. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ _____
53.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ _____ /\$100
55.	Current year NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ /\$100
56.	Current year NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November the prior tax year or in May of the current tax year. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November of the prior tax year.	\$ _____ /\$100
57.	Current year voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ _____ /\$100
58.	Current year voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ _____ /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ _____
60.	Current year total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ _____ /\$100

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(i)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(i)

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
62.	Current year voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ _____/\$100

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the sum of the prior 3 years Foregone Revenue Amounts divided by the current taxable value.³⁹ The Foregone Revenue Amount for each year is equal to that year's adopted tax rate subtracted from that year's voter-approval tax rate adjusted to remove the unused increment rate multiplied by that year's current total value.⁴⁰

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year in which a taxing unit affected by a disaster declaration calculates the tax rate under Tax Code Section 26.042;⁴¹
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴² or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴³

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴⁴

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	Year 3 Foregone Revenue Amount. Subtract the 2024 unused increment rate and 2024 actual tax rate from the 2024 voter-approval tax rate. Multiply the result by the 2024 current total value A. Voter-approval tax rate (Line 68)..... B. Unused increment rate (Line 67)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2024 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.626825 /\$100 \$ 0.012952 /\$100 \$ 0.613873 /\$100 \$ 0.570000 /\$100 \$ 0.043873 /\$100 \$ 1,128,987,099 \$ 495,320
64.	Year 2 Foregone Revenue Amount. Subtract the 2023 unused increment rate and 2023 actual tax rate from the 2023 voter-approval tax rate. Multiply the result by the 2023 current total value A. Voter-approval tax rate (Line 67)..... B. Unused increment rate (Line 66)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2023 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.510823 /\$100 \$ 0.000000 /\$100 \$ 0.510823 /\$100 \$ 0.498237 /\$100 \$ 0.012586 /\$100 \$ 1,160,918,555 \$ 146,113
65.	Year 1 Foregone Revenue Amount. Subtract the 2022 unused increment rate and 2022 actual tax rate from the 2022 voter-approval tax rate. Multiply the result by the 2022 current total value A. Voter-approval tax rate (Line 67)..... B. Unused increment rate (Line 66)..... C. Subtract B from A..... D. Adopted Tax Rate..... E. Subtract D from C..... F. 2022 Total Taxable Value (Line 60)..... G. Multiply E by F and divide the results by \$100. If the number is less than zero, enter zero	\$ 0.544664 /\$100 \$ 0.000017 /\$100 \$ 0.544647 /\$100 \$ 0.544664 /\$100 \$ -0.000017 /\$100 \$ 936,687,158 \$ 0
66.	Total Foregone Revenue Amount. Add Lines 63G, 64G and 65G	\$ 641,433.000000
67.	2025 Unused Increment Rate. Divide Line 66 by Line 21 of the <i>No-New-Revenue Rate Worksheet</i>. Multiply the result by 100	\$ 0.054825 /\$100
68.	Total 2025 voter-approval tax rate, including the unused increment rate. Add Line 67 to one of the following lines (as applicable): Line 49, Line 50 (counties), Line 58 (taxing units with additional sales tax) or Line 62 (taxing units with pollution)	\$ 0.619296 /\$100

³⁹ Tex. Tax Code §26.013(b)

⁴⁰ Tex. Tax Code §26.013(a)(1-a), (1-b), and (2)

⁴¹ Tex. Tax Code §26.042(c)(2)(A) and 26.042(a)

⁴² Tex. Tax Code §26.0501(a) and (c)

⁴³ Tex. Local Gov't Code §120.007(d)

⁴⁴ Tex. Local Gov't Code §120.007(d)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁴ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
69.	Adjusted current year NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	0.431990
70.	Current year total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,169,959,200
71.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 70 and multiply by \$100.	\$ 0.042736 /\$100
72.	Current year debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.117362 /\$100
73.	De minimis rate. Add Lines 69, 71 and 72.	\$ 0.592088 /\$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁹

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
74.	2024 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____ /\$100
75.	Adjusted 2024 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2024 and the taxing unit calculated its 2024 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2024 worksheet due to a disaster, complete the applicable sections or lines of <i>Form 50-856-a, Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2024 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2024, complete form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2024 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the years following the disaster. ⁵⁰ Enter the final adjusted 2024 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2024 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ _____ /\$100
76.	Increase in 2024 tax rate due to disaster. Subtract Line 75 from Line 74.	\$ _____ /\$100
77.	Adjusted 2024 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
78.	Emergency revenue. Multiply Line 76 by Line 77 and divide by \$100.	\$ _____
79.	Adjusted 2024 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ _____
80.	Emergency revenue rate. Divide Line 78 by Line 79 and multiply by \$100. ⁵¹	\$ _____ /\$100

⁴⁴ Tex. Tax Code §26.04(c)(2)(B)

⁴⁶ Tex. Tax Code §26.012(8-a)

⁴⁷ Tex. Tax Code §26.063(a)(1)

⁴⁸ Tex. Tax Code §26.042(b)

⁴⁹ Tex. Tax Code §26.042(f)

⁵⁰ Tex. Tax Code §526.42(c)

⁵¹ Tex. Tax Code §526.42(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
81.	Current year voter-approval tax rate, adjusted for emergency revenue. Subtract Line 80 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 68 (taxing units with the unused increment rate).	\$ _____/\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.569382 /\$100

As applicable, enter the current year NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).

Indicate the line number used: 26

Voter-approval tax rate. \$ 0.619296 /\$100

As applicable, enter the current year voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 68 (adjusted for unused increment), or Line 81 (adjusted for emergency revenue).

Indicate the line number used: 68

De minimis rate. \$ 0.592088 /\$100

If applicable, enter the current year de minimis rate from Line 73.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵²

**print
here**

Ellen Owens

Printed Name of Taxing Unit Representative

**sign
here**

Taxing Unit Representative

July 30, 2025

Date

⁵² Tex. Tax Code §§26.04(c-2) and (d-2)

ORDINANCE NO. 2025-09-16-16

AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR APPORTIONMENT OF SAID LEVY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

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

I.

That the Tax Assessor-Collector for Bastrop County, Texas acting as the designated officer for the City of Elgin, Texas as defined by state law has heretofore certified, in accordance with sections 26.04(d-1,d-2d,d-3)of the Texas Tax Code, that she has accurately calculated the tax rates and has used the values that are the same as the values shown in the taxing unit's certified appraisal roll in performing the calculations for tax year 2025, a copy of said certification being attached hereto as "Exhibit A"; and

II.

That there is hereby levied and there shall be collected for the maintenance and operation of the municipal government of the City of Elgin, Texas for the year 2025 upon all property, real, personal and mixed, within the limits of said City subject to taxation, a tax of 50.1934 cents on each One Hundred Dollars (\$100.00) valuation of property.

That there is hereby levied and there shall be collected for the City of Elgin, Texas, for the year 2025 upon all property, real, personal and mixed, within the corporate limits of said City subject to taxation, a tax of 11.7362 cents on each One Hundred Dollars (\$100.00) valuation of property.

SUMMARY

1. Maintenance and operations of the municipal government (General Fund),	\$0.501934
2. Interest and Sinking fund (Debt Rate)	<u>\$0.117362</u>
Total Tax per \$100 of valuation	\$0.619296

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL INCREASE BY 8.64 PERCENT AND WILL INCREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$135.00.

III.

All monies collected under this Ordinance for the specific items herein named, be and the same hereby appropriated and set apart for the specific purposes indicated in each item and the Assessor/Collector of Taxes, and the Director of Finance shall keep these accounts so as to readily and distinctly show the amount collected, the amount expended and the amount on hand at any time belonging to such funds. All receipts for the City not specifically apportioned are hereby made payable to the General fund of the City.

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 which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the 2nd day of September 2025.

READ and **APPROVED** on second reading the 16th day of September 2025.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

PEYTON STANDIFER, City Secretary

APPROVED AS TO FORM:

MARK SCHROEDER, City Attorney



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION HONORING THE LATE EDDIE COCKRELL SHAW

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

This is a proclamation honoring Eddie Cockrell Shaw.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Proclamation for Eddie Cockrell Shaw 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION HONORING THE LATE EDDIE COCKRELL SHAW

WHEREAS, Eddie Cockrell Shaw was born in Elgin, Texas in 1921, and was a proud Elginite for 104 remarkable years; and

WHEREAS, Eddie lived through more than a century of remarkable history, change, and progress; and

WHEREAS, Eddie was a pillar of strength, wisdom, and grace in her family and community. Her life was a testament to resilience, love, and service. Her legacy will continue to inspire all who knew her; and

WHEREAS, my deepest sympathies go out to you and your family. May God give you the comfort and peace you seek and may the soul of your loved one rest in peace.

NOW THEREFORE, I, THERESA Y. MCSHAN, Mayor of the City of Elgin, do hereby recognize and salute the contribution of the late Eddie Cockrell Shaw for her contributions to our community.

IN OFFICAL RECOGNITION WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas, to be affixed this 16th day of September 2025.

Theresa McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AND BULLYING PREVENTION MONTH IN THE CITY OF ELGIN

DEPARTMENT: Executive

PROPOSED ACTION: No action is required from Council.

BACKGROUND:

Mayor McShan will designate October as domestic violence and bullying prevention month.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

1. Stop It Before It Starts Proclamation

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
{ } Staff will provide brief comments and answer questions on this item at the meeting.
{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AND BULLYING PREVENTION MONTH IN THE CITY OF ELGIN

WHEREAS, in the City of Elgin, in recognition of the important work done by survivors, anti-violence programs and agencies, I urge all citizens to actively join The Family Crisis Center and other community organizations to work toward the elimination of violence in our community. As we mark Domestic Violence Awareness along with Bullying Prevention Month, it's the perfect time to examine their connection; and

WHEREAS, in just one day, across Texas, 7,974 adults and children were victims of domestic violence and of those, 76% requested children support and advocacy; and

WHEREAS, studies show that children exposed to violence at home tend to participate in higher levels of physical bullying than young people who were not witnesses to violent behavior. The effects of bullying in childhood can carry over into adulthood, increasing the risk of being abused or being an abusive partner; and

WHEREAS, childhood bullying, like any other aggressive behavior, boils down to having power and control, the exact same factors in which adult domestic violence is rooted. This can lead to not just physical violence as an adult, but emotional, verbal, financial or other types of abuse. The emotional and psychological injuries from domestic violence and bullying can have longer impacts than physical wounds; and

WHEREAS, Bullying and domestic violence occurs in neighborhoods, grocery stores, schools, and online through technology; and thousands of Texas families are affected daily, but they can be prevented; and

WHEREAS, preventing Bullying and Domestic Violence requires the collective voice and power of individuals, families, institutions, and systems – **Stop It(Bullying) Before It(Domestic Violence) Starts!** adds a valuable and powerful component to transforming our communities.

NOW, THEREFORE, BE IT RESOLVED, that I, Theresa Y. McShan, Mayor of the City of Elgin, proclaims October as National Bullying Prevention and Domestic Violence Awareness Month. Schools, students, parents, recreation programs, religious institutions, businesses, and community organizations are encouraged to engage in a variety of awareness and prevention activities designed to make our communities safer for all families.

IN OFFICAL RECOGNITION WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas, to be affixed this ___th day of ___ 2025.

Theresa Y. McShan, Mayor
City of Elgin, Texas





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION DECLARING SEPTEMBER AS CAPCOG PREPAREDNESS MONTH IN THE CITY OF ELGIN

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

This is a proclamation declaring September as CAPCOG Preparedness Month in the City of Elgin.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Proclamation Declaring Sept as Emergency Preparedness Month

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION DECLARING SEPTEMBER AS CAPCOG PREPAREDNESS MONTH IN THE CITY OF ELGIN

WHEREAS, the Capital Area Council of Governments (CAPCOG) is a political subdivision of the State, serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties; and,

WHEREAS, The State of Texas historically leads the nation in the number of federally-declared disasters; be they natural hazards, technological, or human-caused; and,

Whereas, Texas has the highest opt-out rate (29.5%) for Wireless Emergency Alerts (WEAs) in FEMA Region 6 that is five times higher than the state with the lowest rate of opt-outs; and,

WHEREAS, National Preparedness Month is an opportunity for CAPCOG to inform and educate residents, businesses, schools, and communities in the region to be more prepared by developing the capabilities needed to prevent, protect against, respond to, recover from, and mitigate against all threats and hazards; and,

WHEREAS, preparedness is the responsibility of every resident, business, agency, school, college, and university of the ten-county CAPCOG region; and

WHEREAS, preparedness is a national priority with the goal of shared individual and community safety and resilience; and,

WHEREAS, personal, business, agency, school, college and university, and private-sector preparedness may serve to mitigate the impacts of various emergencies, incidents, and disasters in the CAPCOG region; and,

WHEREAS, the CAPCOG Executive Committee encourages all residents to participate in preparedness activities and are asked to review preparedness information at *Ready.gov*, and to sign up to receive emergency alerts via *WarnCentralTexas.org* to become more knowledgeable and prepared.

NOW, THEREFORE, I, MAYOR THERESA Y. MCSHAN, Mayor of the City of Elgin hereby declare the month of September 2025, as CAPCOG Preparedness Month and encourages all residents, businesses, schools, and communities to develop emergency preparedness and resiliency plans and to register at *WarnCentralTexas.org* to receive Wireless Emergency Alerts.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas to be affixed this 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 22-26, 2025 AS FALLS PREVENTION AWARENESS WEEK IN THE CITY OF ELGIN

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

This is a proclamation declaring September 22nd to 26th as Falls Prevention Awareness Week.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Proclamation Recognizing Sept 22-26 as Falls Prevention Week

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 22-26, 2025 AS FALLS PREVENTION AWARENESS WEEK IN THE CITY OF ELGIN

WHEREAS, the ten-county Capital Area Council of Governments (CAPCOG) region is home to more than 399,000 citizens aged 60 years or older who may be at risk of falls; and

WHEREAS, falls are the leading cause of fatal and nonfatal injuries among older adults; and

WHEREAS, falls are the most common cause of traumatic brain injuries; and can lead to depression, loss of mobility, and loss of functional independence; and

WHEREAS, the financial toll for older adult falls is expected to increase as the population ages and may reach \$101 billion nationally by 2030; and

WHEREAS, the fear of falling can cause many older adults to limit their activity level, which leads to reduced mobility and loss of physical fitness, and in turn increases their risk of falling; and

WHEREAS, comprehensive clinical assessments, exercise programs to improve balance and health, management of medications, correction of vision, and reduction of home hazards all help to reduce the occurrence and severity of falls; and

WHEREAS, the Capital Area Council of Governments in its efforts to increase awareness and promote multidisciplinary strategies to prevent falls encourages older adults in the region to take steps to protect those who are at increased risk of falling to participate in evidence-based programs such as Matter of Balance; and reduce falls by utilizing strategies such as exercise programs to improve balance and strength, medication management, vision improvement, reduction of home hazards, in partnership with the Area Agency on Aging.

NOW, THEREFORE, I, MAYOR THERESA Y. MCSHAN, Mayor of the City of Elgin hereby declare the week of September 22-26, 2025, to be Falls Prevention Awareness Week in the City of Elgin to support awareness of falls and encourages our citizens to commend its observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas to be affixed this 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 2025 AS SENIOR CENTER AWARENESS MONTH IN THE CITY OF ELGIN

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

This is a proclamation declaring September 2025 as Senior Center Awareness Month.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Proclamation Recognizing Sept 2025 as Senior Center Awareness Month

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER 2025 AS SENIOR CENTER AWARENESS MONTH IN THE CITY OF ELGIN

WHEREAS the ten-county Capital Area Council of Governments (CAPCOG) region is home to more than 399,967 citizens aged 60 years or older who may be at risk of social isolation and nutrition insecurity; and

WHEREAS the surgeon General has identified loneliness as a national epidemic; and

WHEREAS senior centers are places where people gather, support one another, and build community; and

WHEREAS continued funding authorized by the Older American Act of 1965 for the Senior Centers in the region support services and benefits for older adults, caregivers, family members, and the community at large; and

WHEREAS the Capital Area Council of Governments in its efforts to increase awareness and promote strategies to increase senior participation, to increase the number of senior centers throughout the region, and in support of efforts to reduce loneliness in the aging population, in partnership with the Area Agency on Aging.

NOW, THEREFORE, BE IT RESOLVED, that I, Theresa Y. McShan, Mayor of the City of Elgin, proclaim September to be Senior Center Awareness Month in the City of Elgin to support awareness of the positive impact Senior Centers have within our community and to promote the 2025 CAPCOG theme, *Powering Possibilities: Flip the Script*, which invites us to challenge outdated perceptions of aging and senior centers. It celebrates the dynamic role that centers play in fostering creativity, connection, purpose, and resilience in later life.

IN OFFICAL RECOGNITION WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas, to be affixed this 16th day of September 2025.

Theresa Y. McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION RECOGNIZING SEPTEMBER 2025 AS HUNGER ACTION MONTH IN THE CITY OF ELGIN

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

This is a proclamation declaring September 2025 as Hunger Action Month.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Hunger Action Month Proclamation 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

A PROCLAMATION RECOGNIZING SEPTEMBER 2025 AS HUNGER ACTION MONTH IN THE CITY OF ELGIN

WHEREAS, Texans are faced with food insecurity, 5.3 million Texans facing food insecurity, representing 1 in 6 households across the state; and

WHEREAS, the rate of food insecurity in Texas has increased from 16.4% to 17.6% since last year, demonstrating the urgent and growing need for resources, compassion, and community action; and

WHEREAS, the Central Texas Food Bank (CTFB) is the leading hunger-relief nonprofit in Central Texas, providing immediate and equitable access to nutritious food across its 21-county service area through direct service programs and a network of approximately 250 nonprofit partners, supporting more than 530,000 food-insecure individuals annually; and

WHEREAS, during Hunger Action Month, communities across the nation come together to raise awareness of hunger and take action to support organizations like the Central Texas Food Bank, whose mission helps restore strength, stability, and a sense of normalcy to thousands of households in need.

NOW THEREFORE, I, THERESA Y. MCSHAN, Mayor of the City of Elgin, do hereby proclaim September 2025 as Hunger Action Month in the City of Elgin, and I urge all citizens who are able to support the Central Texas Food Bank and local organizations that assist with hunger relief.

IN OFFICAL RECOGNITION WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Elgin, Texas, to be affixed this 16th day of September 2025.

Theresa McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Library Advisory Board Quarterly Report

DEPARTMENT: Library

PROPOSED ACTION: No action is necessary for Council

BACKGROUND:

This quarterly report covers the activities of the Library Advisory Board from June 1, 2025, to August 31st, 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. LAB Quarterly Report - September 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

Library Advisory Board to City Council – September 2025

Reporting Period June 1st, 2025 – August 31st, 2025

The Elgin Library Advisory Board members are as follows: Chair Angelica Huerta, Vice-Chair Nicole Roach, Secretary Barbara Leeper, Denise Halter, Julisa Kyle, Jessica Johnson, and Yenifer Ibarra.

Quarter Review:

- Updated Library Policies with Board Suggestions and Input
- Explored Ideas for Makerspace Programming

The Elgin Public Library had a very busy summer! EPL had 8,575 visitors in the library and circulated 30,599 items of its collection. There was a 23% increase in circulation over the last three months. EPL hosted 226 programs with over 2,699 in attendance.

The Color Our World Summer Reading Program kicked off in full swing beginning in June. The library offered various activities throughout each week. Some special events consisted of Puppets Got Talent with The Mad Hatter, Drawing with Mr. Pitts and a Magic Show with Silly Sparkles. Each of these programs provided engaging activities that allowed the children to tap into their creativity to “Color Our World.” EPL held a reading contest to encourage reading throughout the summer. The library hosted a summer reading party at the end of the Summer Reading Program to congratulate all the youth on keeping up with literacy throughout their summer break.

EPL’s new makerspace, Creation Station, had a successful grand opening in July. Many came out to see all the new equipment the library has to offer. Patrons immediately began signing up for training to learn to use the new equipment. The new sewing classes have gone very smoothly. Staff have enjoyed learning about the new equipment just as much as EPL’s patrons.

The installation of the new automated doors took place in August. By EPL offering this ADA system, the library is creating a more inclusive environment.

Looking Ahead:

- Finalize Library Policies
- Appoint Board Positions

EPL staff are preparing for the upcoming Fall. In October, the library will host the annual Fall Festival and the haunted house event. The staff have been working hard creating activities for the festival and backdrops for the spooky haunted house.

The library staff are looking forward to celebrating Dia de los Muertos in November. Following this event, the library will close for a week so that staff can work to update the youth section of the library. The library is the recipient of a grant from the Texas State Library & Archives Commission. The grant will fund a sensory space in the children's area. The sensory space will be a designated area specifically designed with features to support the needs of neurodivergent children.

Elgin Public Library staff continually strive to meet the needs of the Elgin Community.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Building Standards Commission Quarterly Report

DEPARTMENT: Development Services

PROPOSED ACTION: No Council action is requested on this item.

BACKGROUND:

This report covers the period between June 2025 and August 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

1. BSC Quarterly Report June - August 2025

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



Development Services Department

STAFF REPORT

Building Standards Commission (BSC) Quarterly Report

Date: August 27, 2025

SUMMARY OF ACTIVITIES FROM JUNE 2025 – AUGUST 2025 MEETINGS

June 2025

No activity this month.

July 2025

No activity this month.

August 2025

No activity this month.

PROPOSED ACTIVITIES FROM SEPTEMBER 2025 – NOVEMBER 2025 MEETINGS

Continue to perform their function as allowed by State law and City Code including items such as hear and determine cases concerning alleged violations of ordinances, consider appeal of interpretation regarding Chapter 6 of our Code of Ordinances, consider variances from Chapter 6, consider appeals of interpretation regarding adopted International Fire Code, and consider variances from adopted International Fire Code.

RECOMMENDED COUNCIL ACTION

None.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Board of Adjustments Quarterly Report

DEPARTMENT: Development Services

PROPOSED ACTION: No Council action is requested on this item.

BACKGROUND:

This report covers the period between June and August 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

1. BOA Quarterly Report Jun 25 - Aug 25

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



Development Services Department

STAFF REPORT

Board of Adjustments (BOA) Quarterly Report

Date: August 27, 2025

SUMMARY OF ACTIVITIES FROM JUNE 2025 – AUGUST 2025 MEETINGS

June 2025

- A. 34 North Avenue C (Project #202500055) Sign Variance from Section 32-217(3)(a) increasing the allowed sign area from 26.25 square feet to 31.667 square feet. – BOA approved.
- B. 509 W Cleveland St (Project #202500040) a Zoning Variance from Section 46-265 (2) reducing the side setback for the existing structure from 5' to 3'2" on the south side of the property and a Zoning Variance from Section 36-171 reducing the minimum lot width at the front building line from 60' to 39' in the R-2 Residential Dwelling District. – BOA Approved variances to both sections of the code.
- C. 13512 Barn Chime St. (Project #202500045) a Zoning Variance from Section 46-303 (2) reducing the side setback from 5' to 3', 7" on the southwest side of the lot in order to place a 48" prefabricated A/C pad in that area. The zoning for the parcel is Planned Development District (PDD). – BOA approved.
- D. 13505 Muny Parkway (Project #202500046) a Zoning Variance from Section 46-303 (2) reducing the side setback from 5' to 4', 2" on the southwest side of the lot in order to place a 48" prefabricated A/C pad in that area. The zoning for the parcel is Planned Development District (PDD). – BOA approved.

July 2025

No activity this month.

August 2025

No activity this month?

PROPOSED ACTIVITIES FROM SEPTEMBER 2025 – NOVEMBER 2025 MEETINGS

Continue to perform their function as allowed by State law and City Code including items such as appeals, special exceptions, & zoning variances.

RECOMMENDED COUNCIL ACTION

None.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Parks and Recreation Advisory Board Quarterly Report

DEPARTMENT: Recreation

PROPOSED ACTION: None

BACKGROUND:

The Parks and Recreation Advisory Board meets at 6:30 PM on Tuesday evenings.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. Parks Advisory Board Report to City Council September 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

The Parks Advisory Board includes Neil Beyer, Charles Brown, Crystie Shibley, Melanie Martin, and Lacy Hilliard. There are two vacancies on the Parks Advisory Board. Neil Beyer's term is coming to an end and will not be reapplying. Chrystie Shibley and Melanie Martin's terms are both expiring and they have reapplied for the Parks Board.

Board members are appointed to assist with the prioritization of parks and recreation improvements and repairs through the Parks, Recreation and Open Space Master Plan, review procedures, guidelines and fees to make recommendations, gather community input for programming and physical improvements and provide feedback for parkland fees or adoption.

The City of Elgin, TX Parks & Recreation Department is a regional and state award winning department, supported by the work of staff, the board, volunteers and community organizations.

1.) Summary of Board Activities for the Past 4 Month.

Recruiting new Parks Advisory Board members. Parks Board Members are making a concerted effort to seek out qualified applicants and follow up with them to encourage them to apply, in conjunction with advertisements in 78621 and on City social media.

Submitted recommended updates to Municode ordinances as they relate to parks, recreation, events and rentals (August 2025), accomplishing one of the Parks Board's 2025 identified goals.

Worked with the Friends of Elgin Parks to add additional members to the board to revitalize the group, working towards one of the Parks Board's 2025 identified goals.

Approved Eagle Scout project proposal to install a bulletin board at the Elgin Recreation Center.

Focused on the Parks, Recreation and Open Space Master Plan update as this document is 5 years old and many projects have been completed. The Parks Advisory Board is in the process of meeting at each of Elgin's Park to review use and amenities to identify updated needs.

2.) Summary of Proposed Activities for the Next 4 Months

The Parks Advisory Board needs two new members to fill existing vacancies and one more member to fill the position being vacated by Neil Beyer.

The Board is scheduled to review Special Event and Fee Waiver Policies for possible recommendation to City Council (September 23rd Parks Board Meeting).

The Board will continue to work on the Parks, Recreation and Open Space Master Plan and create a plan for collecting public input in Fall 2025 to assess any necessary changes to the plan. This is dependent on having the two vacancies filled.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Update to Council on Short Term Rental Properties (Perry)

DEPARTMENT: Development Services

PROPOSED ACTION: None.

BACKGROUND:

Beau Perry, Development Services Director and City Engineer, will provide the Council an update on Short-Term Rentals in the City of Elgin.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None.

ATTACHMENTS:

None

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and Discuss the Remaining Meeting Dates in 2025

DEPARTMENT: Executive

PROPOSED ACTION: Review and discuss

BACKGROUND:

The City Council is required by the Elgin City Charter (Article IV, Section 10) to hold at least one regular meeting each month, and as many additional meetings as the Council deems fit. There are three remaining months in the year (October, November, December). There are currently meetings scheduled for: October 14th, October 28th, November 11th, and December 2nd. On the Consent Agenda, there is an item to cancel the October 28th meeting because of the TML Conference, and reschedule the November 11th meeting to November 18th to CANVASS after the November election. This would leave the remaining meetings for 2025 as: October 14th, November 18th, and December 2nd.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

None

ATTACHMENTS:

1. ORD2024-12-03-22 An Ordinance Setting the Time and Place of the 2025 Regular Monthly Meetings of the City Council of the City of Elgin, Texas

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. 2024-12-03-22

**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**

WHEREAS, the City of Elgin City Charter stipulates and provides for the powers, duties, and obligations of the Elgin Mayor and City Council; and,

WHEREAS, Article IV, Section 10 of the City of Elgin City Charter states that, "The Council shall hold at least one (1) regular meeting each month as many additional meetings as it deems necessary to transact the business of the city and its citizens"; and,

WHEREAS, Article IV, Section 10 of the City of Elgin City Charter further provides that, "The Council shall fix, by Ordinance, the days and time of the regular meetings.

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

Section 1 – Findings - The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

Section 2 – Regular Meetings – The dates for all Regular Meetings of the Elgin City Council for calendar year 2025 shall be as follows:

Tuesday, January 7, 2025

Tuesday, February 4, 2025

Tuesday, March 4, 2025

Tuesday, April 1, 2025

Tuesday, May 6, 2025

Tuesday, June 3, 2025

Tuesday, July 1, 2025

Tuesday, August 5, 2025

Tuesday, September 2, 2025

Tuesday, October 14, 2025

Tuesday, November 11, 2025

Tuesday, December 2, 2025

Section 3 – Meeting Time – Each Regular Meeting of the Elgin City Council shall convene at 6:30PM CST at a location that shall be fixed by Council and posted upon the agenda of said meeting.

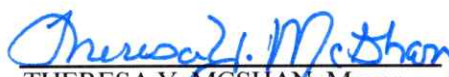
Section 4 – The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof was discussed and formally acted upon, all as required by the Open Meeting Act.

Section 5. This Ordinance shall take effect immediately upon passage.

PASSED AND ADOPTED this 3rd day of December, 2024.

ATTEST:


PEYTON STANDIFER, City Secretary


THERESA Y. MCSHAN, Mayor
City of Elgin, Texas



2025

JANUARY							FEBRUARY							MARCH							APRIL						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1														
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8							
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15							
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22							
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29							

MAY							JUNE							JULY							AUGUST						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3							1														
4	5	6	7	8	9	10	1	2	3	4	5	6	7	6	7	8	9	10	11	12							
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19							
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26							
25	26	27	28	29	30	31	29	30						27	28	29	30	31									

SEPTEMBER							OCTOBER							NOVEMBER							DECEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8							
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15							
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22							
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29							



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Special Meeting Minutes - August 26, 2025

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the meeting minutes

BACKGROUND:

The City Council held a special meeting on August 26, 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. City Council Special Meeting Minutes - August 26, 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



ELGIN CITY CITY COUNCIL MINUTES
August 26, 2025
6:30 PM

CALL TO ORDER

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

ROLL CALL

Mayor McShan called roll.

Present:

Theresa Y. McShan, Mayor
Arthur Gibson III, Council Member, Ward 1
Joy Casnovsky, Council Member, Ward 1
Chuck Swain, Council Member, Ward 2
YaLecia Love, Deputy Mayor Pro Tem, Ward 2
Tiffany St. Pierre, Council Member, Ward 3
Al Rodriguez, Council Member, Ward 3
Liston Crim, Council Member, Ward 4
Sue Brashar, Mayor Pro Tem, Ward 4

Staff:

Peyton Standifer, City Secretary
Mark Schroeder, City Attorney
Pamela Sanders, Human Resources Director
Esmeralda Rangel, Assistant City Secretary
Daniel Mahoney, Police Officer
Larry Gilley, SGR

INVOCATION

Mayor McShan 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 and the Pledge of Allegiance to the Texas Flag.

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION

Mayor McShan read the captions for the Executive Session items and adjourned into Executive Session at 6:32 PM.

1. **Section 551.074 – Personnel Matters.** Deliberation regarding the process for hiring a new City Manager, including discussion of candidate qualifications, recruitment and selection methods, and consideration of interim management arrangements pending the appointment of a new City Manager.
2. **Section 551.071 – Consultation with Attorney.** Consultation with the City Attorney regarding legal issues related to the City Manager recruitment process and the use of interim appointments.

RECONVENE

Mayor McShan reconvened the meeting at 7:23 PM. There was no action taken.

ADJOURNMENT

Mayor McShan adjourned the meeting at 7:23 PM.

ATTEST:

Theresa Y. McShan, Mayor

Peyton Standifer, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Regular Meeting Minutes - September 2, 2025

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the minutes

BACKGROUND:

The City Council held a regularly scheduled meeting on September 2, 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. City Council Regular Meeting Minutes - September 2, 2025

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



ELGIN CITY CITY COUNCIL MINUTES
September 2, 2025
6:00 PM

CALL TO ORDER

Mayor McShan called the meeting to order at 6:00 PM.

EXECUTIVE SESSION

Mayor McShan read the three titles for the Executive Session, and adjourned the meeting into executive session at 6:01 PM.

1. **Section 551.074, Texas Government Code (Personnel Matters): To discuss Interim City Manager assignments and duties.**
2. **Section 551.074 – Personnel Matters. Deliberation regarding the process for hiring a new City Manager, including discussion of candidate qualifications, recruitment and selection methods, and consideration of interim management arrangements pending the appointment of a new City Manager.**
3. **Section 551.071 – Consultation with Attorney. Consultation with the City Attorney regarding legal issues related to the City Manager recruitment process and the use of interim appointments.**

RECONVENE

Mayor McShan reconvened the meeting at 6:42 PM. There was no action taken.

ROLL CALL

Mayor McShan called roll. Mayor McShan stated that Mayor Pro Tem Brahar was out on medical leave. Council Member Casnovsky made a motion to approve her absence. Deputy Mayor Pro Tem Love seconded the motion. All voted in favor. The motion carried.

Present:

Theresa Y. McShan, Mayor
Arthur Gibson III, Council Member, Ward 1
Joy Casnovsky, Council Member, Ward 1
Chuck Swain, Council Member, Ward 2
YaLecia Love, Deputy Mayor Pro Tem, Ward 2
Tiffany St. Pierre, Council Member, Ward 3
Al Rodriguez, Council Member, Ward 3
Liston Crim, Council Member, Ward 4

Absent:

Sue Brashar, Mayor Pro Tem, Ward 4

Staff:

Isaac Turner, Interim City Manager
Peyton Standifer, City Secretary
Mark Schroeder, City Attorney
Kaley Frye, Interim Economic Development Director
Michael Gonzales, Public Works Director
Pamela Sanders, Human Resources Director
Sonia Browder, Media Specialist
Elizabeth Marzec, Recreation Program Manager
Todd Johnson, Police Commander
Aaron Crim, Police Commander
Esmeralda Rangel, Assistant City Secretary
Lori Lankford, Gradient Solutions Consultant
Grace Perez, Program Coordinator
Yadira Duque, Court Administrator
Amanda Carter, Municipal Court Judge
Nathan Nietsch, Police Detective

INVOCATION

Mayor McShan 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 and the Pledge of Allegiance to the Texas Flag.

PUBLIC HEARING

Mr. Turner explained to Council that there would be a brief budget presentation, which he recommended they review prior to the public hearings. Council agreed. Ms. Sanders then provided the presentation, highlighting revenue growth projections, funding of existing positions, the comprehensive compensation and benefits study, the proposed COLA increase, total appropriations of funds, general fund expenditures, property tax rate, distribution of property taxes, and the voter-approval tax rate.

1. PUBLIC HEARING on 5-Year Capital Improvement Projects for FY 2025-2026 for the City of Elgin, Texas

Mayor McShan read the caption of the Public Hearing. No one in attendance wished to speak. Mayor McShan closed the Public Hearing.

2. PUBLIC HEARING and FIRST READING on the Proposed FY 2025-2026 Annual Budget for the City of Elgin, Texas

Mayor McShan read the caption of the Public Hearing. No one in attendance wished to speak. Mayor McShan closed the Public Hearing.

3. PUBLIC HEARING and FIRST READING on Proposed FY 2025-2026 Property Tax Rate for the City of Elgin, Texas

Mayor McShan read the caption of the Public Hearing. No one in attendance wished to speak. Mayor McShan closed the Public Hearing.

PUBLIC COMMENT

There were no public comments.

ANNOUNCEMENTS

- 1. Planting Fall Veggies at Elgin Public Library on Saturday, September 6, 2025, from 11AM-1PM**
Elizabeth Marzec, Recreation Program Manager, provided the Council with information on this announcement.
- 2. Adult Co-Ed Kickball League at the Elgin Recreation Center in October and November**
Elizabeth Marzec, Recreation Program Manager, provided the Council with information on this announcement.
- 3. Coffee with a Cop at the Elgin Recreation Center on September 08, 2025, from 8AM-10AM**
Elizabeth Marzec, Recreation Program Manager, provided the Council with information on this announcement.
- 4. Sip Shop & Stroll in Downtown Elgin is on September 11, 2025, at 5PM**
Elizabeth Marzec, Recreation Program Manager, provided the Council with information on this announcement.
- 5. Hogeys Volunteer Meeting is on September 10, 2025, at 6:30PM**
Elizabeth Marzec, Recreation Program Manager, provided the Council with information on this announcement.

PRESENTATION

- 1. A PROCLAMATION RECOGNIZING HISPANIC HERITAGE MONTH IN THE CITY OF ELGIN**
Mayor McShan read the proclamation. Grace Perez, Rec Center Program Coordinator, received the proclamation from Mayor McShan.

CITY MANAGERS REPORT

- 1. Presentation by Interim City Manager**
Mr. Turner gave a farewell speech addressing the City Council, City staff, leadership team, and the residents of the City. He also invited everyone to a farewell party on Thursday, Sept 3rd, from 4:30 -6:00 PM. Mayor McShan also expressed her gratitude towards Mr. Turner and all he has done for the council.
- 2. Update on Strategic Planning Goal: Secure Healthcare Services (Frye)**
Ms. Frye provided a presentation updating Council on healthcare statutes. She reported that the City has met with Ascension and is in contact with their rural marketing director, and noted that Ascension is expanding primary care along with additional services. She also stated that other providers have purchased land in the area.

CONSENT AGENDA

- 1. City Council Work Session Minutes - August 12, 2025**
This item was approved on the consent agenda.
- 2. City Council Regular Meeting Minutes - August 19, 2025**
This item was approved on the consent agenda.

3. Authorize the Interim City Manager to Execute the Amended Interlocal Agreement with Emergency Services District No. 3 for Emergency Medical Services

This item was approved on the consent agenda.

Council Member Rodriguez made a motion to approve the consent agenda as presented. Deputy Mayor Pro Tem seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2025-26 FIVE-YEAR CAPITAL IMPROVEMENT PLAN, A REPORT ON ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING FOR RELATED MATTERS. (FINANCE AND PUBLIC WORKS)

Mr. Turner stated that although no specific presentation was being made, he wanted to remind Council and the public that in March of next year, there would be an opportunity to review the City's finances and potentially consider funding new capital projects at that time. Ms. Sanders added that staff intends to continue projects currently funded through other sources.

Deputy Mayor Pro Tem Love made a motion to approve the resolution. Council Member Crim seconded the motion. All voted in favor. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING STREET CLOSURES AND WAVING ASSOCIATED FEES WITH THE SAME FOR THE ELGIN CHAMBER OF COMMERCE AWARDS BANQUET 2025 AND MAKING CERTAIN FINDINGS RELATED THERETO. (GONZALEZ/OSBORN)

Mr. Gonzalez addressed Council, explaining that event requests are reviewed by City staff, including the Elgin Police Department, Public Works Department, and Downtown Management. For this particular event, he noted there would be some facilitation required from Public Works and the Police Department, as outlined in the Council packet, and stated he was available for any follow-up questions. Veronica Seever, President of the Elgin Chamber of Commerce, presented to the Council and described the event as an opportunity to celebrate both the heart of the community and its businesses. She presented an overview of the event layout plan, which included closing Central Avenue from Main Street to Avenue C, and provided additional event details, including the presentation of ten awards. Ms. Seever also addressed questions raised by the Council. Discussion continued.

Council Member Rodriguez made a motion to approve the resolution. Council Member Crim seconded the motion. All voted in favor. The motion carried.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMANDA CARTER OF ELGIN, TEXAS RE-APPOINTING HER AS JUDGE OF THE CITY OF ELGIN MUNICIPAL COURT IN ACCORDANCE WITH THE CITY CHARTER; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

Judge Amanda Carter stated that, by law, her contract is subject to renewal every two years, and she was present to request reappointment. There were no questions from the Council.

Deputy Mayor Pro Tem Love made a motion to approve the resolution. Council Member Gibson seconded the motion. All voted in favor. The motion carried.

4. **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, GRANTING TO SIENERGY GAS, LLC A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE. (GONZALEZ)**

Mr. Gonzalez stated that this was the second reading of the ordinance previously presented, noting that there would be one additional reading on September 16th. He explained that the ordinance presented a standard franchise agreement in order to bring gas services to the West side of town.

No action was taken.

5. **(First Reading) AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE (TURNER & SANDERS)**

Deputy Mayor Pro Tem made a motion to ratify the property tax increase reflected in the proposed budget for the fiscal year beginning October 1, 2025 and ending September 30, 2026 which raises more revenue from property taxes than the previous year. Council Member Crim seconded the motion. All voted in favor. The motion carried.

Council Member Crim made a motion to approve the ordinance on its first reading adopting the proposed budget for the fiscal year beginning October 1, 2025 and ending September 30, 2026. Deputy Mayor Pro Tem seconded the motion. All voted in favor. The motion carried.

6. **(First Reading) AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR APPORTIONMENT OF SAID LEVY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE. (TURNER & SANDERS)**

Council Member Casnovsky made a motion to approve the ordinance on its first reading levying property taxes for the tax year 2025 that the property tax rate be increased by the adoption of a tax rate of \$0.619296 per 100 dollars valuation and is comprised of the M&O rate being \$0.501934 and the interest and sinking rate being \$0.117362, which is effectively a total of 8.64% increase in the tax rate. Deputy Mayor Pro Tem Love seconded the motion. All voted in favor. The motion carried.

EXECUTIVE SESSION

Mayor McShan read the three items for Executive Session, and adjourned the meeting into executive session at 7:31 PM.

1. **Section 551.074, Texas Government Code (Personnel Matters): To discuss Interim City Manager assignments and duties.**
2. **Section 551.074 – Personnel Matters. Deliberation regarding the process for hiring a new City Manager, including discussion of candidate qualifications, recruitment and selection methods, and consideration of interim management arrangements pending the appointment of a new City Manager.**
3. **Section 551.071 – Consultation with Attorney. Consultation with the City Attorney regarding legal issues related to the City Manager recruitment process and the use of interim appointments.**

RECONVENE

Mayor McShan reconvened the meeting at 8:09 PM. There was no action taken.

ADJOURNMENT

Council Member Crim reminded the Council of the school groundbreaking ceremony for Legacy Oak scheduled for Thursday morning. Mayor McShan also reminded the Council of Mr. Turner's farewell party on Thursday at 4:00 p.m.

Mayor McShan adjourned the meeting at 8:10 PM.

ATTEST:

Theresa Y. McShan, Mayor

Peyton Standifer, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS CANCELING THE OCTOBER 28, 2025, MEETING AND RESCHEDULING THE TUESDAY, NOVEMBER 11, 2025, MEETING TO MONDAY, NOVEMBER 17, 2025, AND PROVIDING FOR A SAVINGS CLAUSE.

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the Resolution

BACKGROUND:

The City Council will hold one meeting in October on October 14, 2025. The second meeting in October will be canceled for the annual TML Conference, which will take place in Fort Worth. The Elgin City Charter requires the Council to hold one monthly meeting each month. The November meeting will be rescheduled from Tuesday, November 11, 2025, to Monday, November 17, 2025, to allow the City Council to CANVASS for the November election.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Resolution to Cancel 10-28 and Reschedule Nov Meeting

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- { } Staff will provide brief comments and answer questions on this item at the meeting.
- {X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

RESOLUTION NO. 2025-09-16-XX

A RESOLUTION OF THE CITY OF ELGIN, TEXAS CANCELING THE OCTOBER 28, 2025, MEETING AND RESCHEDULING THE TUESDAY, NOVEMBER 11, 2025, MEETING TO MONDAY, NOVEMBER 17, 2025, AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, the City Council set the time and place for the regular monthly meetings for 2025 of the City Council of the City of Elgin on December 3, 2024, according to the Elgin City Charter; and,

WHEREAS, Article IV. Section 10 of the City of Elgin City Charter states that, "The Council shall hold at least one (1) regular meeting each month as many additional meetings as it deems necessary to transact the business of the city and its citizens"; and,

WHEREAS, the City Council now determines that the second monthly meeting, to be held on October 28, 2025, of the City Council in October shall be cancelled, and the monthly meeting in October of the City Council shall still take place on October 14, 2025; and,

WHEREAS, the monthly meeting of the City Council for November of 2025 shall be rescheduled from November 11, 2025, to November 17, 2025, to allow the City Council to officially CANVASS for the November 4, 2025, election.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS THAT:

Section 1. Findings. The forgoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made part hereof for all purposed as findings of fact.

Section 2. Authorization. The City Secretary is hereby authorized to cancel the City Council meeting scheduled for October 28, 2025, and reschedule the November 11, 2025, meeting to November 17, 2025.

Section 3. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 16th day of September 2025.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

PEYTON STANDIFER, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Authorize the Mayor to Execute a Letter of Intent with Emergency Services District No. 1 for Trinity Ranch Property

DEPARTMENT: Development Services

PROPOSED ACTION: Authorize the Mayor to Execute

BACKGROUND:

The City of Elgin will be conveyed approximately 2.673 acres located in the Trinity Ranch subdivision from the Developer for the construction of an emergency services station. This binding letter of intent is between the City of Elgin and Bastrop-Travis Counties Emergency Services District #1 to ultimately transfer the property to the District and allow for the development of an emergency services station on the property.

As agreed upon in August 2020 in the Development Agreement between the Trinity Ranch Developers and the City of Elgin, *"Developer and the City will work together to determine the location of the approximately 2-acre public safety services site within the Development, which the parties will endeavor to locate in an early phase of the Development (as agreed upon by Developer and the City, the "Public Safety Services Site"). Developer will, at the time of final platting the phase of the Development within which the Public Safety Services Site is located, convey the Public Safety Services Site to the City by warranty deed, at no cost to the City. The City shall not sell or convey the Public Safety Services Site to any third party, other than to an emergency services district or other public safety services entity (either, an "ESD"). Further, the Public Safety Services Site shall only be used for the construction and operation of an emergency services station or similar facility by an ESD. The City hereby agrees, and the warranty deed to the City shall state, that ownership of the Public Safety Services Site shall revert to Developer in the event that the City or a permitted successor-in-interest has not constructed and commenced operation of an emergency services station or similar facility within five (5) years of the date of conveyance from Developer to the City pursuant to this provision."*

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Letter of Intent Trinity Ranch
2. ITEM 11.4 Trinity_Ranch_EMS_Plat_Approved

{ } Staff will be making a detailed presentation on this agenda item at the meeting.
{ } Staff will provide brief comments and answer questions on this item at the meeting.
{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

**BINDING LETTER OF INTENT
FOR TRINITY RANCH PROPERTY**

This Binding Letter of Intent for Trinity Ranch Property ("LOI") is made by and between the City of Elgin, Texas, a municipal corporation located at 310 N. Main Street, Elgin, Texas 78621 ("City"), and Bastrop-Travis Counties Emergency Services District #1 ("District"), a political subdivision and local governmental entity of the State of Texas located at 111 N. Avenue C, Elgin, Texas 78621 (collectively, the "Parties"). This LOI is intended to summarize the principal terms of an anticipated transfer of real property between the Parties.

WHEREAS, City understands the property located in Phase 1, Section 1 of the Trinity Ranch subdivision at Upper Elgin River Road near Grist Mill Lane ("Property") will be conveyed to the City by the developer of the Trinity Ranch subdivision currently under construction near Elgin, Texas ("Trinity Ranch");

WHEREAS, the Property consists of approximately 2.673 acres that have been set aside by the developer of Trinity Ranch for the construction of an emergency services station;

WHEREAS, as a governmental entities, the City and the District must obtain approval from their governing bodies before entering into certain contracts, including but not limited to, the transfer contemplated by this Agreement;

WHEREAS, the Board of Commissioners of the District and the City Council of the City wish to approve this LOI to both ultimately transfer the Property to the District and to allow for the District's development of an emergency services station on the Property;

WHEREAS, the Parties have authority pursuant to Texas Local Government Code Chapter 272 to enter into contracts for the lease or purchase of real property and also have the authority to enter into local cooperation agreements pursuant to Texas Government Code Chapter 791; and

WHEREAS, the City and the District believe that the transfer of the Property to the District is in the best interests of the residents of and visitors to the City and the District; and

WHEREAS, the Property will be used by the District to carry out the provision of emergency services, a purpose that benefits the public interest of both the District and the City; and

WHEREAS, the transfer of the Property will be made under terms that effect and maintain the public purpose for which the transfer will be made; and

WHEREAS, the title and right to possession of the Property will revert to the City if the District ceases to use the Property in carrying out the provision of emergency services.

NOW, THEREFORE, the Parties hereto, for good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, and intending to be legally bound, hereby agree as follows:

1. The recitals set forth above are true and correct and are incorporated into this LOI.

2. TRANSFER TERMS FOR THE PROPERTY:

When the City receives the Property from the Trinity Ranch developer, the City agrees to transfer the Property to the District via Special Warranty Deed. The Property is further described in a proposed plat attached hereto as Exhibit A and incorporated herein by reference.

3. AGREEMENT IS BINDING:

Upon execution, the Parties agree that this LOI shall be binding between them. It is understood and agreed that in the event no superseding event exists, this LOI shall control and be binding upon the Parties pursuant to the terms set forth herein.

4. FORMAL AGREEMENT:

The Parties agree that they shall promptly enter into a mutually agreeable formal agreement for the transfer of the Property upon determination by the governing bodies of the Parties that the Property was acquired by the City from the Trinity Ranch developer.

5. ENTIRE AGREEMENT

This LOI constitutes the entire agreement between the Parties, and supersedes all prior oral or written agreements, understandings, representations and warranties, and courses of conduct and dealing between the Parties on the subject matter hereof. This LOI may not be amended except by the written agreement of both Parties.

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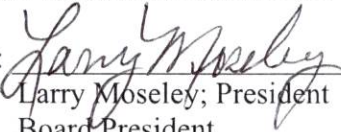
CITY OF ELGIN, TEXAS:

By: _____
Theresa McShan, Mayor

ATTEST:

By: _____
Peyton Standifer, City Secretary

**BASTROP-TRAVIS COUNTIES EMERGENCY
SERVICES DISTRICT NO. 1:**

By:  _____
Larry Moseley; President
Board President

ATTEST:

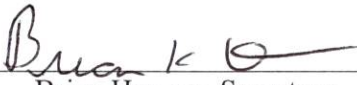
By:  _____
Brian Henson, Secretary

EXHIBIT A
PROPOSED PLAT OF TRINITY RANCH

STATE OF TEXAS §
COUNTY OF BASTROP §

KNOW ALL MEN BY THESE PRESENTS:

THAT CENTURY LAND HOLDINGS II, LLC (1/2 INTEREST), AND GRBK EDGEWOOD LLC (1/2 INTEREST), BEING THE OWNERS OF A CALLED 382.741 ACRE TRACT OF LAND (TRACT 1) OUT OF THE ELIZABETH STANDIFORD SURVEY, ABSTRACT NO. 59 SITUATED IN BASTROP COUNTY, TEXAS AS CONVEYED BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 202202686 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 2.673 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED PLAT SHOWN HEREON, PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOW AS:

TRINITY RANCH EMS LOT

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE ____ DAY OF _____, 20____, A.D.

PAUL KWATKOWSKI, AUTHORIZED SIGNATORY
CENTURY LAND HOLDINGS II, LLC
13620 N. FM 620
BLD "A", SUITE 170
AUSTIN, TEXAS 78717

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED PAUL KWATKOWSKI, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME
MY COMMISSION EXPIRES _____

AUSTIN EVETTS, AUTHORIZED SIGNER
GRBK EDGEWOOD LLC
5501 HEADQUARTERS DRIVE, SUITE 300W
PLANO, TEXAS 75024

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED AUSTIN EVETTS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME
MY COMMISSION EXPIRES _____

I, TIMOTHY M. HOLLAND, DO HEREBY CERTIFY THAT THE INFORMATION CONTAINED ON THIS PLAT COMPLY WITH THE SUBDIVISION ORDINANCES AND THE STORMWATER DRAINAGE POLICY ADOPTED BY THE CITY OF ELGIN, TEXAS.

PRELIMINARY PENDING FINAL REVIEW

TIMOTHY M. HOLLAND, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 94848
GRAY ENGINEERING, INC.
8834 N CAPITAL OF TEXAS HWY, STE 140
AUSTIN, TEXAS 78759

THAT I, DION P. ALBERTSON, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ELGIN, TEXAS.

PRELIMINARY PENDING FINAL REVIEW

DION P. ALBERTSON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4963
BGE, INC.
7330 SAN PEDRO AVE, SUITE 202
SAN ANTONIO, TEXAS 78216

GENERAL NOTES:

- BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. COMBINED SCALE FACTOR = 0.99992788
- NO PORTION OF THIS PROPERTY LIES IN UNSHADED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FLOOD INSURANCE RATE MAPS FOR BASTROP COUNTY, TEXAS, AND INCORPORATED AREAS, MAP NUMBER 48021C0075E, REVISED JANUARY 19, 2006. ANY FLOODPLAIN BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND ARE NOT DEPICTED AS A RESULT OF AN ON THE GROUND SURVEY.
- THIS FINAL PLAT CONFORMS TO THE APPROVED PRELIMINARY PLAT.
- UPON APPROVAL OF THIS PLAT BY THE THE CITY OF ELGIN FOR FILING AND SUBSEQUENT ACCEPTANCE OF MAINTENANCE OF STREETS BY BASTROP COUNTY, IT IS UNDERSTOOD THAT PLACEMENT OF ANY AND ALL TRAFFIC CONTROL DEVICES REQUIRING SIGNAGE SUCH AS STREET NAMES, SPEED LIMITS, STOP SIGNS, YIELD SIGNS, ETC., SHALL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER UNDER THE DIRECTION OF THE CITY AND/OR THE COUNTY ENGINEER.
- NEITHER APPROVAL OF A SUBDIVISION PLAT BY THE CITY OF ELGIN, NOR THE FILING/RECORDING OF AN APPROVED SUBDIVISION PLAT CONSTITUTES ACCEPTANCE BY BASTROP COUNTY OF ANY DEDICATION OF THE ROADS/STREETS DEPICTED ON THE PLAT. ONLY THE BASTROP COUNTY COMMISSIONERS COURT, ACTING AS A BODY, HAS THE AUTHORITY TO ACCEPT ROADS/STREETS INTO THE BASTROP COUNTY ROAD SYSTEM FOR COUNTY MAINTENANCE. INDIVIDUAL MEMBERS OF THE BASTROP COUNTY COMMISSIONERS COURT HAVE NO AUTHORITY TO BIND BASTROP COUNTY BY SEPARATE ACTION. UNTIL BASTROP COUNTY, THROUGH ITS COMMISSIONERS COURT, ACCEPTS A ROAD/STREET THAT HAS BEEN DEDICATED IN A PLAT, SAID ROAD/STREET IS NOT A COUNTY ROAD, AND IS NOT SUBJECT TO COUNTY MAINTENANCE.
- NO LOT SHALL BE OCCUPIED UNTIL CONNECTED TO APPROVED ELECTRIC DISTRIBUTION SYSTEMS, WASTEWATER COLLECTION FACILITIES, AND UNTIL WATER IS SATISFACTORY FOR HUMAN CONSUMPTION IS AVAILABLE FROM A SOURCE IN ADEQUATE AND SUFFICIENT SUPPLY FOR THIS PROPOSED DEVELOPMENT.
- NO LOT SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED PUBLIC SEWER SYSTEM.
- BASTROP COUNTY WILL ONLY ACCEPT THE STREETS AND ROADWAYS FOR OPERATION AND MAINTENANCE; THE DISTRICT WILL BE OBLIGATED TO MAINTAIN THE GUTTERS/DRAINAGE SYSTEMS AND STREETLIGHTS UPON RECEIPT OF AUTHORIZATION FROM THE COUNTY TO UTILIZE ITS RIGHT OF WAY FOR SUCH PURPOSES.
- THIS DEVELOPMENT IS WITHIN THE ELGIN MUNICIPAL UTILITY DISTRICT (MUD) #1.
- ALL SANITARY SEWER WITHIN THIS DEVELOPMENT IS TO BE PRIVATE. ELGIN MUNICIPAL UTILITY DISTRICT (MUD) #1.
- PERMITS: PROPERTY IN THIS SUBDIVISION SHALL BE DEVELOPED IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS INCLUDING, BUT NOT LIMITED TO: BASTROP COUNTY 9-1-1 ADDRESSING ASSIGNMENT, DRIVEWAY/CULVERT, DEVELOPMENT, FLOODPLAIN, ON-SITE SEWAGE FACILITY, AND LOST PINES HABITAT CONSERVATION PLAN. COUNTY PERMITS ARE OBTAINED AND ISSUED THROUGH THE BASTROP COUNTY DEVELOPMENT SERVICES DEPARTMENT.
- NO STRUCTURES MAY BE BUILT IN ANY EASEMENT. ANY EXISTING STRUCTURES LOCATED IN A PUBLIC UTILITIES EASEMENT MUST BE REMOVED AT UTILITY DISCRETION.
- ALL DRIVEWAYS IN THIS SUBDIVISION MUST BE CONSTRUCTED TO FACILITATE DRAINAGE ALONG THE R.O.W. THE DEVELOPER AND/OR PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF DRIVEWAYS IN ACCORDANCE WITH BASTROP COUNTY SPECIFICATIONS, WHICH MAY INCLUDE CULVERT PIPE INSTALLATION. A PERMIT MUST BE OBTAINED FROM BASTROP COUNTY PRIOR TO THE CREATION OF A DRIVEWAY. ACCESS TO STATE HIGHWAYS IS REGULATED BY TXDOT AND THEREFORE MUST BE APPROVED AND CONSTRUCTED TO ITS STANDARDS.
- THIS SUBDIVSION LIES WITHIN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF ELGIN.
- ALL CORNER LOTS WITHIN THIS DEVELOPMENT MAY ACCESS ONLY ONE STREET AND MUST TAKE THEIR ACCESS FROM THE MINOR OF THE TWO STREETS.
- FLOOD WARNING: THE DEGREE OF FLOOD PROTECTION REQUIRED BY THE CITY OF ELGIN FLOOD DAMAGE PREVENTION ORDER IS CONSIDERED REASONABLE FOR REGULATORY PURPOSES AND IS BASED ON SCIENTIFIC AND ENGINEERING CONSIDERATIONS. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. ACCEPTANCE OF THIS PLAT BY THE CITY DOES NOT IMPLY THAT LAND OUTSIDE THE AREAS OF SPECIAL FLOOD HAZARDS OR USES PERMITTED WITHIN SUCH AREAS WILL BE FREE FROM FLOODING OF FLOOD DAMAGES. NOR SHALL ACCEPTANCE OF THIS PLAT CREATE LIABILITY ON THE PART OF CITY OF ELGIN OR ANY OFFICIAL OR EMPLOYEE THEREOF FOR ANY FLOOD DAMAGES THAT RESULT FROM RELIANCE ON THE INFORMATION CONTAINED WITHIN THIS PLAT OR ANY ADMINISTRATION DECISION LAWFULLY MADE THEREUNDER.
- EROSION AND SEDIMENTATION CONTROLS ARE REQUIRED FOR CONSTRUCTION ON EACH LOT, INCLUDING SINGLE-FAMILY, DUPLEX, AND MULTI-FAMILY CONSTRUCTION.
- NO STRUCTURES OR LAND USE INCLUDING, BUT NOT LIMITED TO BUILDINGS, FENCES, LANDSCAPING THAT NEGATIVELY IMPACTS STORM WATER FLOWS SHALL BE ALLOWED IN AREAS DESIGNATED AS PONDS, DRAINAGE EASEMENTS, OR DETENTION/RETENTION AREAS.
- DRAINAGE EASEMENTS, STORM WATER FACILITIES/FEATURES, AND EROSION CONTROLS SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION AND/OR BY INDIVIDUAL PROPERTY OWNERS. PROPERTY OWNERS AND THEIR ASSIGNS SHALL PROVIDE ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY BASTROP COUNTY REPRESENTATIVES.
- UTILITY PROVIDERS ARE AS FOLLOWS: BLUEBONNET ELECTRIC COOP., CENTERPOINT ENERGY, SPECTRUM/TIME WARNER CABLE, AT&T TELEPHONE AND ELGIN MUNICIPAL UTILITY DISTRICT (MUD) #1.

CERTIFICATE OF APPROVAL:

THIS FINAL PLAT WAS APPROVED BY CITY OF ELGIN PLANNING & ZONING COMMISSION ON THIS ____ DAY OF _____, 20_____.

CHAIRPERSON, PLANNING & ZONING COMMISSION DATE

SECRETARY, PLANNING & ZONING COMMISSION DATE

STATE OF TEXAS §
COUNTY OF BASTROP §

I, KRISTA BARTSCH, CLERK OF BASTROP COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF _____, 20____, A.D., AT ____ O'CLOCK ____M., AND DULY RECORDED ON THE ____ DAY OF _____, 20____, A.D., AT ____ O'CLOCK ____M., OF SAID COUNTY AND STATE IN THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, IN PLAT CABINET ___, PAGE(S) _____.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID COUNTY THE ____ DAY OF _____, 20____, A.D.

KRISTA BARTSCH, COUNTY CLERK, BASTROP COUNTY, TEXAS

DEPUTY

FINAL PLAT
TRINITY RANCH
EMS LOT

A SUBDIVISION OF 2.673 ACRES OF
LAND LOCATED IN THE
ELIZABETH STANDIFORD SURVEY NO. 24,
ABSTRACT NO. 59, BASTROP COUNTY, TEXAS



BGE, Inc.
7330 San Pedro Ave., Suite 202
San Antonio, TX 78216
Tel: 210-581-3600 • www.bgeinc.com
TBPELS Registration No. F-1046
TBPELS Licensed Surveying Firm No. 10194490



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY COUNCIL TO DISCUSS, CONSIDER, AND SELECT ENGINEERING AND ARCHITECTURAL SERVICE PROVIDER TO COMPLETE APPLICATION AND PROJECT IMPLEMENTATION FOR THE HAZARD MITIGATION ASSISTANCE (HMA) FUNDING ADMINISTERED BY THE TEXAS DIVISION OF EMERGENCY MANAGEMENT AND/OR THE TEXAS WATER DEVELOPMENT BOARD. (GONZALEZ)

DEPARTMENT: Public Works

PROPOSED ACTION: Review and approve the staff recommendation on the submitted RFQ.

BACKGROUND:

City of Elgin was successful in getting a Grant HMA 4488 designed to assist cities in mitigating natural disasters, after starting the process of winterizing some areas of the water distribution system. While the full funding amount is being discussed by the State, the City is authorized to undergo the design process in at least 2 different locations that also need backup power generation.

Fully funded terms are still in discussion by the Texas Division of Emergency Management. However, the City is compelled to move forward with some design of the project. The City is further compelled to submit a request for qualifications (completed) and have staff rank and select a design firm.

TRC was originally awarded design services in 2021. However, through staff discussion and council action, their design proposal was rescinded. Staff put together a ranking committee and an RFQ was sent out to nearly 20 vendors for design services. Two (2) vendors responded, and staff ranked them with findings that WGA would be the best to implement the design services of this contract.

The two respondents were Ward Getz and Associates LLC of Houston, Texas and Schaumburg and Polk, INC of Kyle, Texas. Staff have attached the recommendation letter.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Review and approve the recommendation.

ATTACHMENTS:

1. RessHMA
2. HMA recommendation letter
3. RES202~1

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{ } Staff will provide brief comments and answer questions on this item at the meeting.

{x} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY COUNCIL TO DISCUSS,
CONSIDER, AND SELECT ENGINEERING AND
ARCHITECTURAL SERVICE PROVIDER TO
COMPLETE APPLICATION AND PROJECT
IMPLEMENTATION FOR THE HAZARD MITIGATION
ASSISTANCE (HMA) FUNDING ADMINISTERED BY
THE TEXAS DIVISION OF EMERGENCY
MANAGEMENT AND/OR THE TEXAS WATER
DEVELOPMENT BOARD.**

WHEREAS, participation in Hazard Mitigation Assistance program(s) requires implementation by professionals experienced in the administration of federally-funded projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for Engineering/Architectural services has been completed in accordance with the federal requirements, and;

WHEREAS, the Statement of Qualifications received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources,

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. The Mayor or City Manager is hereby authorized to execute The Agreement for design services with the selected design firm, the recommendation from staff is attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. Selection WGA Engineers is selected to provide application and project-related Engineering/Architectural services for HMA program(s).

Section 4. Negotiations That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 2nd day of SEPTEMBER 2025

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary



**Public Works Department
Michael Gonzalez**

1137 Swenson Blvd • P.O. Box 591 • Elgin, Texas 78621

Dear Grant Works Team,

The City of Elgin arranged a review committee for the HMGP 4485 project Design of Utilities Generator infrastructure.

There were two (2) design firms that submitted qualifying submissions for the Request for Qualifications. The two respondents were Ward Getz and Associates LLC of Houston, Texas and Schaumburg and Polk, INC of Kyle Texas.

The review committee hereby recommends WGA for the design and administration of the grant project for Generators as associated infrastructure also known as HMA or HMGP 4485.

Sincerely

Michael Gonzalez
Public Works Director,
City of Elgin, Texas.

RESOLUTION NO. 2025-06-03-65

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
RESCINDING RESOLUTION No. 2021-07-06-30 AND
AUTHORIZING CITY STAFF TO REQUEST QUALIFICATIONS
FROM ENGINEERING SERVICES FOR HMGP DR-4485-0084
WATER TREATMENT PLANT GENERATOR PROJECT, AND
MAKING CERTAIN FINDINGS RELATED THERETO.**

WHEREAS, in July 2021 The Elgin Council adopted resolution No. 2021-07-06-30, authorizing TRC to design the project for a water plant generator.

WHEREAS, Since the adoption of this resolution the City staff have determined that TRC could no longer fulfill the design needs of the City as it relates to this project and;

WHEREAS, The City of Elgin, now rescinds resolution No. 2021-07-06-30, authorizing the award of an engineering service provider contract for the Texas Hazard Mitigation Assistance project funded through TDEM authorization of Request for Qualifications (RFQ) made by the City Council on July 6, 2021. Authorize to Advertise Request for Qualifications (RFQ) for architectural/engineering services for Program HMGP DR-4485-0084, Water Treatment Plant Generator.

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. The Interim City Manager or Mayor is hereby authorized to execute any required documents relevant to this resolution.

Section 3. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 3rd day of June 2025.

ATTEST:



PEYTON STANDIFER, City Secretary



THERESA Y. MCSHAN, Mayor
City of Elgin, Texas



RESOLUTION NO.2021-07-06-30

**A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING
THE AWARD OF AN ENGINEERING SERVICE PROVIDER
CONTRACT FOR THE TEXAS HAZARD MITIGATION
ASSISTANCE PROJECT FUNDED THROUGH THE TEXAS
DIVISION OF EMERGENCY MANAGEMENT (TDEM).**

WHEREAS, Texas Division of Emergency Management Hazard Mitigation Grant contract requires qualified Engineering/ Architectural/Surveying Firm to prepare all preliminary and final design plans and specifications, and to conduct all necessary interim and final inspection for application implementation and completion of Texas Division of Emergency Management Hazard Mitigation Grant;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with Texas HMA requirements;

WHEREAS, a total of 2 (two) proposals were received by the due date and each reviewed to determine the most qualified and responsive providers for engineering services;

NOW, THEREFORE, BE IT RESOLVED:

Section 1 Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Award: That TRC Engineers be awarded a contract to provide assistance with the Texas Hazard Mitigation Grant application and project-related **engineering services**.

Section 3. Contract Negotiations: That any and all contracts or commitments made with the above- named services provider is dependent upon successful negotiation of a contract with the service provider;

Section 4. Authorization: That the City Council of the City of Elgin authorizes the Mayor and/or City Manager to execute the contract with TRC Engineers for this Project.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act. Chapter 55 I. Texas Government Code, as amended.

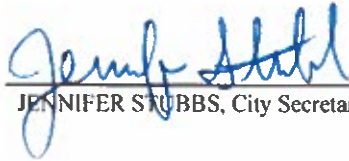
Section 6. Effective Date. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 6th day of July 2021.



SUE BRASHAR, Mayor Pro Tem
City of Elgin, Texas

ATTEST:



JENNIFER STUBBS, City Secretary





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, RATIFYING PAYMENT AND AUTHORIZATION PAY APPLICATION TO GRANT WORKS FOR MILESTONE 6 OF THE PISTOL HILL BOOSTER STATION PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO. (GONZALEZ)

DEPARTMENT: Public Works

PROPOSED ACTION: Review and Approve

BACKGROUND:

This is a regular routine payment to Grant Works for administering the grant for the Pistol Hill Booster Station Project. The funding for this administrative services is backed into the total funding for the project that includes engineering services. The additional items added as change orders were funded through impact fees.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

The current payment amount is \$38,448.70
Previous invoices include \$334,313.95
One remaining invoice is \$19,224.95
Total contract amount for GW is \$334,313.95

RECOMMENDATION:

Review and approve

ATTACHMENTS:

1. RESOLUTION Pay Req GW Pistol Hill
2. Elgin_GW Invoice 004_08-12-2025

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
{ } Staff will provide brief comments and answer questions on this item at the meeting.
{X} This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

RESOLUTION NO. 2025-09-16-XX

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
RATIFYING PAYMENT AND AUTHORIZATION FOR PAY
APPLICATION TO GRANT WORKS FOR MILESTONE 6 OF
THE PISTOL HILL BOOSTER STATION PROJECT, AND
MAKING CERTAIN FINDINGS RELATED THERETO.**

WHEREAS, the City of Elgin, TRC Engineers and Grant Works are now finalizing close out items on the Pistol Hill Booster Station project; and,

WHEREAS, City staff have reviewed the quantities and confirmed them with the City Engineer, and are now recommending approval of such payments and ratify the staffs work to make such payments; and,

WHEREAS, The City Manager is authorized to execute such payment in accordance with the terms listed in the original agreement and as part of this attached pay request.

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. The Interim City Manager or Mayor is hereby authorized to execute Pay Request for Milestone 6 of the of the Pistol Hill project to Grant Works, in the amount of the pay request identified as an attachment to this resolution and copied verbatim herein.

Section 3. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary



2201 Northland Drive, Austin, Texas 78756
Office: (512) 420-0303 | Fax: (512) 420-0302

INVOICE	
Invoice No.	004
Invoice Date	08-12-2025
Grant Agreement No.	22-082-009-D207
Service Period	August 5, 2023 - August 12, 2025
GrantWorks Department	Community Development

City of Elgin
Attention: Debbie Gibson, Project Specialist; Pamela Sanders, Director of Human Resources
310 N. Main St.
Elgin, Texas 78621
Phone: (512) 229-3214; (512) 281-5724 x8
Email: Deborah.Gibson@elgintexas.gov; Pamela.Sanders@ElginTexas.gov

Service Description	Contract Amount	Completed This Invoice	Percent Completed
GLO17-11777-P - Pistol Hill Water Tanks & SCADA			
Administration Milestone 6 - Construction Complete, Final Wage Compliance Report issued	\$38,448.70	\$38,448.70	10%
Subtotal	\$38,448.70	\$38,448.70	
Total	\$38,448.70	\$38,448.70	

Invoice Summary

Total Contract Amount	\$391,987.00
Amount Previously Invoiced	\$334,313.95
Amount Due This Invoice	\$38,448.70
Remaining Balance	\$19,224.35

Thank you for your business!
Allison Land

Please remit payment by check to GrantWorks, Inc. at the address above.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE. (PERRY/SANDERS)

DEPARTMENT: Finance

PROPOSED ACTION: Approval of the Appropriations Ordinance on first reading adopting the FY2025-2026 Annual Budget.

BACKGROUND:

The Annual Budget development process consists of a series of steps required by state law and the City Charter beginning with the submittal of a "Proposed Budget" by the City Manager in collaboration with the City's Finance Department. It includes staff estimates of anticipated revenue and projected costs; and a spending plan for the forthcoming year.

After initial review by the Council, public hearings are held to provide citizens an opportunity to comment on the proposed rates, anticipated revenues, and the proposed distribution of those financial resources among various programs designed to meet citizen demands for public services.

The City Council has an opportunity to adjust or make changes to proposed appropriations levels if needed. The final step in this process is to formally adopt the "Proposed Budget." This is accomplished by adopting an Ordinance that includes the final estimate of revenue and proposed appropriations by line item for each spending program.

Once the Ordinance is formally adopted, a final "adopted" version of the budget will be prepared that represents the official spending program for the forthcoming budget year. The adopted version of the Budget will contain executed copies of the Ordinances that were passed to enact the Budget plus required funding mechanisms, such as an Ordinance adopting the Ad Valorem Tax Rate and an Ordinance adopting

the Master Fee Schedule. This document will contain the base amounts that may be amended from time to time during the fiscal year, as conditions warrant.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Ordinance Adopting Budget 1st and 2nd Readings
2. Budget Summaries

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2025, AND ENDING SEPTEMBER 30, 2026, IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Elgin has submitted to the City Council, a proposed budget of revenues and expenditures of the City of Elgin; and,

WHEREAS, the City Council has received said proposed budget, a copy which has been filed with the City Secretary of the City of Elgin; and,

WHEREAS, proper and timely notice that public hearings on such budget would be held on September 2, 2025, and September 16, 2025 was given and made in accordance with the law and within the time limits set forth by law; and

WHEREAS, such public hearings were held in accordance with applicable law, prior to final adoption of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS THAT:

Section 1 The proposed budget of revenue and expenses for conducting the affairs of the City of Elgin, providing a financial plan for the ensuing fiscal year beginning October 1, 2025, and ending September 30, 2026, as submitted to the City Council by the City Manager of said City, and represents the official spending program, and the same is in all things adopted and approved as the budget of all current expenditures/expenses as well as fixed charges against said City for the fiscal year beginning October 1, 2025, and ending September, 30, 2026.

Section 2 The funding included in the attached budget are hereby appropriated from the prospective funds for the payment of expenditures on behalf of the city government as established in the approved budget document for the fiscal year ending September 30, 2026.

Section 3 In accordance with § 102.008(1), Local Government Code, The City Manager is directed to file with the City Secretary a true copy of the final budget as adopted by the City Council, and the City Secretary is directed to certify as a true copy said budget and file it with this Ordinance in the official records of the City.

Section 4 In accordance with § 102.008(2), Local Government Code, the City Secretary is directed to act to ensure that a copy of the budget is posted on the City's website.

Section 5 All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency

between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 6 The provisions of this Ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable, and that all said remaining provisions shall continue in full force and effect.

Section 7 The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 8 This Ordinance shall be and remain in full force and effective on October 1, 2025, in accordance with state law.

APPROVED AND ADOPTED ON FIRST READING this 2nd day of September 2025

APPROVED AND ADOPTED ON SECOND READING this 16th day of September 2025

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

City of Elgin
Property Tax Information & Scenarios
FY2025-2026 Budget

	FY 2024-2025 Tax Year 2024	FY2025-2026 Tax Year 2025	Change from Prior Year	
Total Taxable Value	\$1,128,987,099	\$1,169,959,200	\$40,972,101	4%
New Property		\$43,297,010		

TAX RATE SCENARIOS

	Tax Rate Scenarios	Revenue w/out freeze	Approx. Freeze revenue	Revenue for each Fund	Currently in Budget	Additional Revenue Based on Tax Rate Scenario	Tax Bill for Average Home	Difference to Current Tax Rate/yr
							\$273,000	
Scenario #1 Tax Rate	\$0.560000						\$1,529	-\$27
Amt to General Fund	\$0.442638	\$5,178,684	\$424,706	\$5,603,390	\$4,986,200	\$617,190		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #2 No-New-Revenue Tax Rate	\$0.569382						\$1,554	-\$2
Amt to General Fund	\$0.452020	\$5,288,450	\$424,706	\$5,713,156	\$4,986,200	\$726,956		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #3 CURRENT Tax Rate	\$0.570000						\$1,556	
Amt to General Fund	\$0.452638	\$5,295,680	\$424,706	\$5,720,386	\$4,986,200	\$734,186		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #4 Tax Rate	\$0.580000						\$1,583	\$27
Amt to General Fund	\$0.462638	\$5,412,676	\$424,706	\$5,837,382	\$4,986,200	\$851,182		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #5 Tax Rate	\$0.590000						\$1,611	\$55
Amt to General Fund	\$0.472638	\$5,529,672	\$424,706	\$5,954,378	\$4,986,200	\$968,178		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #6 Tax Rate	\$0.600000						\$1,638	\$82
Amt to General Fund	\$0.482638	\$5,646,668	\$424,706	\$6,071,374	\$4,986,200	\$1,085,174		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #7 Tax Rate	\$0.610000						\$1,665	\$109
Amt to General Fund	\$0.492638	\$5,763,664	\$424,706	\$6,188,370	\$4,986,200	\$1,202,170		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		
Scenario #8 Voter-Approval Tax Rate	\$0.619296						\$1,691	\$135
Amt to General Fund	\$0.501934	\$5,872,423	\$424,706	\$6,297,129	\$4,986,200	\$1,310,929		
Amt to Debt Fund	\$0.117362	\$1,380,067		\$1,380,067	\$1,380,067	\$0		

The amount of revenue 1 cent on the tax rate brings the City **\$116,996**

**General Fund
FY2025-2026 Budget**

	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Fund Balance			372,143
Revenues	15,656,119	16,785,356	16,738,772
Expenses	(15,656,119)	(16,165,613)	(15,783,304)
Revenues less Expenses	-	619,743	955,468

Adjustments

FY2025 EMS expenses		(111,600)	
FY2026 EMS expenses			(1,287,900)
Electric expense reimbursement		102,000	
Parks expense reimbursement		404,000	
Sidewalk expense reimbursement		8,000	
Projects related to bond projects reimbursement		300,000	
Move unencumbered from prior years for use		200,000	
Compensation Study		(50,000)	
4% Salary/COLA expense increase Jan 2026			(285,663)
8% Insurance expense increase			(59,177)
Contingency for unexpected expenses			(300,000)
Adjustments total		852,400	(1,932,740)

Revenues less Expenses	1,472,143	(977,272)
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USE OF FUND BALANCE

Contingency budget (use of fund balance)	(300,000)	300,000
Use of Fund Balance	(800,000)	800,000
Total Use of Fund Balance	(1,100,000)	1,100,000

Adjusted Funding Sources less Expenses	372,143	494,871
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Revenue Changes

Increase Property Tax Revenue

Expense Changes

Reduce EMS Expenses based on contract		95,311
Personnel Adjustments		(425,000)

TOTAL EXPENSES	(16,327,213)	(18,045,733)
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** Bottom Line: Funding Sources less Expenses	372,143	165,182
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**** Estimated Bottom Line**

**Utility Fund
FY2025-2026 Budget**

	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Fund Balance			731,264
Revenues	8,966,371	9,591,979	9,385,839
Expenses	(8,248,363)	(8,860,715)	(8,883,695)
Revenues less Expenses	718,008	731,264	502,144
Adjustments			
4% Salary/COLA expense increase Jan 2026			(59,122)
8% Insurance expense increase			(15,426)
Adjustments total		-	(74,548)
Revenues less Expenses		731,264	427,596
Revenue Changes			
Expense Changes			
Personnel Adjustments			(272,000)
TOTAL EXPENSES		(8,860,715)	(9,230,243)
** Bottom Line: Funding Sources less Expenses		731,264	886,860

***: Estimated Bottom Line**

**Debt Services Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	978,516		1,227,723	1,210,370
Revenues	3,237,757	4,261,060	4,195,225	4,150,773
Expenditures	2,988,550	4,078,231	4,212,578	4,067,931
Revenues less Expenditures	249,207	182,829	(17,353)	82,842
Ending Fund Balance	1,227,723		1,210,370	1,293,212

**Economic Development Corporation
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Beginning Net Working Capital	1,906,091		2,122,757	1,795,573
Revenues	1,595,512	2,211,960	1,570,000	2,870,800
Expenses				
EDC Operations	824,486	700,136	828,934	1,178,876
EDC Support	200,974	1,285,000	880,000	1,480,000
EDC Debt	351,100	255,963	188,250	187,844
Roy Rivers Road Project	2,286	-	-	-
Total Expenses	1,378,846	2,241,099	1,897,184	2,846,720
Revenues less Expenses	216,666	(29,139)	(327,184)	24,080
Ending Net Working Capital	2,122,757		1,795,573	1,819,653

**Hotel Motel Tax Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	190,022		134,670	57,662
Revenues				
Hotel/Motel Tax	97,035	130,000	130,000	132,600
Interest Income	9,955	1,000	3,300	3,000
Special Events	-	36,504	-	-
Total Revenues	106,990	167,504	133,300	135,600
Expenses				
Holiday Decorations	25,309	18,000	18,000	18,540
Banner Program	6,464	8,000	8,000	8,240
Promotional Signage Prog	14,457	18,000	18,000	18,540
Promotional Tourism	6,160	17,000	17,000	17,510
Chamber of Commerce	43,159	20,000	40,000	40,000
Electric Utility	2,519	15,000	15,000	5,000
Building Maintenance Contract	27,770	35,000	35,000	36,050
Real Estate Insurance	-	22,804	22,804	-
Transfer to General Fund	36,504	36,504	36,504	36,504
Total Expenses	162,342	190,308	210,308	180,384
Revenues less Expenses	(55,352)	(22,804)	(77,008)	(44,784)
Ending Fund Balance	134,670	(22,804)	57,662	12,878

**Main Street Program Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	79,331		116,059	166,059
Revenues				
Hogeye Festival	81,826	85,000	85,000	85,000
Fundraising	-	4,200	-	-
Downtown 78621	21,700	-	6,000	6,000
Interest Income	811	400	2,000	2,000
Donations Special Events	130	3,000	-	-
Grants - Main Street America	-	-	60,000	-
Total Revenues	104,467	92,600	153,000	93,000
Expenses				
Travel/Training Expenses	279	4,000	4,000	4,000
Office Supplies	-	600	600	600
Hogeye Festival	47,314	44,600	45,000	45,000
Promo Tourism	7,101	16,400	16,400	16,400
Downtown 78621	-	8,500	8,500	8,500
Business Assistance	7,083	10,000	10,000	10,000
Dues & Memberships	418	1,000	1,000	1,000
Design Committee	5,544	7,500	7,500	7,500
Grant Expense - Main Street America	-	-	10,000	50,000
Total Expenses	67,739	92,600	103,000	143,000
Revenues less Expenses	36,728	-	50,000	(50,000)
Ending Fund Balance	116,059	-	166,059	116,059

**PEG Capital Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	207,475	-	208,808	219,650
Revenues				
Franchise Fee Cable	-	14,242	14,242	15,000
Interest Income	1,333	700	2,700	2,700
Total Revenues	1,333	14,942	16,942	17,700
Expenses				
Office Furniture/Equipment	-	300	300	300
IT Hardware	-	1,180	3,300	3,300
IT Services	-	2,500	2,500	2,500
Total Expenses	-	3,980	6,100	6,100
Revenues less Expenses	1,333	10,962	10,842	11,600
Ending Fund Balance	208,808	10,962	219,650	231,250

**LEOSE Fund
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Interest Income	5	250	3,000	3,000
Law Enforcement Education	4,124	2,200	2,200	-
Total Revenues	4,129	2,450	5,200	3,000
Expenses				
Law Enforcement Training		2,450	2,450	3,000
Total Expenses	-	2,450	2,450	3,000
Revenues less Expenses	4,129	-	2,750	-

Court Security & Technology Fund
FY2025-2026 Budget

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	180,544	-	206,721	220,205
Revenues				
Court and Child Safety Fees	69	50	50	50
Court Technology	7,541	6,800	10,000	8,000
Court Security Fee	9,076	7,672	12,000	9,000
Court Truancy Prevention Fee	8,728	7,144	11,000	9,000
Interest Income	1,087	900	3,000	3,000
Total Revenues	26,501	22,566	36,050	29,050
Expenses				
Regular Salary/Wages		6,000	6,000	6,000
Social Security		462	462	462
Worker's Compensation		291	291	291
Unemployment Services		113	113	113
Security Maint/Equip	324	2,000	2,000	2,000
IT Services - Contract		2,900	2,900	2,900
Software		5,800	5,800	5,800
Non Capital IT Hardware		5,000	5,000	5,000
Total Expenses	324	22,566	22,566	22,566
Revenues less Expenses	26,177	-	13,484	6,484
Ending Fund Balance	206,721	-	220,205	226,689

Tax Increment Re-Investment Zone #1 (TIRZ)
FY2025-2026 Budget

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Fund Balance	1,141,380	-	1,089,989	1,073,947
Revenues				
Current Property Taxes	252,408	271,438	305,000	305,000
Interest Income	39,359	22,000	22,000	22,000
Current Tax Revenues - County	-	220,000	-	-
Total Revenues	291,767	513,438	327,000	327,000
Expenses				
Appraisal (CAD) Services	4,581	3,603	3,603	3,603
Tax Collections - County	3,867	3,844	3,844	3,844
Street Lights - Electric	741	1,626	1,626	1,626
Bond Principal	130,000	130,000	130,000	140,000
Bond Interest	203,569	203,569	203,569	192,969
Paying Agent Fee	400	400	400	400
Total Expenses	343,158	343,042	343,042	342,442
Revenues less Expenses	(51,391)	170,396	(16,042)	(15,442)
Ending Fund Balance	1,089,989	170,396	1,073,947	1,058,505

**Water Impact Fees Fund
Fund Summary
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Impact Fee - Water	831,329	400,000	800,000	400,000
CCN Water Transfer Fee	109,321	300,000	300,000	300,000
Interest Income	26,621	8,000	91,000	90,000
Total Revenues	967,271	708,000	1,191,000	790,000
Expenses				
Meters/boxes	-	200,000	200,000	200,000
Engineering Services	3,680	50,000	50,000	50,000
Water Line Upgrade	6,530	200,000	200,000	200,000
Aqua CCN Rights	109,719			
Total Expenses	119,929	450,000	450,000	450,000
Revenues less Expenses	847,342	258,000	741,000	340,000

**Sewer Impact Fees Fund
Fund Summary
FY2025-2026 Budget**

	FY2024 Actual	FY2025 Budgeted	FY2025 Estimated	FY2026 Proposed
Revenues				
Impact Fee - Sewer	1,281,882	1,000,000	900,000	900,000
Interest Income	51,127	25,000	116,000	100,000
Total Revenues	1,333,009	1,025,000	1,016,000	1,000,000
Expenses				
Land Purchase	6,500		13,000	
Sewer Line Upgrade	17,404		64,000	
Transfer to CIP		302,000	302,000	
Total Expenses	23,904	302,000	379,000	-
Revenues less Expenses	1,309,105	723,000	637,000	1,000,000



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2025 TAX YEAR. (PERRY/SANDERS)

DEPARTMENT: Finance

PROPOSED ACTION: Approval and Final Adoption of an ordinance to set the City of Elgin tax rate of \$0.619296.

BACKGROUND:

Setting the annual property tax rate is the final step in approving primary funding for general fund expenses and annual debt payments (interest and principal) on outstanding bonds or other borrowing instruments for the ensuing fiscal year. Under current state law, a public hearing is only required if the proposed tax rate exceeds the Voter-Approval Rate, which the proposed FY2025-2026 Annual Budget is predicated on. Just the same, the City of Elgin traditionally conducts two public hearings on the proposed budget and property tax rate before it is formally/finally approved by Council. The recommended total property tax rate for 2025 is \$.619296 per \$100 valuation, which is compromised by: \$.501934 M&O Rate and \$.117362 Debt Rate.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Ordinance on Tax Rate 1st and 2nd Reading

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO _____

AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR APPORTIONMENT OF SAID LEVY; PROVIDING FOR PENALTIES AND INTEREST; AND PROVIDING FOR AN EFFECTIVE DATE.

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

I.

That the Tax Assessor-Collector for Bastrop County, Texas acting as the designated officer for the City of Elgin, Texas as defined by state law has heretofore certified, in accordance with sections 26.04(d-1,d-2d,d-3)of the Texas Tax Code, that she has accurately calculated the tax rates and has used the values that are the same as the values shown in the taxing unit's certified appraisal roll in performing the calculations for tax year 2025, a copy of said certification being attached hereto as Exhibit "A"; and

II.

That there is hereby levied and there shall be collected for the maintenance and operation of the municipal government of the City of Elgin, Texas for the year 2025 upon all property, real, personal and mixed, within the limits of said City subject to taxation, a tax of 50.1934 cents on each One Hundred Dollars (\$100.00) valuation of property.

That there is hereby levied and there shall be collected for the City of Elgin, Texas, for the year 2025 upon all property, real, personal and mixed, within the corporate limits of said City subject to taxation, a tax of 11.7362 cents on each One Hundred Dollars (\$100.00) valuation of property.

SUMMARY

1. Maintenance and operations of the municipal government (General Fund),	\$0.501934
2. Interest and Sinking fund (Debt Rate)	<u>\$0.117362</u>
Total Tax per \$100 of valuation	\$0.619296

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL INCREASE BY 8.64 PERCENT AND WILL INCREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$135.00.

III.

All monies collected under this Ordinance for the specific items herein named, be and the same hereby appropriated and set apart for the specific purposes indicated in each item and the Assessor/Collector of Taxes, and the Director of Finance shall keep these accounts so as to readily and distinctly show the amount collected, the amount expended and the amount on hand at any time belonging to such funds. All receipts for the City not specifically apportioned are hereby made payable to the General fund of the City.

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 which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the 2nd day of September 2025.

READ and **APPROVED** on second reading the 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

APPROVED AS TO FORM:

MARK SCHROEDER, City Attorney



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN. (Sanders)

DEPARTMENT: Finance

PROPOSED ACTION: Consideration and possible action of an ordinance to adopt the City's Fee Schedule for Fiscal Year 2025-2026, amending certain fees and confirming all others.

BACKGROUND:

In accordance with City policy and annual budget procedures, the City Council reviews and adopts a fee schedule each fiscal year to establish rates for City services, credit card processing fees, permits, utility charges, facility rentals, and other applicable fees. The proposed fee schedule for FY 2025-2026 includes adjustments to reflect cost recovery, operational costs, and market comparisons where appropriate. Adoption of the updated fee schedule ensures continued alignment with budget projections and supports the City's operational and financial sustainability.

A single comprehensive schedule of fees and charges facilitates administration of the multiplicity of fees collected by various departments in the City and provides a simpler and less complicated means of reviewing and adjusting rates as needed.

The credit card fees will change from \$3.00 per transaction to 3% per transaction with the approval of this fee schedule.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommend adoption of the Fee Schedule for Fiscal Year 2025-2026 as presented.

ATTACHMENTS:

1. Fee Schedule Ordinance and ToC Final

- { Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. 2025-08-19-XX

AN ORDINANCE TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN.

WHEREAS, the City Council adopted ordinance 2024-10-22-16 on October 22, 2024, that established a series of fees and charges that were authorized to be collected for services rendered by the City; and

WHEREAS, the City Council has from time to time revised fees and charges based on need for additional funding to cover increased costs of services funded by said fees; and

WHEREAS, a single comprehensive schedule of fees and charges facilitates administration of the multiplicity of fees collected by various departments in the City and provides a simpler and less complicated means of reviewing and adjusting rates as needed from time time.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS THAT:

SECTION 1. All fees and charges attached hereto and incorporated herein for all purposes are hereby adopted.

SECTION 2. All fees and charges attached shall be effective and valid beginning October 1, 2025, and will stay in effect until such time the fee schedule is amended by the City Council.

SECTION 3. All fees authorized by the Code of Ordinances and referenced as "on file in the City Secretary's office" are incorporated herein.

SECTION 4. All ordinances, parts or ordinances or resolutions in conflict herewith are expressly repealed.

SECTION 5. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

SECTION 6. 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 Meetings Act, Chapter 551, Texas government Code, as amended and the Act.

PASSED AND ADOPTED this 19th day of August, 2025.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

PEYTON STANDIFER, City Secretary

Exhibit A

FY 25-26

City of Elgin Master Fee Schedule

Table of Contents -

- A. General Administration
- B. Library
- C. Parks and Recreation
- D. Business License Fees
- E. Police Department
- F. Utility Charges
- G. Water Rates
- H. Wastewater Rates
- I. Development Services
- J. Solid Waste Collection/Disposal

CITY OF ELGIN MASTER FEE SCHEDULE

Adopted and Approved by City Council On:

Sect. A	Category General Administration	Effective Date On and after 10/1/2025
A.1	ROW Abandonment	County Fee + \$15.00 Admin. + \$4.00 each add'l page
A.2	Street / Alley Closing or	County Fee + \$15.00 Admin. + \$4.00 each add'l page
A.3	Public Info. Requests - Copying fees	See: TX Admin Code
A.4	Copy/Fax Fee's Non Pub Info Request	
	10 Pages or less -	10¢ each
	11-20 Pages -	\$2.50 + 10¢ each
	>21 pages-	\$5.00 + 10¢ each
	Two Sided Copies -	20¢ each
	Postage and Shipping	Actual Costs
	Out going Faxes-	\$1.50 Cover sheet/first page, \$2.00 each additional page
	In-coming Faxes -	\$.50 each page
A.5	Film Production Fees	
	Application Fee	\$300.00*
	Total Disruptive Use of Public Building or ROW	\$650.00 per day
	Partial Disruptive Use of Public Building or ROW	\$400.00 per day
	Total Closure of Street or Parking	\$150.00 per block per day
	Partial Use of Public Building or ROW	\$100.00 per block per day
	Use of city parking lots, or streets for parking film trailers, buses, etc.	\$200.00 minimum per lot or block per day
	Disruption of access by customers to work site.	Minimum \$500 per day
	Barricade rental	\$20.00 per barricade \$120.00 minimum
	* Film Production application fee waived for student films	
A.6	Historic District Fees	
	Application for Modification Permit	\$50.00
	Sign Permit	See Section V.8
	Temporary Banner Permit	\$25.00
A.7	Miscellaneous Financial Fees	
	Insufficient Funds Check	\$30.00
	Bank Draft Return Fee	\$30.00
	Credit Card Processing Fee	3% per transaction
	Internet Processing Fee	
A.8	Notary Fees	
	Notary Fee	\$10.00 first signature \$1.00 ea additional signature
	Certified copies	\$10.00 per certificate \$0.50 ea page
	Certified copies of Notarial Records	\$1.00 per page
	Jurats	\$10.00 per signature including oath or affirmation
	Protests	\$4.00 for each bill/note, \$1.00 per notice served, \$4.00 for certificate/seal
	Depositions	\$10.00 for certificate and oath, \$1.00 per 100 words
	All Other Notarial Acts	\$10.00
Sect. B	Category Elgin Library	Effective Date On and after 10/1/2025
B.1	Elgin Library-	
	Fines	\$0.10 per day past due date
	Library Card (Residents)	\$0.00
	Library Card (Non-Residents)	\$15.00
	Library Card Replacement	\$1.00
	Book Damage	Assessed by Librarian
	Lost Book	Replacement Cost plus \$5.00.
	Inter Library Loan	TSLAC. Rates
B.2	Elgin Library- Printing and copies	
	Prints / Copies (Black Ink Only)	\$0.25 each page
B.2.1	Makerspace	
	3-D Printed Materials	\$0.05 per gram
	Laser Cutter	\$6.00 - \$18.00 (price varies based on material type - Library provides material)
	Sublimation Printer	\$1.00 per page (lettersize only - 8.5x11)
	Sewing Machine Supplies	No Charge (Patrons supply approved material)
Sect. C	Category Park and Recreation	Effective Date On and after 10/1/2025
C.1	Annual All-Purpose Memberships- Admission and Use of Recreation Facilities (Resident)	
	Family *	\$400.00
	Gym Buddy (2 people >17 years of age)	\$280.00
	Individual Adult	\$200.00
	Individual Senior (55+)	\$160.00
	Individual Youth (< 18 years of age)	\$120.00
	Military (with ID)	\$160.00
	Additional Family Member	\$80.00

C Parks and Recreation (Cont.)		
	Annual All-Purpose Memberships- Non-resident Fee	Add \$100.00 to each item C.1.1 - C.1.7 above.
C.2	Monthly All-Purpose Memberships- Resident	
	Family *	\$50.00
	Gym Buddy (2 people >17 years of age)	\$35.00
	Individual Adult	\$25.00
	Individual Senior (55+)	\$20.00
	Individual Youth (< 18 years of age)	\$15.00
	Military (with ID)	\$20.00
	Additional Family Member	\$10.00
	Season Pass (Ages 12 - 17 Years Old) **	\$25.00
	Monthly All-Purpose Memberships- Non-resident Fee	Add \$10.00 to each item C.2.1 - C.2.8 above.
	* Family—Up to 4 adults or children living at the same address. Each additional family member added to the family membership is an additional fee at an appropriate	
	** Bundle 2 Months Membership. Specific Dates.	
C.3	Group Rate Memberships	
	Residential Program Membership (8 People Minimum)	\$80/Month Minimum + \$10/Person Above 8
	*Does not include fitness classes or sports programming. Limited access hours.	
	Corporate Membership (10 People Minimum)	\$200/Month Minimum + \$20/Person Above 10
C.4	Daily Use	
	Admission Fee - 0-3 Years Old	\$0.00
	Admission Fee - 4+ Years Old	\$5.00
	All membership sales are final. No refunds are available on memberships.	
C.5	Fees for Special Events	
	Participant fees	Posted amounts not to exceed \$500.00 per person
	Materials use fees	Posted amounts not to exceed \$250.00 per person
	Printing and copies	\$0.20 per page
C.6	Swimming Pool Use	
	Admission Fee - 0-3 Years Old *	Free
	Admission Fee - 4-12 Years Old *	\$3.00 *
	Admission Fee - 13-54 Years Old *	\$5.00 *
	Admission Fee - 55+ Years Old *	\$3.00 *
	Water Aerobics Classes **	\$5.00 / Class
	Water Aerobics Season Pass **	\$100.00 / Season
	Lap Swim Sessions *	\$5.00 *
	Concession Stand Items	Amounts not to exceed \$50.00 per item
	Swim Lessons (Varying Levels) **	\$25 - \$225 **
	* Included in Recreation Center Membership.	
	** Not Included in Recreation Center Membership.	
	All sales are final. No refunds available for any reason.	
C.7	Sports Venue Rental/Use Fees	
	Outdoor Softball Field Rental	\$15.00/Hour*
	Outdoor Sand Volleyball Court Rental	\$10.00/Hour*
	Outdoor Basketball Court Rental	\$10.00/Hour*
	Outdoor Tennis Court Rental	\$10.00/Hour*
	Outdoor Soccer Field Rental	\$10.00/Hour*
	Outdoor Pickleball Court	\$10.00/Hour*
	Batting Cage Rental	\$10.00/Hour*
	Concession Stand	\$100/Day plus \$100 Refundable Deposit
	Lighting Fee	\$10/Hour*
	Cancellation Fee (Sports Venues) - 7 Days or More Before Event Date	50% Fee Charge
	Cancellation Fee (Sports Venues) - 6 Days or Less Before Event Date	No Refund
	* Minimum 2 Hour Rental	
C.8	Park Rental	
C.8.1	Elgin Memorial Park	
	Elgin Memorial Park - Main Pavillion	\$200/Day plus \$100 Refundable Deposit
	Elgin Memorial Park - Small Pavillion	\$50/Day plus \$100 Refundable Deposit
	Elgin Memorial Park - Entire Park	\$1,200/Day plus \$1,000 Refundable Deposit
C.8.2	Goins Picnic Area	
	Goins Picnic Area - Entire Park	\$200/Day plus \$100 Refundable Deposit
C.8.3	Shenandoah Park	
	Shenandoah Park - Entire Park	\$300/Day plus \$500 Refundable Deposit
C.8.4	Thomas Memorial Park	
	Thomas Memorial Park - Picnic Pavillion	\$75/Day plus \$100 Refundable Deposit
	Thomas Memorial Park Open Pavillion	\$50/Day plus \$100 Refundable Deposit
	Thomas Memorial Park - Entire Park	\$800/Day plus \$500 Refundable Deposit
C.8.5	Veterans Memorial Park	
	Veterans Memorial Park 100 Depot St. Block	\$500/Day plus \$500 Refundable Deposit
	Veterans Memorial Park 100 Depot St. Block and 200 Depot St. Block	\$1,200/Day plus \$1,000 Refundable Deposit
	Veterans Memorial Park Stage and Events Lawn	\$500/Day plus \$1,000 Refundable Deposit

C Parks and Recreation (Cont.)		
C.8.6	Morris Memorial Park	
	Morris Memorial Park - Entire Park	\$600/Day plus \$500 Refundable Deposit
C.8.7	Supplemental Feature or Staff Fees	
	Water Slide	\$50/Day
	Bounce House	\$50/Day
	Additional Staff	\$25.00/Hour per staff member, two hour minimum
	Special Event Application Fee	\$25.00
	Cancellation Fee (Parks & Pavilions) - 7 Days or More Before Event Date	\$50.00
	Cancellation Fee (Parks & Pavilions) - 6 Days or Less Before Event Date	Forfeit Deposit
	Non-Profit Discount	20% Off Total Rental Cost*
	*Must provide 501(C)(3) Paperwork at time of rental. Must pay full deposit.	
	Picnic Table Rental	\$20.00/Day
C.9	Recreation Building Rental	
C.9.1	Elgin Recreation Center	
	Rental of Gym without Carpet	\$250/Hour + \$500 Refundable Deposit with 2 Hour Minimum
	Rental of Gym with Carpet (Includes Catering Kitchen)	\$500/Hour + \$800 Refundable Deposit with 6 Hour Minimum
	Rental of Studio Room	\$50/Hour + \$100 Refundable Deposit with 2 Hour Minimum
	Open Field	\$50/Day
	Back Parking Lot	\$100/Day
C.9.2	Fleming Community Center	
	Fleming Center Grand Hall Rental	\$60/Hour + \$100.00 Refundable Deposit with 2 Hour Minimum
	Fleming Center Studio Rental	\$40/Hour + \$100.00 Refundable Deposit with 2 Hour Minimum
	Fleming Center Classroom Rental	\$30/Hour + \$100.00 Refundable Deposit with 2 Hour Minimum
Sect. D	Category	Effective Date
	Business License Fees	On and after 10/1/2025
D.1	New Mfg. Home Park Permit	\$500.00
D.2	Solicitor's Permits	
	30 Day Distributor Permit	\$25.00 / group
	90 Day Peddler Permit	\$25.00 / each
	30 Day Solicitor Permit	\$25.00 / each
D.3	Mobile Street and Itinerant Vendor Permits	
	14 Day Mobile Street or Itinerant Vendor Permit	\$25.00 / each
	30 Day Mobile Street or Itinerant Vendor Permit	\$35.00 / each
	90 Day Mobile Street or Itinerant Vendor Permit	\$75.00 / each
	180 Day Mobile Street or Itinerant Vendor Permit	\$100.00 / each
	1 Year Mobile Street or Itinerant Vendor Permit	\$200.00 / each
	Building Inspections	\$100.00 + PRF each
	First Fire Inspection	\$201.25 per hour, 1 hour minimum, plus travel (if applicable)
	Subsequent Fire Inspection	\$143.75 per hour, 1 hour minimum, plus travel (if applicable)
Sect. E	Category	Effective Date
	Police Department	On and after 10/1/2025
E.1	Police Operation Fees	
	Printed Police Reports (CAD,Offense)	\$0.10 per page
	Other Electronic Media (USB)	\$6.00 per USB
	Labor (Locating, compiling, reproduction)	\$15.00 per hour
Sect. F	Category	Effective Date
	Utility Charges and Fees	On and after 10/1/2025
F.1	Reserved	
F.2	Application Fee and Deposits for Services	
	App Fee Water Only	\$50.00
	Residential Water 3/4" to 1"Meter	\$200.00
	Irrigation accts.3/4" to 1"Meter	\$200.00
	Irrigation accts. 1 1/2" Meter	\$250.00
	Commercial 3/4" to 1" Meter	\$200.00
	Commercial 1 1/2 " Meter	\$250.00
	Commercial 2" Meter	\$300.00
	Commercial 3" Meter	\$400.00
	Commercial 4" Meter	\$500.00
	Commercial > 4" Meter	\$600.00
F.3	Miscellaneous Fees and Charges	
	Transfer of Service Fee	\$20.00
	Bulk Water Volume Rate	6.19/1,000 gal.
	Utility Service Late Fee	10% of balance owed on Utility Bill
	Scheduled Disconnect / Reconnection Fee	\$75.00
	After Hour Service	\$50.00
	Broken Lock Fee	\$50.00
	Meter Tampering Fee	\$100.00
	Curb Stop Replacement Fee	\$60.00
*(Unoccupied Residence / Commercial Structure) In the event the meter indicates usage; the account will automatically be reset to active bill" status and the account will be invoiced for a deposit + consupntion.		

Sect. G	Category Water Rates	Effective Date On and after 10/1/2025
G.1	Monthly Base Rate by meter size (Incl. 0 - 2,000 gallons consumption) Inside City Limits	
	3/4" Meter	\$46.00
	1" Meter	\$68.00
	1 1/2 " Meter	\$103.00
	2" Meter	\$145.00
	3" Meter	\$243.00
	4" Meter	\$377.00
	6" Meter or Equivalent	\$499.00
G.2	Monthly Base Rate by meter size (Incl. 0 - 2,000 gallons consumption) Outside City Limits	
	3/4" Meter	\$67.00
	1" Meter	\$100.00
	1 1/2 " Meter	\$152.00
	2" Meter	\$223.00
	3" Meter	\$362.00
	4" Meter	\$564.00
	6" Meter or Equivalent	\$746.00
G.3	Water Volumn Rate (Use per 1,000 > 2,000 gallons per month) Inside City Limits	
	Consumption 2,001 to 4,999 gal.	\$4.12 per 1,000 gallons
	Consumption 5,000 to 8,999 gal.	\$4.19 per 1,000 gallons
	Consumption 9,000 to 12,999 gal.	\$4.36 per 1,000 gallons
	Consumption > 12,999 gal.	\$4.57 per 1,000 gallons
G.4	Water Volumn Rate (Consumption per 1,000 gallons per month) Outside City Limits	
	Consumption 2,001 to 4,999 gal.	\$6.19 per 1,000 gallons
	Consumption 5,000 to 8,999 gal.	\$6.31 per 1,000 gallons
	Consumption 9,000 to 12,999 gal.	\$6.57 per 1,000 gallons
	Consumption > 12,999 gal.	\$6.85 per 1,000 gallons
G.5	Water Tap Fees*	
	3/4" Tap	\$2,000.00
	1" Tap	\$2,500.00
	1 1/2" Tap	\$3,000.00
	2" Tap	\$3,500.00
	> 2" Labor, Equipt. & Mat. Cost + 10 %	L E. & M Cost + 10%
	<i>* An additional charge of \$500.00 will be assessed if the street has to be cut or a bore has to be made to make the tap</i>	
G.6	Meter Set Fees by size of meter	
	3/4" Tap	\$150.00
	1" Tap	\$200.00
	1 1/2" Tap	\$400.00
	2" Tap	\$500.00
	> 2" Tap	Cost + 10%
Sect. H	Category Wastewater Rates	Effective Date On and after 10/1/2025
H.1	Monthly Base Rate (Incl. 0 - 2,000 gallons consumption)	
	Residential/Commercial	\$36.00
H.2	Monthly Volume Rate	
	Residential Volume Rate - > 2,000 gal. (Rate based on Winter average from Nov.to F	\$4.12 per 1,000 gal.
	Commercial Volume Rate - > 2,000 gal. (No winter Average)	\$4.12 per 1,000 gal.
H.3	MUD Wastewater rates per 1,000 gallons used	
	Travis Co. MUD # 14 Elm Creek	
H.4	Sewer Tap Fees*	
	4" Tap	\$2,000.00
	6" Tap	\$2,500.00
	8" Tap	\$3,000.00
	> 8" Tap	L E. & M Cost + 10%
	<i>* An additional charge of \$500.00 will be assessed if the street has to be cut or a bore has to be made to make the tap</i>	
Sect. I	Category Development Services	Effective Date On and after 10/1/2025
	*All fees must be paid prior to permits being issued or item being scheudled for hearing, whichever is applicable.	
I.1	Fees common to other activities as referenced below. *	
	Professional Recovery Fees (PRF)	115% of cost for consultant review/inspection.
I.1.2	Renoticing Fees For Items Requiring Public Hearing	
	Newspaper Notice	125% of newspaper publishing costs
	Fee per Notice sign	\$35.00
	Fee per letter for 200' notice	\$7.00
I.1.3	Work without City Approval Penalty	
	Subdivision Construction	\$1,500
	Site Development	\$1,500
	W/O Permit	Double Cost of Permit Fee or \$1,000, whichever is least

I Development Services (Cont.)		
I.2	Zoning and Land Use *	
	Annexation Petition	\$0.00
	Annexation Development Agreement	\$0.00
	Other Development Agreement	\$2,500.00 + PRF
	Development Agreement Modification	\$1,250.00 + PRF
	Comprehensive Plan Amendment	\$725.00 + PRF
	Specific Use Permit	\$600.00 + PRF
I.2.1	Zoning Variance	
	Zoning Variance - Non Residential Applicant	\$600.00 + PRF
	Zoning Variance - Residentail Applicant	\$200.00 + PRF
I.2.2	Special Exception	
	Special Exception - Non Residential Applicant	\$600.00 + PRF
	Special Exception - Residential Use Applicant	\$200.00 + PRF
I.2.3	Zoning Change - PDD Rezoning	
	< 5 Acres	\$1,250 + PRF
	5 Acres to 10 Acres	\$2,500 + PRF
	> 10 Acres	\$5,000 + PRF
I.2.4	Zoning Change - Non PDD Rezoning	
	< 3 Acres	\$600.00 + PRF
	3 Acres to 10 Acres	\$1,000.00 + PRF
	> 10 Acres	\$2,000.00 + PRF
I.2.5	PDD Zoning Modification	
	< 5 Acres	\$625.00 + PRF
	5 Acres to 10 Acres	\$1250.00 + PRF
	> 10 Acres	\$2,500.00 + PRF
I.2.6	Misc. Zoning Fees and Charges	
	Special Purpose Dist. (i.e. MUD or PID)	\$20,000.00 + PRF
	Appeals	\$500.00 + PRF
	Zoning Verification Letter	\$65.00
I.3	Plats *	
	Concept Plan	\$1,000.00 + PRF
	Preliminary Plat	\$50.00 per lot or \$1,000.00, whichever is greater + PRF
	Preliminary Plat Amendment	\$50.00 per lot or \$600.00, whichever is greater + PRF
	Final Plat	\$55.00 or \$850.00, whichever is greater + PRF
	Short Form Plat	\$600.00 + PRF
	Replat	\$55.00 per lot or \$850.00, whichever is greater + PRF
	Plat Amendment	\$600.00 + PRF
	Plat Vacation	\$600.00 + PRF
	Subdivision Variance	\$600.00 + PRF
	Appeal	\$600.00 + PRF
	Parkland Fee	\$800.00 per residential lot
I.3.1	Tree removal or replacement	
	Significant Tree Removal (8"-13" caliper)	\$50.00 per caliper inch
	Significant Tree Removal (14"-19" caliper)	\$150.00 per caliper inch
	Heritage Tree Removal (20" or more caliper)	\$300.00 per caliper inch
	Payment-in-lieu fee for not replacing trees	\$150.00 per caliper inch
I.4	Subdivision Construction Plans *	
	New Subdivision Construction Plan	Greater of 3.5% of est. cost of infrastructure conveyed to City or \$5,000 + PRF
	Revisions to Approved Subdivision Construction Plans	\$500 + PRF
	Inspections	PRF
	Sidewalk-In-Lieu Fee	Actual market value per City Engineer
I.5	Site Development Plans *	
	New Site Development Plan Outside Historic Dist.	\$5,000.00 + PRF
	New Site Development Plan Inside Historic Dist.	\$1,000.00 + PRF
	Revisions to Approved Plans	\$500.00 + PRF
	Parkland Fee	\$800.00 per dwelling unit
	Inspections	PRF
I.5.1	Tree removal or replacement	
	Significant Tree Removal (8"-13" caliper)	\$50.00 per caliper inch
	Significant Tree Removal (14"-19" caliper)	\$150.00 per caliper inch
	Heritage Tree Removal (20" or more caliper)	\$300.00 per caliper inch
	Payment-in-lieu fee to replace trees	\$150.00 per caliper inch
	Sidewalk-In-Lieu Fee	Actual market value per City Engineer
I.6	Building Permits *	
I.6.1	Residential Building Permits and Fees	
	Trade Permits (electrician, mech., plumb., gas)	\$75.00
	New Building Permit Fee	\$0.60 per sq. ft., maximum \$2,000 + PRF
	Addition Building Permit Fee	\$0.60 per sq. ft., maximum \$2,000 + PRF
	Industrialized Home	\$0.30 per sq. ft., maximum \$1,000 + PRF

I Development Services (Cont.)		
	HUD Manufactured Mobile Home	\$0.30 per sq. ft., maximum \$500 + PRF
	Patio/Deck Permit	\$50.00 + PRF
	Flatwork (sidewalks, driveway, curb cut)	\$75.00 + PRF
	Right-of-Way Flatwork Inspections	\$275.00 each
	Remodel	\$75.00 + PRF
	ReRoof	\$75.00 + PRF
	Pool/Spa	\$75.00 + PRF
	1st and 2nd Subsequent Inspection not Demo	\$75.00 + PRF
	1st and 2nd Subsequent Inspection Demo	\$0.00
	3rd and Additional Subsequent Inspection Not Demo	\$100.00 + PRF
	3rd and Additional Subsequent Inspection Demo	\$0.00
I.6.2	Commercial Building Permits and Fees	
	Trade Permits (electrician, mech., plumb., gas)	\$75.00
	Multi-family Site Built New/Addition Building	\$0.40 per square ft., maximum \$3,000 + PRF
	Site Built New Bldg. Permit Shell/Finish Out Together	\$0.70 per sq. ft. maximum \$7,000 + PRF
	Site Built New Building Permit Shell Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
	Site Built New Building Permit Tenant Finish Out Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
	Site Built Addition Bldg. Permit Fee Shell & Finish Out Together Fee	\$0.70 per sq. ft., maximum \$7,000 + PRF
	Site Built Addition Building Permit Shell Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
	Site Built Addition Bldg. Permit Tenant Finish Out Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
	Industrialized Building	\$0.35 per sq. ft., maximum \$3,500 + PRF
	Patio/Deck Permit	\$200.00 + PRF
	Flatwork (sidewalks, driveway, curb cut)	\$200.00 + PRF
	Remodel	\$200.00 + PRF
	ReRoof	\$200.00 + PRF
	Pool/Spa	\$150.00 + PRF
	1st and 2nd Subsequent Inspection Not Demo	\$100.00 + PRF
	1st and 2nd Subsequent Inspection Demo	\$0.00
	3rd and Additional Subsequent Inspection Not Demo	\$125.00 + PRF
	3rd and Additional Subsequent Inspection Demo	\$0.00
I.6.3	Misc. Building Permits, Fees and Fines	
	Demolition Permit	\$0.00
	House or Structure Moving Fee	\$0.00
	Temporary Certificate of Occupancy	\$250.00 + PRF
	Permanent Certificate of Occupancy	\$100.00 + PRF
	Appeal	\$500.00 + PRF
	Occupation of bldg. prior to CO issuance	\$200.00
	Wireless Communications Facilities	\$150.00 + PRF
	Modification of Postal Address by Owner	\$50.00
	Building Permit Extension	one-half (1/2) of building permit fee
	Sidewalk-in-lieu Fee (Infill Lots)	\$5.00 per square foot
	Accessory Building	\$75.00 + PRF
	Building Code Variance	\$600.00 + PRF
I.7	Fire Protection *	
I.7.1	Fire Plan Review - Fire Suppression/Alarm/Vent Hood	
	First and Subsequent Review	\$161.00 per hour, 1 hour minimum
I.7.2	Fire Plan Review - Site Dev., Plat, and Subdivision Construction	
	First Review	\$161.00 per hour, 1 hour minimum
	Subsequent Reviews	\$109.25 per hour
I.7.3	Fire Plan Review - Small Project > 5,000 SF	
	Small Project Definition: Buildings, Rooms, and Structures under 5,000 SF and without additional Fire Protection Systems, or Shell Buildings of any size with no current build-out.	
	First Review	\$287.50 flat rate
	Subsequent Reviews	\$109.25 per hour
I.7.4	Fire Plan Review - Full Building Plan Review	
	New Construction and Remodel projects above 5,000 SF, with occupancies and uses including, but not limited to: Daycare, Education, Group I, hazardous material usage or storage, fuel pumps and/or fuel storage, medical facilities (including dental and veterinary), high pile storage, Assembly with and without educational, multi-level assembly, sports venue, multi-family housing, etc.	
	First Review	\$161.00 per hour, 2 hour minimum
	Subsequent Reviews	\$109.25 per hour
I.7.5	Annual Fire Inspections	
	First Inspection	\$143.75 per hour, 1 hour minimum, plus travel (if applicable)
	Subsequent Inspections	\$109.25 per hour, 1 hour minimum, plus travel (if applicable)
I.7.6	Non-Annual Fire Inspections	
	First Inspection	\$201.25 per hour; 1 hour minimum, plus travel (if applicable)
	Subsequent Inspection	\$143.75 per hour; 1 hour minimum, plus travel (if applicable)
	Fire & Life Safety Consultation (on-site)	\$143.75 per hour, 1 hour minimum, plus travel (if applicable)
	Fire Code Variance	\$600.00 + PRF

I Development Services (Cont.)		
I.8	Signage Fees *	
I.8.1	Signage Fees General	
	Signage Master Plan Outside Historic Districts	\$300.00 + PRF
	Signage Master Plan Within Historic Districts	\$100.00 + PRF
	Signage Master Plan Modification Outside Historic Dist.	\$150.00 + PRF
	Signage Master Plan Modification Within Historic Dist.	\$75.00 + PRF
	Sign Variance Outside Historic Districts	\$600.00 + PRF
	Sign Variance Within Historic Districts	\$300.00 + PRF
	Awning Sign Fee Outside Historic Districts	\$75.00 + PRF
	Awning Sign Fee Within Historic Districts	\$50.00 + PRF
	Bulletin Board Sign Outside Historic Districts	\$75.00 + PRF
	Bulletin Board Sign Within Historic Districts	\$25.00 + PRF
	Canopy Sign Outside Historic Districts	\$75.00 + PRF
	Canopy Sign Within Historic Districts	\$50.00 + PRF
	New Changeable Copy Sign Outside Historic Districts	\$75.00 + PRF
	New Changeable Copy Sign Within Historic Districts	\$50.00 + PRF
	Changeable Copy Sign Reface	\$50.00 + PRF
	New Freestanding Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00 + PRF
	Freestanding Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
	New Freestanding Sign Within Historic Districts	\$50.00 + PRF
	Freestanding Sign Reface Within Historic Districts	\$25.00 + PRF
	Painted Sign Outside Historic Districts	\$75.00 + PRF
	Painted Sign Within Historic Districts	\$25.00 + PRF
	Political Election Sign Outside Historic Districts	\$0.00
	Political Election Sign Within Historic Districts	\$0.00
	New Projecting Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00 + PRF
	Projecting Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
	New Projecting Sign Within Historic Districts	\$50.00 + PRF
	Projecting Sign Reface Within Historic Districts	\$25.00 + PRF
	Temp. Sign (i.e banner, sidewalk) Outside Historic Dist.	\$50.00
	Temp. Sign (i.e banner, sidewalk) Within Historic Dist.	\$25.00
	New Wall Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00, + PRF
	Wall Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
	New Wall Sign Within Historic Districts	\$50.00 + PRF
	Wall Sign Reface Within Historic Districts	\$25.00 + PRF
	New Window Sign Outside Historic Districts	\$75.00
	New Window Sign Within Historic Districts	\$25.00
I.8.2	Signage Inspection Fees	
	Painted Signs Outside Historic District	\$25.00 + PRF
	Painted Signs Inside Historic District	\$25.00 + PRF
	Freestanding, Projecting, & Wall Signs Outside Historic District	\$75.00 + PRF
	Freestanding, Projecting, & Wall Signs Inside Historic District	\$25.00 + PRF
	Temporary Signs Outside Historic District	\$25.00
	Temporary Signs Inside Historic District	\$0.00
	All Other Permanent Signs Outside Historic District	\$50.00 + PRF
	All Other Permanent Signs Inside Historic District	\$25.00 + PRF
Sect.	Category	Effective Date
J	Solid Waste Collection/Disposal	On and after 10/1/2025
J.1	Residential Rate- Once weekly curbside collection	
	1 Cart	\$27.06/month
	2 Carts	\$36.02/month
	3 Carts	\$40.83/month
	4 Carts	\$45.61/month
	Sr. Citizen (65 or older.)	\$18.99/month
J.2	Commercial - Cart Service (Number of Carts and Frequency of Service)	
	1 cart x once weekly	\$37.72/month
	2 carts x once weekly	\$58.66/month
	3 carts x once weekly	\$58.66/month
	4 carts x once weekly	\$85.68/month
	1 cart x twice weekly	\$79.88/month
	2 carts x twice weekly	\$127.80/month
	3 carts x twice weekly	\$99.41/month
J.3	Commercial- Dumpsters	
	2 Cu. Yard 1x Weekly	\$124.12/month
	2 Cu. Yard 2x Weekly	\$232.77/month
	2 Cu. Yard 3x Weekly	\$337.09/month
	2 Cu. Yard 4x Weekly	\$445.42/month
	2 Cu. Yard 5x Weekly	\$553.18/month
	3 Cu. Yard 1x Weekly	\$136.42/month

J Solid Waste Collection/Disposal (Cont.)		
	3 Cu. Yard 2x Weekly	\$244.33/month
	3 Cu. Yard 3x Weekly	\$360.96/month
	3 Cu. Yard 4x Weekly	\$479.92/month
	3 Cu. Yard 5x Weekly	\$587.56/month
	4 Cu. Yard 1x Weekly	\$163.91/month
	4 Cu. Yard 2x Weekly	\$275.15/month
	4 Cu. Yard 3x Weekly	\$427.02/month
	4 Cu. Yard 4x Weekly	\$533.36/month
	4 Cu. Yard 5x Weekly	\$696.76/month
	6 Cu. Yard 1x Weekly	\$208.95/month
	6 Cu. Yard 2x Weekly	\$365.33/month
	6 Cu. Yard 3x Weekly	\$532.60/month
	6 Cu. Yard 4x Weekly	\$699.95/month
	6 Cu. Yard 5x Weekly	\$897.25/month
	8 Cu. Yard 1x Weekly	\$239.68/month
	8 Cu. Yard 2x Weekly	\$433.38/month
	8 Cu. Yard 3x Weekly	\$653.20/month
	8 Cu. Yard 4x Weekly	\$836.06/month
	8 Cu. Yard 5x Weekly	\$1054.78/month
J.4	Commercial- Dumpsters Service Fees	
	Commercial Front End Load Delivery Fee	\$70.00
	Castors	\$15.00
	Locks	\$15.00
	Exchange Fee	\$50.00
J.5	Trash Service Application Fee	\$50.00
J.6	Trash Service Deposit Fee	\$50.00



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ESTABLISHING OFFICIAL HOLIDAYS TO BE OBSERVED BY THE CITY OF ELGIN AS A PART OF THE BENEFITS PROVIDED TO FULL-TIME STAFF; PROVIDING THAT CITY OFFICES AND BUILDINGS SHALL BE CLOSED IN OBSERVANCE OF SUCH HOLIDAYS; ESTABLISHING RULES FOR HOLIDAYS FALLING ON WEEKENDS; PROVIDING FOR RELATED MATTERS; AND ESTABLISHING AN EFFECTIVE DATE.
(SANDERS)

DEPARTMENT: Human Resources

PROPOSED ACTION: Approval of the Resolution establishing the annual observed holidays, including rules for weekend observances and office closures.

BACKGROUND:

The City of Elgin provides a comprehensive benefits package to support employee well-being, retention, and work-life balance. A key component of this package is the observance of official paid holidays. To ensure consistency and transparency, the City Council is being asked to adopt a resolution formally identifying the holidays observed each year for all full-time staff.

The resolution establishes the following annual paid holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Emancipation Day (Juneteenth)
- Independence Day
- Labor Day
- Indigenous Peoples' Day

- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- Day After Christmas

In addition, the resolution provides that:

1. If a designated holiday falls on a Saturday, it shall be observed on the preceding Friday; and if a designated holiday falls on a Sunday, it shall be observed on the following Monday.
2. All City of Elgin offices and buildings will be closed in observance of these holidays, except as required for essential public safety and emergency services.
3. Adoption of this resolution ensures that the City's personnel policies, handbook, and annual calendar remain consistent and accessible to all employees and members of the public.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends approval of the Resolution establishing the annual observed holidays, including rules for weekend observances and office closures.

ATTACHMENTS:

1. Resolution Holiday Schedule

{ } Staff will be making a detailed presentation on this agenda item at the meeting.

{X} Staff will provide brief comments and answer questions on this item at the meeting.

{ } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ESTABLISHING OFFICIAL HOLIDAYS TO BE OBSERVED BY THE CITY OF ELGIN AS A PART OF THE BENEFITS PROVIDED TO FULL-TIME STAFF; PROVIDING THAT CITY OFFICES AND BUILDINGS SHALL BE CLOSED IN OBSERVANCE OF SUCH HOLIDAYS; ESTABLISHING RULES FOR HOLIDAYS FALLING ON WEEKENDS; PROVIDING FOR RELATED MATTERS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Elgin recognizes the importance of providing consistent and equitable employee benefits to all full-time staff; and

WHEREAS, the observance of designated holidays promotes employee well-being, recruitment, and retention, while ensuring alignment with the City's operational schedules; and

WHEREAS, the City Council desires to formally establish the official holidays to be observed each calendar year by the City of Elgin;

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

Section 1. The following holidays shall be observed annually by the City of Elgin as paid holidays for all full-time staff and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

- New Year's Day
- Martin Luther King, Jr. Day
- Presidents' Day
- Good Friday
- Memorial Day
- Emancipation Day (Juneteenth)
- Independence Day
- Labor Day
- Indigenous Peoples' Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day
- Day After Christmas

Section 2. If a designated holiday falls on a **Saturday**, the holiday shall be observed on the preceding **Friday**; and if a designated holiday falls on a **Sunday**, the holiday shall be observed on the following **Monday**.

Section 3. In observance of these holidays, **all City of Elgin offices and buildings shall be closed**, except as otherwise required for essential public safety and emergency services.

Section 4. The City Manager and/or HR Director shall ensure that these holidays are incorporated into the official calendar each year and the City's personnel policies reflecting such holidays falling on a Saturday are observed on the preceding Friday and such holidays falling on a Sunday are observed on the following Monday.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon adoption.

APPROVED AND ADOPTED this 16th day of September 2025.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

PEYTON STANDIFER, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL LOCATED AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS. (PERRY)

DEPARTMENT: Development Services

PROPOSED ACTION: Discussion and consider action on an Ordinance granting a Specific Use Permit for a Short Term Rental at 907 N Avenue C.

BACKGROUND:

While the City of Elgin does not have a specific Short-Term Rental (STR) Ordinance, STRs meet [Chapter 46-1. - Definitions](#) of "bed and breakfast", "boarding house" and "tourist home". Those uses require a Specific Use Permit (SUP) per [Division 5](#) of the Zoning Code. In addition, STR owners are required to collect and pay Hotel Occupancy Tax per [Chapter 38, Article IV](#) or our Code of Ordinances.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

The Planning and Zoning Commission held the first public hearing on this item at the August 25, 2025, meeting. Their recommendation was to approve the Specific Use Permit for a period of two (2) years with the condition that there will be no more than ten (10) overnight guests.

ATTACHMENTS:

1. 907 N Ave C SUP Ordinance
2. 202500069 Vicinity Map
3. 907 N Ave C AirBnB Specific Use Application

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
{X} Staff will provide brief comments and answer questions on this item at the meeting.
{ } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. 2025-09-16-

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL AT 907 NORTH AVENUE C ON A PARCEL OF LAND KNOWN BY BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 13622, W & O, BLOCK 6, LOT 3 (E 1/2), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow a Short-Term Rental, in the R-2: Single-Family and Duplex Dwelling district at the property described in Exhibit “A”; and

WHEREAS, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested permit on August 25, 2025, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended approval of a Specific Use Permit allowing the Short-Term Rental, for a period of two years and with the following conditions: there shall be no more than ten (10) overnight occupants in the R-2: Single-Family and Duplex Dwelling district as shown in Exhibit “A”; and

WHEREAS, on the 16th day of September 2025, after proper notification, the City Council held a public hearing on the requested application, and

WHEREAS, the City Council determines that the Specific Use Permit provided for herein promotes the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further finds that enactment of this Ordinance is not inconsistent with or in conflict with any other polices or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

II.

The Zoning District for the Property shall remain R-2: Single-Family and Duplex Dwelling, and the Ordinance granting a Specific Use Permit on the property to allow the Short-Term Rental for a period of _____ and with/without the recommended conditions, is hereby adopted.

III.

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

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

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

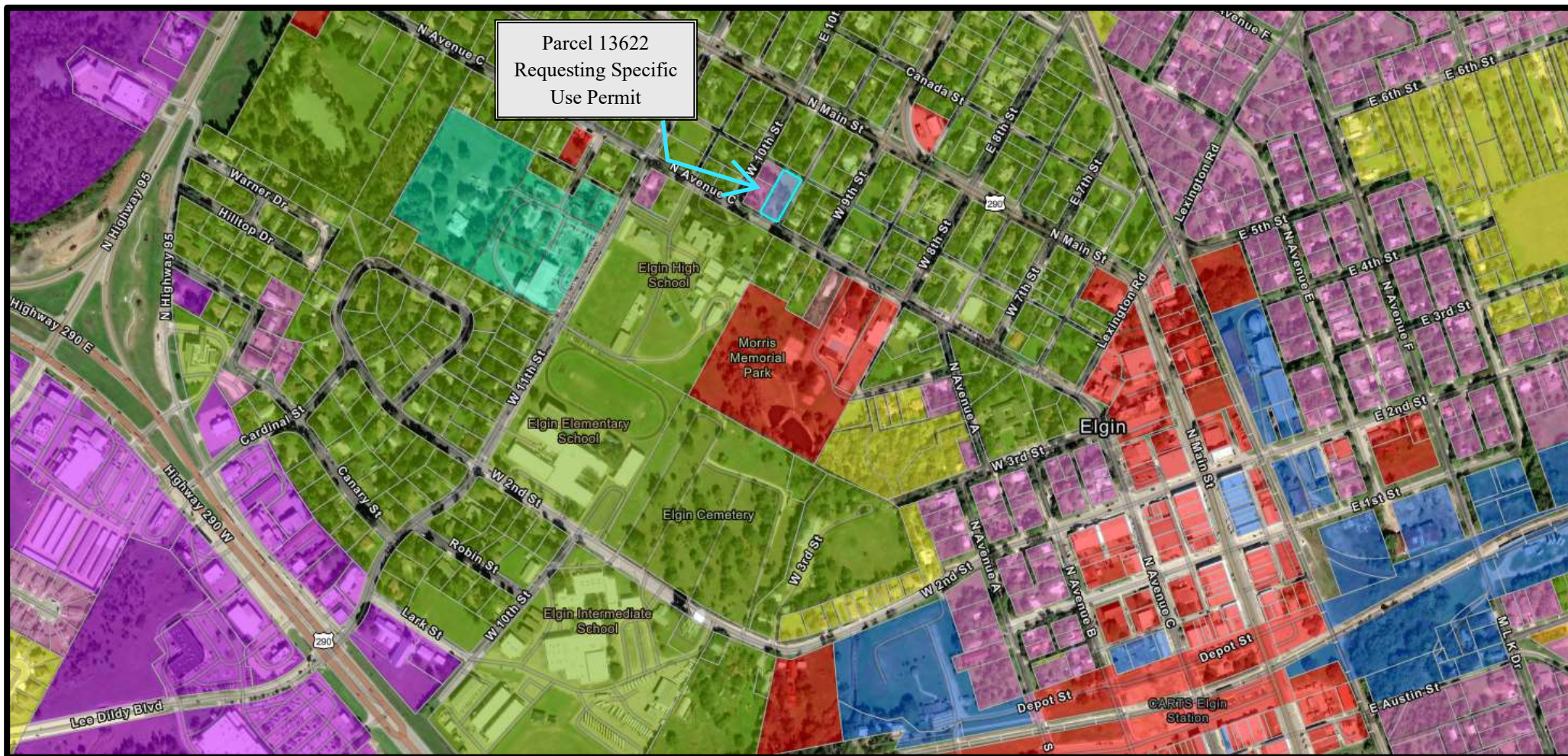
READ, PASSED, and ADOPTED on first reading this the 16th day of September 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

Vicinity Map



SPECIFIC USE APPLICATION

Date: 7-16-25

SITE INFORMATION

Project Address: 907 Ave C, Elgin, TX 78621

Parcel Identification Number (if no address): Parcel # 13622

APPLICANT

Name: Engine No. 9 Holdings, LLC. (Jason and Lisa Milliken)

Postal Address: 125 Bunny Run, Elgin, TX 78621

E-Mail Address: jason@texasroofing.com; Phone Number: 512-466-1181

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Jason L. Milliken
Digitally signed by Jason L. Milliken
DN: c=US, e=jason@texasroofing.com,
o=Texas Roofing Co., CN=Jason L. Milliken
Date: 2025.07.16 10:55:31 -0500

Jason L. Milliken

7-16-25

Signature

Printed Name

Date

Project Description:

Conversion of an existing single-family home, located at 907 N. Ave C, into a STR property. We intend to do a small addition on the east side to increase the size of a bedroom and allow room for a laundry room. The home will undergo interior remodeling as well. It will be furnished to accomodate guests on a STR basis through platforms such as Airbnd or VRBO. The residence will remain consistent with the character of the surrounding neighborhood and will not be used for commercial events or large group rentals. Parking will be accomodated on-site via the existing driveway.



802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintexas.gov

Operating Agreement of Engine No. 9 Holdings, LLC
A Texas Limited Liability Company

This Operating Agreement ("Agreement") is entered into and made effective as of July 15, 2025, by and between the following persons (collectively referred to as the "Members"):

- Jason L. Milliken, residing at 125 Bunny Run, Elgin, TX 78621
- Lisa Milliken, residing at 125 Bunny Run, Elgin, TX 78621

1. Company Formation

1.1 Formation. The Members formed a Texas limited liability company by filing a Certificate of Formation (Form 205) with the Texas Secretary of State.

1.2 Name. The name of the Company is Engine No. 9 Holdings, LLC.

1.3 Principal Office. The principal office is located at 125 Bunny Run, Elgin, TX 78621.

1.4 Registered Agent. Jason L. Milliken shall serve as the Company's registered agent at the above address.

2. Purpose

The purpose of the Company is to engage in the ownership, rental, and management of real estate and any other lawful business activity permitted in the State of Texas.

3. Term

The Company shall continue until dissolved as provided in this Agreement.

4. Members and Capital Contributions

4.1 Initial Members. The Members of the Company are:

- Jason L. Milliken – 50%
- Lisa Milliken – 50%

4.2 Initial Contributions. Each Member has contributed or agreed to contribute capital, cash, or assets as agreed upon.

5. Management

5.1 Management. The Company shall be Member-managed.

5.2 Authority. Jason L. Milliken shall serve as the Managing Member, authorized to act on behalf of the Company for all operational, financial, legal, and real estate matters.

6. Allocations and Distributions

6.1 Profits and Losses. Profits and losses shall be allocated equally (50/50) to the Members.

6.2 Distributions. Distributions shall be made at the discretion of the Managing Member, and in proportion to ownership interest.

7. Tax Treatment

The Company shall be taxed as a partnership under IRS default rules. The Company will file Form 1065 annually and issue Schedule K-1s to each Member.

8. Banking

All Company funds shall be held in a designated business account. No personal funds shall be commingled with Company funds.

9. Transfer of Membership Interest

No Member may sell, assign, or transfer their interest without written consent of the other Member.

10. Dissolution

The Company shall be dissolved upon:

- Written agreement of the Members, or
- Event requiring dissolution under Texas law

Upon dissolution, the assets shall be liquidated and distributed in accordance with ownership percentages after all debts are paid.

11. Miscellaneous

11.1 Governing Law. This Agreement is governed by the laws of the State of Texas.

11.2 Amendments. This Agreement may be amended only in writing signed by both Members.

11.3 Entire Agreement. This Agreement constitutes the entire agreement of the Members.

Signatures

Jason L. Milliken

Signature
Date: _____

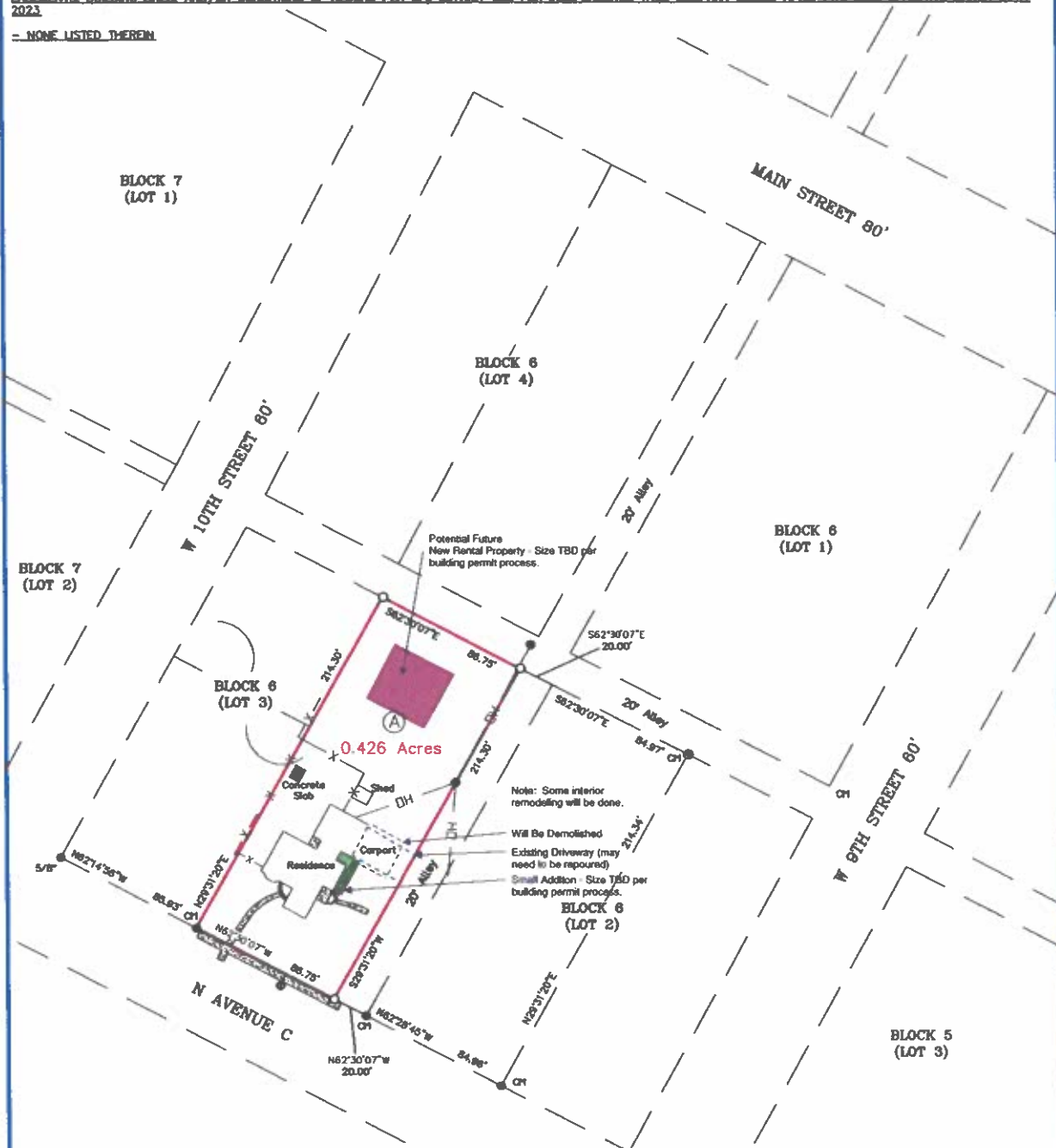
Lisa Milliken

Signature
Date: _____

SURVEY PLAT of 0.426 acres of land being the southeast one-half of Lot 3, Block 6, WADE & OWENS ADDITION to the city of Elgin, Bastrop County, Texas, as described in that certain Warranty Deed with Vendor's Lien as recorded in Volume 135 Page 368, Deed Records Bastrop County, Texas, to Arville E. Johnson and being shown on the map of the Wade and Owens Addition to the City of Elgin in Volume 53, Page 537, Deed Records and in Cabinet 1, Page 1000, Plat Records both Bastrop County, Texas.

EASEMENTS, BUILDING LINES, AND/OR CONDITIONS OF RECORD PER GFA 2311621-ELG PER INDEPENDENCE TITLE COMPANY ISSUED APRIL 7TH, 2023 EFFECTIVE MARCH 28TH, 2023.

- NONE LISTED THEREIN



Arville E. Johnson
Warranty Deed with Vendor's Lien
Volume 135 Page 368 DBRCT
Called South East One-Half of
Lot Three (3) in Block Six (6) of
Wade and Owens Addition to the
Town of Elgin, Texas

Owners: Jason and Lisa Milliken
125 Bunny Run, Elgin, TX 78621
Survey marked up by Jason Milliken on
7-17-25.

NOTES:

1. EASEMENTS, BUILDING LINES OR CONDITIONS OF RECORDS PER GFA 2311621 PER INDEPENDENCE TITLE COMPANY.

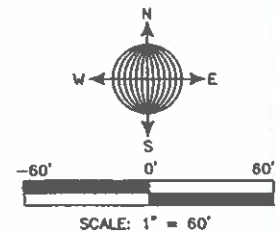
2. BEARING BASIS GRID NORTH LAMBERT CONFORMAL CONIC PROJECTION COORDINATE BASIS GRID IN U.S. SURVEY FEET A PART OF STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83 GRID DISTANCES AND AREA SHOWN HEREIN.

SURVEYORS CERTIFICATION:

TO THE OWNER, LEASEHOLDER, AND TITLE COMPANY, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THE SURVEY WAS MADE ON THE GROUND OF THE PROPERTY SHOWN HEREON AND TO THE BEST OF MY KNOWLEDGE IS CORRECT AND THERE ARE NO VISIBLE DISCREPANCIES, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, UTILITY LINES OR ROADS IN PLACE EXCEPT AS SHOWN HEREON AND SAID PROPERTY HAS ACCESS TO A DEDICATED ROADWAY SHOWN HEREON.

LEGEND

1/2" IRON ROD FOUND OR SIZE NOTED
CAPPED IRON ROD SET - RPLS 5548
CONTROLLING MONUMENT
WATER METER
UTILITY POLE
RECORD INFORMATION
BUILDING LINE
BLUEBONNET ELECTRIC EASEMENT
PUBLIC UTILITY EASEMENT
OVERHEAD UTILITY
FENCE LINE
PLAT RECORDS
BASTROP COUNTY TX
DEED RECORDS
BASTROP COUNTY TX
OFFICIAL PUBLIC RECORDS
BASTROP COUNTY TX
CONCRETE



ADDRESS: 907 N. AVE C
ELGIN, TEXAS

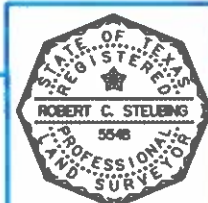
STEUBING LLC
FIRM # 10194596

525 TAHITIAN DRIVE
BASTROP, TEXAS 78602
PH# (512)-567-9256

DRAWING NAME: WA3628-2023 THOMPSON-DWG

Robert C. Steubing 05/04/2023

ROBERT C. STEUBING DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO 5548





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, GRANTING TO SIENERGY GAS, LLC A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE. (GONZALEZ)

DEPARTMENT: Public Works

PROPOSED ACTION: Review and consider the ordinance as presented.

BACKGROUND:

City staff are taking a neutral position on this ordinance. This ordinance will grant access to the City's right-of-ways in exchange for a small fee, 5% or the gross revenue of gas sales from SIENERGY GAS LLC. Staff anticipates specific questions about the agreement to be directed to the vendor requesting the ordinance and access to sell to residents.

Part of the fee policy from the vendor is listed below:

"In consideration of the privilege granted by the City to Company to use and occupy the Public Rights-of-Way in the City for the purposes stated herein, Company and its successors and assigns agree to deliver and pay to City, and City agrees to accept, a franchise fee in an amount equivalent to five percent (5%) of the Company's Gross Revenues as defined in Section II(G). The initial payment shall be paid to the City by Company on or before the Due Date for the Quarter, as set forth below, in which the Effective Date occurs, and shall include Gross Revenues received by Company from the Effective Date of this Ordinance...."

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommend reviewing and considering the ordinance.

ATTACHMENTS:

1. ORD - SiEnergy - Elgin Franchise Agreement_Final
2. SiEnergy Acceptance of Elgin Franchise Agreement - 07.29.2025 - signed

- { Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

ORDINANCE NO. 2025-08-19-XX

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, GRANTING TO SIENERGY GAS, LLC A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Elgin, Texas (hereinafter referred to as "City"), finds that it is in the best interest of the City to adopt a franchise ordinance allowing SiEnergy, Gas, LLC, ("SiEnergy" or "Company") to furnish and supply gas to the general public in the City, and to transport, deliver, sell, and distribute gas in, out of, and through said municipality for all purposes.

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

SECTION I. Grant of Franchise, Term, and Use

(A) City hereby grants to Company and its successors and assigns, subject to Section XIV herein, the right, privilege and franchise, and City's consent, to use and occupy the present and future Public Rights-of-Way of the City for the purpose of constructing, operating, maintaining, removing and replacing therein and thereon the System needed and necessary to transport, deliver, sell and distribute gas in, out of, and through the City, and to sell gas to persons, firms, and corporations, including all the general public, within the City's corporate limits.

(B) The term of this Ordinance begins on the Effective Date (as defined herein) and ends on December 31 of the calendar year in which the tenth (10th) anniversary of the Effective Date occurs; provided that, unless written notice is given by either party hereto to the other not less than six (6) months before the expiration of this Ordinance, it shall be automatically renewed for up to two (2) additional terms of two (2) years each on the same terms and conditions as set forth herein.

(C) The terms and conditions set forth in this Ordinance represent the terms and conditions under which the Company shall construct, operate, maintain, remove and replace the System within the City.

(D) By entering into this Ordinance, the City does not in any manner surrender or waive its regulatory or other authority or rights pursuant to the Constitution and statutes of the State of Texas as the same may be amended, nor any of its rights and powers pursuant to present or future ordinances of the City. Likewise, Company's acceptance of the terms of this Ordinance shall in no way affect or impair Company's rights, obligations or remedies under any federal, state or local law or regulation, nor shall such acceptance be deemed a waiver, release or relinquishment of Company's rights to contest, appeal or file suit with respect to any action or inaction of the City, including adoption of ordinances by the City, that Company believes is contrary to this Ordinance or any federal, state or local law or regulation.

SECTION II. Definitions

(A) "Affiliate" shall mean any individual, partnership, association, joint stock company, limited liability company, trust, corporation, or other Person or entity who owns or controls, or is owned or controlled by, or is under common ownership or control with, the entity in question.

(B) "City" shall mean the City of Elgin, Texas.

(C) "Company" shall mean SiEnergy Gas, LLC and its successors and assigns, but does not include a SiEnergy affiliate, which shall have no rights hereunder except by succession or assignment in accordance with Section XV herein.

(D) "City Manager" shall mean the City Manager of the City or his or her designee.

(E) "Contributions in Aid of Construction" or "CIAC" means monies received by Company for construction of new facilities in the City and facility removal/relocation reimbursements and does not include donated property or reimbursements received for damages to the System.

(F) "Emergency" shall mean sudden and unforeseeable damage to or malfunction of a portion of the System that creates a threat to life, health, or property.

(G) "Gross Revenues" shall mean the operating revenue for the sale of gas after the Effective Date to the Company's customers within the corporate boundaries of the City pursuant to the accounting principles established by the Federal Energy Regulatory Commission, including specifically Accounts 480, 481 and 482, as amended, except as modified herein, including:

- (1) all revenues derived or received, directly or indirectly, by the Company from the sale of gas to all classes of customers in the City (excluding gas sold to another gas utility in the City for resale to its customers within the City);
- (2) all revenues derived or received by the Company from the transportation of gas through the System of Company within the City to customers located within the City (excluding gas transported to another gas utility in the City for resale to its customers within the City);
- (3) the purchase price or, if the purchase price is not disclosed to the Company by the Transport Customer, the value of gas transported by Company for Transport Customers through the System of Company within the City ("Third Party Sales") (excluding the value of any gas transported to another gas utility in the City for resale to its customers within the City). Company shall request that each Transport Customer of the Company disclose to the Company the purchase price of said gas. Should the Transport Customer fail or refuse to disclose such purchase price to Company, the value of such gas shall be established by utilizing 110% of the Houston Ship Channel index of prices for large package of gas as published each month in "Inside FERC's Gas Market Report" under "Delivered Spot-Gas Prices" (or a successor publication or another publication agreed upon by City and Company) as reasonably near the time as the transportation service is performed;

- (4) franchise fees paid pursuant to Section XI of this Ordinance, CIAC, revenues from non-utility and non-regulated services or products, revenues billed but not ultimately collected or received by Company, and the following “miscellaneous charges:”
 - (a) charges to connect, disconnect, or reconnect gas,
 - (b) charges to handle returned checks from consumers within the City, and
 - (c) State gross receipts fees.

“Gross Revenues” shall not include:

- (i) the revenue of any Affiliate or subsidiary of Company;
- (ii) other than fees specifically included within the definition of Gross Revenues and franchise fees payable pursuant to Section XI below, any taxes or fees required to be remitted to a third party including the City;
- (iii) interest or investment income earned by Company;
- (iv) monies received from the lease or sale of real or personal property;
- (v) amounts billed or collected from Company’s customers for refundable fees and deposits;
- (vi) State or federal grants, credits or reimbursements;
- (vii) sales of gas for resale or to wholesale customers;
- (viii) reimbursements for damage to, or relocation of, any part of the System; and
- (ix) amounts billed or collected by the Company from its customers for charitable contributions such as Operation Roundup.

(H) “Ordinance” means this ordinance, as the same may be amended from time to time.

(I) “Person” shall mean any natural person, or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit, but shall not, unless the context explicitly requires otherwise, include the City or any employee, agent, servant, representative, or official of the City.

(J) “Public Right(s)-of-Way” shall mean public streets, roadways, alleys, highways, bridges, public easements, public places, utility access easements, thoroughfares and sidewalks of the City, as they now exist or may be hereafter constructed or extended within the corporate limits of the City. The term includes the area on, below, and above the surface of the Public Right-of-Way. The term applies regardless of whether the Public Right-of-Way is paved or unpaved.

(K) "System" or "System Facilities" shall mean all of the Company's pipes, pipelines, gas mains, laterals, feeders, regulators, meters, fixtures, connections and other infrastructure and appurtenant equipment used for or incident to providing delivery, transportation, distribution, supply and sales of natural gas for, but not limited to, heating, lighting and power, located within the corporate limits of the City.

(L) "Transport Customer" shall mean any Person for which Company delivers gas through the System of Company within the City for delivery or consumption within the City.

SECTION III. Construction, Maintenance, Operation & Relocation of Company System Facilities

(A) Company's System shall be initially constructed so as not to unreasonably interfere with any existing water and wastewater lines, electric facilities, storm sewer lines, open drainage areas, cable, fiber optic cable, roadways, sidewalks, alleys, traffic control devices, public signs, or any other publicly owned or publicly franchised facility. Company shall promptly clean-up, repair, and restore all thoroughfares and other surfaces which it may disturb.

(B) Permits

Company's facilities shall not unreasonably interfere with City-owned public works facilities and with vehicular and pedestrian use of Public Rights-of-Way. Company's operations within the Public Rights-of-Way are at all times subject to Article III, Section 34, Divisions 2 and 3 of the City's Code of Ordinances, as amended. Prior to commencing any work within the Public Rights-of-Way, Company must apply for a permit as required by Article III, Section 34, Division 3 of the City's Code of Ordinances.

(C) Company shall install, maintain, construct, operate, remove and replace System facilities in accordance with applicable City ordinances and to not unreasonably interfere with traffic. Company shall provide advance notice of work performed within the Public Rights-of-Way to each property owner within 200 feet of such work through door hangers, letters, or other written postings. In determining the location of new facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then-existing System Facilities of Company and agrees to work with Company and other users of Public Right-of-Way to minimize, to the extent reasonably possible, interference with existing System Facilities of Company by other users of the Public Right-of-Way. In determining the location of the Company's new facilities in the City, the Company shall minimize interference with then-existing or documented planned underground structures of the City or with existing facilities of other users of the Public Right-of-Way. In the event of a conflict between the location of the proposed System Facilities of Company and the location of the existing facilities of City or other users of Public Right-of-Way within Public Right-of-Way which the parties involved have been unable to resolve through their good faith efforts, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Right-of-Way, subject however to the terms and conditions of this Ordinance and giving effect to generally accepted industry operational and safety practices.

(D) Company's property and operations within the Public Right-of-Way of the City shall be subject to such reasonable rules and regulations of the City as may be authorized by applicable law from time to time for the protection of the general public.

(E) The City's annual and long-range capital improvements plans, as well as any updates or changes thereto, will be made available to Company upon request. City shall notify Company as soon as reasonably possible of any projects that will affect Company's System Facilities located in the Public Right-of-Way.

(F) Company's excavations in the Public Rights-of-Way are subject to Chapter 34, Article III, Division 2 of the City's Code of Ordinances. Any and all excavations and obstructions in and upon the Public Right-of-Way caused by the Company's operations under this Ordinance shall be repaired and removed as quickly as is reasonably possible under the circumstances. All excavations shall be repaired in a good and workmanlike manner and restored to the approximate condition that existed prior to the excavation. Replacement of sod is to be of like kind, and smoothed, shaped, rolled, and compacted for proper landscape maintenance. The public shall be protected by barriers and lights placed, erected, marked, and maintained by the Company in accordance with the standards set forth in the current Texas Manual on Uniform Traffic Control Devices, as well as any other applicable local, state, and federal requirements. Company warrants that any such restoration work performed in the Public Rights-of-Way shall be in satisfactory condition for a period not to exceed two (2) years, to the extent that such restoration work has not been disturbed by other users of the Public Right-of-Way or by acts of God. In the event that the Company fails to repair or restore an excavation site within fourteen (14) days after receipt of written notice from the City of a deficiency, the City may, at its option, perform the needed repair or restoration and the Company shall promptly reimburse the City for the reasonable cost of such repair or restoration. Company must notify the City of work initiated in response to an Emergency within twenty-four (24) hours of commencing the construction related to the Emergency. In the event of an Emergency, Company will notify the City in conformance with the requirement set forth in the preceding sentence, and shall respond to such Emergency promptly and in conformance with best industry practice and any and all applicable state and/or federal laws, rules and regulations governing emergency response. Subject to the foregoing, no actions or work undertaken by Company in connection with such Emergency shall be deemed to violate any notice or approval provisions set forth in this Ordinance, including without limitation the public notice requirement set forth in Section III.C.

(G) The City reserves the right to lay, and permit to be laid, any City-owned facilities, such as storm water, sewer, gas, water, wastewater and other pipe lines, cable, and conduits, or other improvements, and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Right-of-Way occupied by Company. The City also reserves the right to change in any manner any City-owned curb, sidewalk, highway, alley, public way, street, and City-owned utility lines, storm sewers, drainage basins, drainage ditches, and other City facilities.

(H) If City, in constructing, reconstructing, improving, widening, or straightening its Public Right-of-Way, sewers, drainage, water lines, or other utilities, including modifications to sidewalks or other Public Right-of-Way required by the Americans with Disabilities Act, should request that Company remove or relocate its mains, laterals, and other System Facilities lying within Public Right-of-Way, Company shall do so at its own expense for System Facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Company and City shall jointly determine whether System Facilities are in conflict and the extent that the proposed City facilities are determined by City and Company to be inconsistent with gas distribution industry standard safe operating practices for existing facilities. All such relocations shall be performed in accordance with applicable City ordinances. Company shall not be required to relocate System Facilities to a depth of greater than four (4) feet unless prior agreement is obtained from Company.

(I) When Company is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Right-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local, or other programs for reimbursement of costs and expenses incurred by Company as a result of such removal or relocation, and such reimbursement is required to be handled through City, Company costs and expenses shall be included by City in any application by City for reimbursement if Company submits its cost and expense documentation to City prior to the filing of the application. City shall make all reasonable efforts to provide reasonable written notice to Company of the deadline for Company to submit documentation of the costs and expenses of such relocation to City for City to be able to submit its application for reimbursement to such program in a timely manner. Upon receipt of an amount of reimbursement intended for utility relocation including, but not limited to, gas utilities, City shall remit to Company, within sixty (60) days of receipt, the portion of reimbursement related to the relocation or removal of Company's facilities. If Company is required by City to remove or relocate its mains, laterals, or other System Facilities lying within Public Right-of-Way to accommodate a private developer or for projects whose primary purpose is beautification or for any reason other than the construction, reconstruction, improving, widening, or straightening of its Public Right-of-Way, sewers, drainage, water lines, or other utilities by City, Company shall be entitled to reimbursement of the cost and expense of such removal or relocation from the party requesting the removal or relocation.

(J) When Company is required to remove or relocate its mains, laterals or other System Facilities to accommodate construction by City without reimbursement from City, Company shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Company to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery from customers of such relocation costs pursuant to applicable state and/or federal law. Notwithstanding the foregoing, the City shall have the right to request other project documentation to the full extent provided by state law.

(K) If City abandons any portion of the Public Right-of-Way in which Company has System Facilities, for public safety reasons or in furtherance of a public project, City shall determine whether it is appropriate to retain a public utility easement in such Public Right-of-Way for use by Company. If City determines, in its sole discretion, that the continued use of the Public Right-of-Way by Company is compatible with the abandonment of the Public Right-of-Way, then in consideration of the compensation set forth in Section XI, and to the maximum extent of its right to do so, City shall grant Company an easement for such use, and the abandonment of the Public Right-of-Way shall be subject to the right and continued use of Company. If City determines, in its sole reasonable discretion, that it is not appropriate to retain a public utility easement in such Public Right-of-Way, Company shall be responsible, subject to the provisions of Section III, for relocating its System from such Public Right-of-Way, as directed by City. If Public Right-of-Way is sold, conveyed, abandoned, or surrendered by City to a third party, such action shall be conditioned upon Company's right to maintain use of the former Public Right-of-Way. If the third party requests Company to relocate its System from the former Public Right-of-Way, and if such relocation is agreed to by Company, such relocation shall be at the expense of the party requesting same. In addition, in the event of a third party requesting the relocation, if the relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

(L) Upon request by City made no more often than once in any 12-month period, Company shall provide maps showing the location of its primary System Facilities. In addition, Company shall cooperate in locating its System Facilities when necessary to avoid conflict and protect the health and safety of the public.

SECTION IV. Laying of Lines in Advance of Paving

(A) Whenever City shall conclude to pave any Public Right-of-Way in which Company's System Facilities already exist or in which Company may propose to install its System Facilities, Company will be provided the opportunity, at no expense to City, in advance of such paving to modify such System Facilities, if defective or inadequate in size, and to lay new System Facilities, or modify same, if inadequate in size or defective, next to the property lines where buildings are already located.

(B) At least ninety (90) calendar days prior to the planned paving or repaving of Public Right-of-Way, City shall give Company written notice of the intention of City to pave any such Public Right-of-Way. Upon receipt of such notice, Company shall initiate its review process to determine the need to modify its System Facilities, and the need to lay or modify service lines underneath the portions of the Public Right-of-Way to be paved. If Company determines such a need, Company shall promptly initiate such work and shall thereafter proceed in a good faith and workmanlike manner to completion of the necessary work within ninety (90) calendar days after receipt of the notice from the City. Company's failure to complete the necessary work within the ninety (90) day period may be excused at the City's discretion, if Company has promptly notified the City of the circumstances that have caused the delay and has requested an extension of the construction period. City shall grant the extension unless withheld for good cause.

SECTION V. Liability Insurance

Company shall, at its sole cost and expense, obtain, maintain, or cause to be maintained, and provide, throughout the term of this Ordinance, insurance in the amounts, types and coverages in accordance with the following requirements. Such insurance may be in the form of self-insurance to the extent permitted by applicable law or by obtaining insurance, as follows:

(A) Commercial general or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000) per occurrence and ten million dollars (\$10,000,000) aggregate. This coverage shall include the following:

- (1) Products/completed operations to be maintained for a warranty period of 2 years,
- (2) Personal and advertising injury,
- (3) Contractual liability, and
- (4) Explosion, collapse, or underground (XCU) hazards.

(B) Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000) combined single limit each accident. This coverage shall include all owned, hired, and non-owned automobiles.

(C) Workers' compensation and employer's liability coverage. Statutory workers' compensation benefits in accordance with the statutes and regulations of the State of Texas. Company must provide the City with a waiver of subrogation for workers' compensation claims.

(D) Upon request, the Company will provide proof of insurance in accordance with this Ordinance within thirty (30) days after such request. Company will not be required to furnish separate proof when applying for permits.

SECTION VI. Indemnity

THE COMPANY, ITS SUCCESSORS AND ASSIGNS, SHALL PROTECT AND HOLD THE CITY AND ITS OFFICERS, AGENTS, AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "THE CITY") HARMLESS AGAINST ANY AND ALL CLAIMS OR DEMANDS FOR DAMAGES TO ANY PERSON OR PROPERTY BY REASON OF THE CONSTRUCTION AND MAINTENANCE OF THE COMPANY'S NATURAL GAS SYSTEM, OR IN ANY WAY GROWING OUT OF COMPANY'S EXERCISE OF THE RIGHTS GRANTED BY THIS FRANCHISE, EITHER DIRECTLY OR INDIRECTLY, OR BY REASON OF ANY ACT, NEGLIGENCE OR NONFEASANCE OF THE COMPANY OR THE CONTRACTORS, AGENTS OR EMPLOYEES OF THE COMPANY OR ITS SUCCESSORS AND ASSIGNS, AND SHALL REFUND TO THE CITY ALL SUMS WHICH THE CITY MAY BE ADJUDGED TO PAY ON ANY SUCH CLAIM, OR WHICH MAY ARISE OR GROW OUT OF THE EXERCISE OF THE RIGHTS AND PRIVILEGES HEREBY GRANTED OR BY THE ABUSE THEREOF, AND THE COMPANY OR ITS SUCCESSORS AND ASSIGNS SHALL INDEMNIFY AND HOLD THE CITY HARMLESS FROM AND ON ACCOUNT OF ALL DAMAGES, COSTS, EXPENSES, ACTIONS, AND CAUSES OF ACTION THAT MAY ACCRUE TO OR BE BROUGHT BY, A PERSON, PERSONS, COMPANY OR COMPANIES AT ANY TIME HEREAFTER BY REASON OF THE EXERCISE OF THE RIGHTS AND PRIVILEGES HEREBY GRANTED, OR OF THE ABUSE THEREOF.

SECTION VII. Installation of Meter

If a meter is to be installed in or near the Public Rights-of-Way, Company agrees to discuss with the City's representative the aesthetics of the meter placement and to accommodate the request of City to the maximum extent possible. Company meters and placement thereof must meet all landscaping requirements under the City's Code of Ordinances, as amended. If City requests a meter upgrade, Company will comply so long as City reimburses Company for the reasonable costs incurred by Company in changing meters. In no event, however, shall underground meters be required.

SECTION VIII. Rates

Company shall furnish reasonably adequate service to the public at reasonable rates and charges therefor, and Company shall maintain its System in good order and condition. Such rates shall be established in accordance with all applicable statutes and ordinances. Company shall maintain on file with the City copies of its current tariffs, schedules, or rates, and charges and service rules and regulations applicable to the City. The rates and charges collected from its customers in the City shall be subject to revision and change by either the City or Company in the manner provided by law.

SECTION IX. Extensions of Mains

Company shall not be required to extend mains on any Public Right-of-Way more than one hundred (100) feet for any one consumer of gas; provided, however, Company is not required to extend its mains or facilities if the customer will not use gas for space heating and water heating, or the equivalent load, at a minimum.

SECTION X. Non-Exclusive Use

The rights and privileges granted to Company by this Ordinance are not to be considered exclusive and City hereby expressly reserves the right to grant, at any time, like privileges and rights as it may see fit to any other person or corporation for the purpose of furnishing gas for, but not limited to, light, heat, and power to and for City and the inhabitants thereof.

SECTION XI. Franchise Fee and Payment

(A) In consideration of the privilege granted by the City to Company to use and occupy the Public Rights-of-Way in the City for the purposes stated herein, Company and its successors and assigns agree to deliver and pay to City, and City agrees to accept, a franchise fee in an amount equivalent to five percent (5%) of the Company's Gross Revenues as defined in Section II(G). The initial payment shall be paid to the City by Company on or before the Due Date for the Quarter, as set forth below, in which the Effective Date occurs, and shall include Gross Revenues received by Company from the Effective Date of this Ordinance. Thereafter the Company shall pay the franchise fee quarterly as follows:

<u>Due Date</u>	<u>Quarter</u>
May 15	First (January 1 - March 31)
August 15	Second (April 1 - June 30)
November 15	Third (July 1 - September 30)
February 15	Fourth (October 1 - December 31)

(B) Each payment due during the term of this Ordinance will be made on or before the close of business on the payment due date. If any payment due date required by this Ordinance falls on a weekend or declared bank holiday, payment shall be made by the close of business on the next working day.

(C) The franchise fee amounts that are due based on CIAC shall be paid at least once annually on or before April 30 each year based on the total CIAC recorded during the preceding calendar year. The initial CIAC franchise fee amount will be paid on or before April 30, 2026, and will be based on the calendar year January 1 through December 31, 2025. The final CIAC franchise fee amount under the initial term will be paid on or before April 30, 2036, and will be based on the calendar year January 1 through December 31, 2035.

(D) It is expressly agreed that the franchise fee payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as a special or other character of tax or charge), municipal license, permit, and inspection fees,

bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character, including, without limitation, any charges under Chapter 182 of the Texas Tax Code (collectively, the "Other Charges") that City may now impose or hereafter levy and collect from Company or Company's agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property and Company's separate obligation to reimburse the City for street repairs in accordance with this Ordinance. Should City not have the legal power to agree that the payment of the franchise fees shall be in lieu of the Other Charges, then City agrees that it will apply so much of said franchise fee payments as may be necessary to satisfy Company's obligations, if any, to pay such Other Charges.

(E) If Company fails to pay when due any payment provided for in this section, Company shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.

(F) SiEnergy Franchise Fee Recovery Tariff.

(1) The Company may from time-to-time file with the City a tariff amendment(s) to provide for the recovery of the franchise fees payable by the Company under this Ordinance.

(2) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by the Company.

(G) In order to determine the Gross Revenues received by Company, Company agrees that quarterly, on the same date that payment is made as provided in the preceding paragraphs of this section, it will provide a statement showing the amount of Gross Revenues for the period covered by the payments.

(H) Within thirty (30) days after receipt of a request by Company following the effective date of this Ordinance, the City shall provide Company (at the notice address specified in Section XVI) with maps clearly showing the location of the boundaries of the City. Within thirty (30) days after City annexes property into, or de-annexes property from, the territory of City, City shall provide Company (at the notice address specified in Section XVI) with maps clearly showing the location of the boundaries of such annexed or de-annexed property. Within sixty (60) days, or such additional time as mutually agreed to by the City and Company, after Company's receipt of (i) written notice from the City that the City has annexed territory into the City and (ii) maps showing clearly the areas annexed, the Company shall revise its accounting records to include the annexed territory, and Company's customers therein, within the City. After such time period, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are located within such annexed area shall be included in the calculation of the franchise fee payable under this Ordinance. Likewise, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are in any area de-annexed by City shall cease to be included in the calculation of the franchise fee payable under this Ordinance upon the effective date of such disannexation.

SECTION XII. Retention, Accessibility and Confidentiality of Records

(A) Company shall maintain the fiscal records and supporting documentation for payments of Gross Revenues associated with this Ordinance for not less than five years.

(B) Company gives City, its designee, or any of their duly authorized representatives, access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written material, and other papers belonging to or in use by Company pertaining to the franchise fee payable under this Ordinance (the "Records") during the Company's regular business hours and at the Company's principal offices upon receipt of thirty (30) days written notice from the City. The City's access to the Records will be limited to information needed to verify that, within the two (2) year period prior to such access to the Records, Company is and has been complying with the terms of this Ordinance. If such an examination reveals that Company has underpaid the franchise fee to City, then upon receipt of written notification from City regarding the existence of such underpayment, Company shall undertake a review of City's claim and, if said underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section XI(E). The cost of the audit shall be borne by City unless the Company is finally determined to have underpaid the franchise fee by five percent (5%) or more, in which case the reasonable costs of the audit shall be immediately reimbursed to the City by Company. The rights to access the Records shall terminate two (2) year(s) after the termination or expiration of this Ordinance. Company agrees to maintain the Records in an accessible location.

(C) Any information that is not required by law to be made public shall be kept confidential by City. The City shall provide notice to Company of any request for release of information previously designated by Company as proprietary or confidential non-public information prior to releasing the information to allow Company adequate time to pursue available remedies for protection. If the City receives a request under the Texas Public Information Act that includes Company's previously designated proprietary or confidential information, City will request an opinion from the Texas Attorney General as to the confidential or the proprietary nature of the information. The City also will provide Company with notice of the request, and thereafter Company is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

SECTION XIII. Renegotiation

If either the City or Company requests renegotiation of any term of this Ordinance, Company and City agree to renegotiate in good faith revisions to all terms of this Ordinance. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the Ordinance.

If Company should at any time after the effective date of this Ordinance agree to a new municipal franchise ordinance, or renew an existing municipal franchise ordinance, with another municipality in Company's service territory, which municipal franchise ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Company to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise ordinance applied to City.

SECTION XIV. Termination

(A) The City, in accordance with subsection (B) below, may terminate this Ordinance and all rights and privileges pertaining thereto, in the event that the Company violates any material

provision of this Ordinance (an "Event of Default").

(B) Uncured Events of Default.

- (1) Upon the occurrence of an Event of Default which can be cured by the immediate payment of money to City or a third party, Company shall have thirty (30) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIV(C).
- (2) Upon the occurrence of an Event of Default by Company which cannot be cured by the immediate payment of money to City or a third party, Company shall have sixty (60) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIV(C).
- (3) If the Event of Default is not cured within the time period allowed for curing the Event of Default as provided for herein, such Event of Default shall, without additional notice, become an Uncured Event of Default, which shall entitle City to exercise the remedies pursuant to Section XIV(C).

(C) Remedies. Upon receipt of a notice of an alleged Uncured Event of Default as described in Section XIV(B), which notice shall specify the alleged failure with reasonable particularity, the Company shall, within the time periods specified in Section XIV(B) or such longer period of time as may be agreed to by the City, either cure such alleged failure or, in a written response to the City, present facts and arguments in refuting or defending such alleged failure, or state that such alleged failure will be cured and set forth the method and time schedule for accomplishing such cure. In the event that such cure is not forthcoming or the City determines that an unexcused "Uncured Event of Default" has occurred, City shall be entitled to exercise any and all of the following cumulative remedies:

- (1) The commencement of an action against Company at law for monetary damages.
- (2) The commencement of an action in equity seeking injunctive relief or the specific performance of any of the provisions, which as a matter of equity, are specifically enforceable.
- (3) The termination of the franchise granted herein.

(D) Remedies Not Exclusive. The rights and remedies of City and Company set forth in this Ordinance shall be in addition to, and not in limitation of, any other rights and remedies provided by law or in equity. City and Company understand and intend that such remedies shall be cumulative to the maximum extent permitted by law and the exercise by a party of any one or more of such remedies shall not preclude the exercise by such party, at the same or different times, of any other such remedies for the same failure to cure. However, notwithstanding this Section or any other provision of this Ordinance, City shall not recover both liquidated damages and actual damages for the same violation, breach, or noncompliance, either under this Section or under any other provision of this Ordinance.

(E) Termination. The franchise granted herein may be terminated only in accordance with the provisions of Section XIV(C). City shall notify Company in writing at least thirty (30) business days in advance of the City Council meeting at which the questions of termination shall be considered, and Company shall have the right to appear before the City Council in person or by counsel and raise any objections or defenses Company may have that are relevant to the proposed forfeiture or termination. The final decision of the City Council may be appealed to any court or regulatory authority having jurisdiction. Upon timely appeal by Company of the City Council's decision terminating the franchise granted herein, the effective date of such termination shall be either when such appeal is withdrawn or a court order upholding the termination becomes final and unappealable. If no appeal is filed, the effective date of such termination shall be the thirtieth (30th) day following the date of the final termination decision of the City Council. Until the termination becomes effective, the provisions of this Ordinance shall remain in effect for all purposes.

SECTION XV. Successors and Assigns

Company's rights under this Ordinance shall not be assigned or transferred without the written consent of the City, which consent shall not be unreasonably withheld; provided, however, that Company may assign its rights under this Ordinance to a parent, subsidiary, affiliate or successor entity without such consent, so long as such parent, subsidiary, affiliate or successor (i) assumes all obligations of Company hereunder, and (ii) is bound to the same extent as Company hereunder. Company shall give the City sixty (60) days prior written notice of any assignment to a parent, subsidiary, affiliate or successor entity. Any required consent shall be expressed by an ordinance that fully recites the terms and conditions, if any, upon which such consent is given. Any assignment or transfer effected prior to the City's approval thereof, if required, shall authorize the City to treat such assignment or transfer as an Uncured Event of Default and immediately implement the provisions of Section XIV, including the right to terminate the franchise granted herein.

SECTION XVI. Notices

Any notice required or permitted to be delivered hereunder shall be deemed received if sent electronically to the email address provided below, if applicable, and: (i) delivered in person to the applicable address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the applicable address set forth below; or (iii) delivered to such party by courier receipted delivery to the applicable address set forth below. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is deemed received by the other party as provided above, the last address of such party designated for notice shall remain such party's address for notice.

If intended for the City:

City of Elgin
Attention: City Manager's Office
P.O. Box 591
Elgin, TX 78621
citysecretary@elgintexas.gov

If intended for the Company:
SiEnergy Gas, LLC
Attention: Chief Executive Officer
13215 Bee Cave Pkwy, Suite B-250
Bee Cave, Texas 78738
Travis County, Texas

SECTION XVII. Severability; Amendment; Ordinance Controlling

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance. Both the Company and the City expressly recognize that this Ordinance creates a binding and enforceable contract between them, which contract may not be amended without written consent of both the Company and the City. Should any inconsistency or conflict exist now or in the future between the provisions of this Ordinance and the City's charter or another ordinance or ordinances, then the provisions of this Ordinance shall control to the extent of such inconsistency or conflict to the extent not prohibited by law.

SECTION XVIII. Governing Law

This Ordinance shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Exclusive venue for any action concerning this Ordinance, the transactions contemplated hereby, or the liabilities or obligations imposed hereunder shall be in the State District Court of Bastrop County, Texas.

SECTION XIX. No Waiver

Either City or Company shall have the right to waive any requirement contained in this Ordinance, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Ordinance shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or a different type of breach or violation.

SECTION XX. Paragraph Headings; Construction

The paragraph headings contained in this Ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

SECTION XXI. Acceptance; Effective Date

The Company has consented to and agrees with this Ordinance via the submission to the City of written acceptance in the form of **Exhibit A** attached hereto and incorporated herein. Subject to the submission to the City of this acceptance, this Ordinance shall become effective

immediately upon final adoption of this Ordinance by the City (such date being the "Effective Date").

PASSED AND APPROVED ON THIS THE ____ DAY OF _____, 202__.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

EXHIBIT "A"

SiEnergy Gas, LLC Acceptance of Franchise Ordinance

[DATE]

City of Elgin, Texas
Attention: City Secretary

RE: SiEnergy Gas, LLC Gas franchise; acceptance of ordinance

This letter certifies that SiEnergy Gas, LLC accepts and agrees to be contractually bound by the terms and conditions of an ordinance duly-enacted by the City of Elgin in the form attached hereto as Attachment A (the "Ordinance"). The Ordinance shall be deemed effective as of the date it is duly enacted by the City, with no further action necessary by either the City or SiEnergy.

SIENERGY GAS, LLC

By: _____

Printed Name: _____

Title: _____

SiEnergy Gas, LLC Acceptance of Franchise Ordinance

July 29, 2025

City of Elgin, Texas
Attention: City Secretary

RE: SiEnergy Gas, LLC Gas franchise; acceptance of ordinance

This letter certifies that SiEnergy Gas, LLC accepts and agrees to be contractually bound by the terms and conditions of an ordinance duly-enacted by the City of Elgin in the form attached hereto as Attachment A (the "Ordinance"). The Ordinance shall be deemed effective as of the date it is duly enacted by the City, with no further action necessary by either the City or SiEnergy.

SIENERGY GAS, LLC


By: Dan Croll (Jul 29, 2025 17:12:08 CDT)
Printed Name: Dan Croll
Title: General Counsel

ATTACHMENT A
to
ACCEPTANCE OF FRANCHISE ORDINANCE

ORDINANCE NO. [_____]

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, GRANTING TO SIENERGY GAS, LLC A FRANCHISE TO FURNISH AND SUPPLY GAS TO THE GENERAL PUBLIC IN THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTIES, TEXAS, AND TO TRANSPORT, DELIVER, SELL, AND DISTRIBUTE GAS IN AND OUT OF AND THROUGH SAID MUNICIPALITY FOR ALL PURPOSES; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE STREETS, ALLEYS, AND PUBLIC WAYS; AND PROVIDING A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Elgin, Texas (hereinafter referred to as "City"), finds that it is in the best interest of the City to adopt a franchise ordinance allowing SiEnergy, Gas, LLC, ("SiEnergy" or "Company") to furnish and supply gas to the general public in the City, and to transport, deliver, sell, and distribute gas in, out of, and through said municipality for all purposes.

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

SECTION I. Grant of Franchise, Term, and Use

(A) City hereby grants to Company and its successors and assigns, subject to Section XIV herein, the right, privilege and franchise, and City's consent, to use and occupy the present and future Public Rights-of-Way of the City for the purpose of constructing, operating, maintaining, removing and replacing therein and thereon the System needed and necessary to transport, deliver, sell and distribute gas in, out of, and through the City, and to sell gas to persons, firms, and corporations, including all the general public, within the City's corporate limits.

(B) The term of this Ordinance begins on the Effective Date (as defined herein) and ends on December 31 of the calendar year in which the tenth (10th) anniversary of the Effective Date occurs; provided that, unless written notice is given by either party hereto to the other not less than six (6) months before the expiration of this Ordinance, it shall be automatically renewed for up to two (2) additional terms of two (2) years each on the same terms and conditions as set forth herein.

(C) The terms and conditions set forth in this Ordinance represent the terms and conditions under which the Company shall construct, operate, maintain, remove and replace the System within the City.

(D) By entering into this Ordinance, the City does not in any manner surrender or waive its regulatory or other authority or rights pursuant to the Constitution and statutes of the State of Texas as the same may be amended, nor any of its rights and powers pursuant to present or future ordinances of the City. Likewise, Company's acceptance of the terms of this Ordinance shall in no way affect or impair Company's rights, obligations or remedies under any federal, state

or local law or regulation, nor shall such acceptance be deemed a waiver, release or relinquishment of Company's rights to contest, appeal or file suit with respect to any action or inaction of the City, including adoption of ordinances by the City, that Company believes is contrary to this Ordinance or any federal, state or local law or regulation.

SECTION II. Definitions

(A) "Affiliate" shall mean any individual, partnership, association, joint stock company, limited liability company, trust, corporation, or other Person or entity who owns or controls, or is owned or controlled by, or is under common ownership or control with, the entity in question.

(B) "City" shall mean the City of Elgin, Texas.

(C) "Company" shall mean SiEnergy Gas, LLC and its successors and assigns, but does not include a SiEnergy affiliate, which shall have no rights hereunder except by succession or assignment in accordance with Section XV herein.

(D) "City Manager" shall mean the City Manager of the City or his or her designee.

(E) "Contributions in Aid of Construction" or "CIAC" means monies received by Company for construction of new facilities in the City and facility removal/relocation reimbursements and does not include donated property or reimbursements received for damages to the System.

(F) "Emergency" shall mean sudden and unforeseeable damage to or malfunction of a portion of the System that creates a threat to life, health, or property.

(G) "Gross Revenues" shall mean the operating revenue for the sale of gas after the Effective Date to the Company's customers within the corporate boundaries of the City pursuant to the accounting principles established by the Federal Energy Regulatory Commission, including specifically Accounts 480, 481 and 482, as amended, except as modified herein, including:

- (1) all revenues derived or received, directly or indirectly, by the Company from the sale of gas to all classes of customers in the City (excluding gas sold to another gas utility in the City for resale to its customers within the City);
- (2) all revenues derived or received by the Company from the transportation of gas through the System of Company within the City to customers located within the City (excluding gas transported to another gas utility in the City for resale to its customers within the City);
- (3) the purchase price or, if the purchase price is not disclosed to the Company by the Transport Customer, the value of gas transported by Company for Transport Customers through the System of Company within the City ("Third Party Sales") (excluding the value of any gas transported to another gas utility in the City for resale to its customers within the City). Company shall request that each Transport Customer of the Company disclose to the Company the purchase price of said gas. Should the Transport Customer fail or refuse to disclose such purchase price to Company, the value of such gas shall be established by utilizing 110% of the Houston Ship Channel index of prices for large package of gas as published each month in "Inside

FERC's Gas Market Report" under "Delivered Spot-Gas Prices" (or a successor publication or another publication agreed upon by City and Company) as reasonably near the time as the transportation service is performed;

- (4) franchise fees paid pursuant to Section XI of this Ordinance, CIAC, revenues from non-utility and non-regulated services or products, revenues billed but not ultimately collected or received by Company, and the following "miscellaneous charges:"
 - (a) charges to connect, disconnect, or reconnect gas,
 - (b) charges to handle returned checks from consumers within the City, and
 - (c) State gross receipts fees.

"Gross Revenues" shall not include:

- (i) the revenue of any Affiliate or subsidiary of Company;
- (ii) other than fees specifically included within the definition of Gross Revenues and franchise fees payable pursuant to Section XI below, any taxes or fees required to be remitted to a third party including the City;
- (iii) interest or investment income earned by Company;
- (iv) monies received from the lease or sale of real or personal property;
- (v) amounts billed or collected from Company's customers for refundable fees and deposits;
- (vi) State or federal grants, credits or reimbursements;
- (vii) sales of gas for resale or to wholesale customers;
- (viii) reimbursements for damage to, or relocation of, any part of the System; and
- (ix) amounts billed or collected by the Company from its customers for charitable contributions such as Operation Roundup.

(H) "Ordinance" means this ordinance, as the same may be amended from time to time.

(I) "Person" shall mean any natural person, or any association, firm, partnership, joint venture, corporation, or other legally recognized entity, whether for-profit or not-for-profit, but shall not, unless the context explicitly requires otherwise, include the City or any employee, agent, servant, representative, or official of the City.

(J) "Public Right(s)-of-Way" shall mean public streets, roadways, alleys, highways, bridges, public easements, public places, utility access easements, thoroughfares and sidewalks of the City, as they now exist or may be hereafter constructed or extended within the corporate limits of the City. The term includes the area on, below, and above the surface of the Public Right-of-Way. The term applies regardless of whether the Public Right-of-Way is paved or unpaved.

(K) "System" or "System Facilities" shall mean all of the Company's pipes, pipelines, gas mains, laterals, feeders, regulators, meters, fixtures, connections and other infrastructure and appurtenant equipment used for or incident to providing delivery, transportation, distribution, supply and sales of natural gas for, but not limited to, heating, lighting and power, located within the corporate limits of the City.

(L) "Transport Customer" shall mean any Person for which Company delivers gas through the System of Company within the City for delivery or consumption within the City.

SECTION III. Construction, Maintenance, Operation & Relocation of Company System Facilities

(A) Company's System shall be initially constructed so as not to unreasonably interfere with any existing water and wastewater lines, electric facilities, storm sewer lines, open drainage areas, cable, fiber optic cable, roadways, sidewalks, alleys, traffic control devices, public signs, or any other publicly owned or publicly franchised facility. Company shall promptly clean-up, repair, and restore all thoroughfares and other surfaces which it may disturb.

(B) Permits

Company's facilities shall not unreasonably interfere with City-owned public works facilities and with vehicular and pedestrian use of Public Rights-of-Way. Company's operations within the Public Rights-of-Way are at all times subject to Article III, Section 34, Divisions 2 and 3 of the City's Code of Ordinances, as amended. Prior to commencing any work within the Public Rights-of-Way, Company must apply for a permit as required by Article III, Section 34, Division 3 of the City's Code of Ordinances.

(C) Company shall install, maintain, construct, operate, remove and replace System facilities in accordance with applicable City ordinances and to not unreasonably interfere with traffic. Company shall provide advance notice of work performed within the Public Rights-of-Way to each property owner within 200 feet of such work through door hangers, letters, or other written postings. In determining the location of new facilities of the City and other users of Public Right-of-Way within City, City shall minimize interference with then-existing System Facilities of Company and agrees to work with Company and other users of Public Right-of-Way to minimize, to the extent reasonably possible, interference with existing System Facilities of Company by other users of the Public Right-of-Way. In determining the location of the Company's new facilities in the City, the Company shall minimize interference with then-existing or documented planned underground structures of the City or with existing facilities of other users of the Public Right-of-Way. In the event of a conflict between the location of the proposed System Facilities of Company and the location of the existing facilities of City or other users of Public Right-of-Way within Public Right-of-Way which the parties involved have been unable to resolve through their good faith efforts, City or an authorized agent of City shall resolve the conflict and determine the location of the respective facilities within the Public Right-of-Way, subject however to the terms and conditions of this Ordinance and giving effect to generally accepted industry operational and safety practices.

(D) Company's property and operations within the Public Right-of-Way of the City shall be subject to such reasonable rules and regulations of the City as may be authorized by applicable law from time to time for the protection of the general public.

(E) The City's annual and long-range capital improvements plans, as well as any updates or changes thereto, will be made available to Company upon request. City shall notify Company as soon as reasonably possible of any projects that will affect Company's System Facilities located in the Public Right-of-Way.

(F) Company's excavations in the Public Rights-of-Way are subject to Chapter 34, Article III, Division 2 of the City's Code of Ordinances. Any and all excavations and obstructions in and upon the Public Right-of-Way caused by the Company's operations under this Ordinance shall be repaired and removed as quickly as is reasonably possible under the circumstances. All excavations shall be repaired in a good and workmanlike manner and restored to the approximate condition that existed prior to the excavation. Replacement of sod is to be of like kind, and smoothed, shaped, rolled, and compacted for proper landscape maintenance. The public shall be protected by barriers and lights placed, erected, marked, and maintained by the Company in accordance with the standards set forth in the current Texas Manual on Uniform Traffic Control Devices, as well as any other applicable local, state, and federal requirements. Company warrants that any such restoration work performed in the Public Rights-of-Way shall be in satisfactory condition for a period not to exceed two (2) years, to the extent that such restoration work has not been disturbed by other users of the Public Right-of-Way or by acts of God. In the event that the Company fails to repair or restore an excavation site within fourteen (14) days after receipt of written notice from the City of a deficiency, the City may, at its option, perform the needed repair or restoration and the Company shall promptly reimburse the City for the reasonable cost of such repair or restoration. Company must notify the City of work initiated in response to an Emergency within twenty-four (24) hours of commencing the construction related to the Emergency. In the event of an Emergency, Company will notify the City in conformance with the requirement set forth in the preceding sentence, and shall respond to such Emergency promptly and in conformance with best industry practice and any and all applicable state and/or federal laws, rules and regulations governing emergency response. Subject to the foregoing, no actions or work undertaken by Company in connection with such Emergency shall be deemed to violate any notice or approval provisions set forth in this Ordinance, including without limitation the public notice requirement set forth in Section III.C.

(G) The City reserves the right to lay, and permit to be laid, any City-owned facilities, such as storm water, sewer, gas, water, wastewater and other pipe lines, cable, and conduits, or other improvements, and to do and permit to be done any underground or overhead work that may be necessary or proper in, across, along, over, or under Public Right-of-Way occupied by Company. The City also reserves the right to change in any manner any City-owned curb, sidewalk, highway, alley, public way, street, and City-owned utility lines, storm sewers, drainage basins, drainage ditches, and other City facilities.

(H) If City, in constructing, reconstructing, improving, widening, or straightening its Public Right-of-Way, sewers, drainage, water lines, or other utilities, including modifications to sidewalks or other Public Right-of-Way required by the Americans with Disabilities Act, should request that Company remove or relocate its mains, laterals, and other System Facilities lying within Public Right-of-Way, Company shall do so at its own expense for System Facilities that are in conflict, unless such work is for the primary purpose of beautification or to accommodate a private developer. Company and City shall jointly determine whether System Facilities are in

conflict and the extent that the proposed City facilities are determined by City and Company to be inconsistent with gas distribution industry standard safe operating practices for existing facilities. All such relocations shall be performed in accordance with applicable City ordinances. Company shall not be required to relocate System Facilities to a depth of greater than four (4) feet unless prior agreement is obtained from Company.

(I) When Company is required by City to remove or relocate its mains, laterals, and other facilities lying within Public Right-of-Way to accommodate a request by City, and costs of utility removals or relocations are eligible under federal, state, county, local, or other programs for reimbursement of costs and expenses incurred by Company as a result of such removal or relocation, and such reimbursement is required to be handled through City, Company costs and expenses shall be included by City in any application by City for reimbursement if Company submits its cost and expense documentation to City prior to the filing of the application. City shall make all reasonable efforts to provide reasonable written notice to Company of the deadline for Company to submit documentation of the costs and expenses of such relocation to City for City to be able to submit its application for reimbursement to such program in a timely manner. Upon receipt of an amount of reimbursement intended for utility relocation including, but not limited to, gas utilities, City shall remit to Company, within sixty (60) days of receipt, the portion of reimbursement related to the relocation or removal of Company's facilities. If Company is required by City to remove or relocate its mains, laterals, or other System Facilities lying within Public Right-of-Way to accommodate a private developer or for projects whose primary purpose is beautification or for any reason other than the construction, reconstruction, improving, widening, or straightening of its Public Right-of-Way, sewers, drainage, water lines, or other utilities by City, Company shall be entitled to reimbursement of the cost and expense of such removal or relocation from the party requesting the removal or relocation.

(J) When Company is required to remove or relocate its mains, laterals or other System Facilities to accommodate construction by City without reimbursement from City, Company shall have the right to seek recovery of relocation costs as provided for in applicable state and/or federal law. Nothing herein shall be construed to prohibit, alter, or modify in any way the right of Company to seek or recover a surcharge from customers for the cost of relocation pursuant to applicable state and/or federal law. City shall not oppose recovery of relocation costs when Company is required by City to perform relocation. City shall not require that Company document request for reimbursement as a pre-condition to recovery from customers of such relocation costs pursuant to applicable state and/or federal law. Notwithstanding the foregoing, the City shall have the right to request other project documentation to the full extent provided by state law.

(K) If City abandons any portion of the Public Right-of-Way in which Company has System Facilities, for public safety reasons or in furtherance of a public project, City shall determine whether it is appropriate to retain a public utility easement in such Public Right-of-Way for use by Company. If City determines, in its sole discretion, that the continued use of the Public Right-of-Way by Company is compatible with the abandonment of the Public Right-of-Way, then in consideration of the compensation set forth in Section XI, and to the maximum extent of its right to do so, City shall grant Company an easement for such use, and the abandonment of the Public Right-of-Way shall be subject to the right and continued use of Company. If City determines, in its sole reasonable discretion, that it is not appropriate to retain a public utility easement in such Public Right-of-Way, Company shall be responsible, subject to the provisions of Section III, for relocating its System from such Public Right-of-Way, as directed by City. If Public Right-of-Way is sold, conveyed, abandoned, or surrendered by City to a third party, such action shall be conditioned upon Company's right to maintain use of the former Public Right-of-Way. If the third party requests Company to relocate its System from the former Public Right-of-Way, and if such

relocation is agreed to by Company, such relocation shall be at the expense of the party requesting same. In addition, in the event of a third party requesting the relocation, if the relocation cannot practically be made to another Public Right-of-Way, the expense of any right-of-way acquisition shall be considered a relocation expense to be reimbursed by the party requesting the relocation.

(L) Upon request by City made no more often than once in any 12-month period, Company shall provide maps showing the location of its primary System Facilities. In addition, Company shall cooperate in locating its System Facilities when necessary to avoid conflict and protect the health and safety of the public.

SECTION IV. Laying of Lines in Advance of Paving

(A) Whenever City shall conclude to pave any Public Right-of-Way in which Company's System Facilities already exist or in which Company may propose to install its System Facilities, Company will be provided the opportunity, at no expense to City, in advance of such paving to modify such System Facilities, if defective or inadequate in size, and to lay new System Facilities, or modify same, if inadequate in size or defective, next to the property lines where buildings are already located.

(B) At least ninety (90) calendar days prior to the planned paving or repaving of Public Right-of-Way, City shall give Company written notice of the intention of City to pave any such Public Right-of-Way. Upon receipt of such notice, Company shall initiate its review process to determine the need to modify its System Facilities, and the need to lay or modify service lines underneath the portions of the Public Right-of-Way to be paved. If Company determines such a need, Company shall promptly initiate such work and shall thereafter proceed in a good faith and workmanlike manner to completion of the necessary work within ninety (90) calendar days after receipt of the notice from the City. Company's failure to complete the necessary work within the ninety (90) day period may be excused at the City's discretion, if Company has promptly notified the City of the circumstances that have caused the delay and has requested an extension of the construction period. City shall grant the extension unless withheld for good cause.

SECTION V. Liability Insurance

Company shall, at its sole cost and expense, obtain, maintain, or cause to be maintained, and provide, throughout the term of this Ordinance, insurance in the amounts, types and coverages in accordance with the following requirements. Such insurance may be in the form of self-insurance to the extent permitted by applicable law or by obtaining insurance, as follows:

(A) Commercial general or excess liability on an occurrence or claims made form with minimum limits of five million dollars (\$5,000,000) per occurrence and ten million dollars (\$10,000,000) aggregate. This coverage shall include the following:

- (1) Products/completed operations to be maintained for a warranty period of 2 years,
- (2) Personal and advertising injury,
- (3) Contractual liability, and
- (4) Explosion, collapse, or underground (XCU) hazards.

(B) Automobile liability coverage with a minimum policy limit of one million dollars (\$1,000,000) combined single limit each accident. This coverage shall include all owned, hired, and non-owned automobiles.

(C) Workers' compensation and employer's liability coverage. Statutory workers' compensation benefits in accordance with the statutes and regulations of the State of Texas. Company must provide the City with a waiver of subrogation for workers' compensation claims.

(D) Upon request, the Company will provide proof of insurance in accordance with this Ordinance within thirty (30) days after such request. Company will not be required to furnish separate proof when applying for permits.

SECTION VI. Indemnity

THE COMPANY, ITS SUCCESSORS AND ASSIGNS, SHALL PROTECT AND HOLD THE CITY AND ITS OFFICERS, AGENTS, AND EMPLOYEES (COLLECTIVELY REFERRED TO IN THIS SECTION AS "THE CITY") HARMLESS AGAINST ANY AND ALL CLAIMS OR DEMANDS FOR DAMAGES TO ANY PERSON OR PROPERTY BY REASON OF THE CONSTRUCTION AND MAINTENANCE OF THE COMPANY'S NATURAL GAS SYSTEM, OR IN ANY WAY GROWING OUT OF COMPANY'S EXERCISE OF THE RIGHTS GRANTED BY THIS FRANCHISE, EITHER DIRECTLY OR INDIRECTLY, OR BY REASON OF ANY ACT, NEGLIGENCE OR NONFEASANCE OF THE COMPANY OR THE CONTRACTORS, AGENTS OR EMPLOYEES OF THE COMPANY OR ITS SUCCESSORS AND ASSIGNS, AND SHALL REFUND TO THE CITY ALL SUMS WHICH THE CITY MAY BE ADJUDGED TO PAY ON ANY SUCH CLAIM, OR WHICH MAY ARISE OR GROW OUT OF THE EXERCISE OF THE RIGHTS AND PRIVILEGES HEREBY GRANTED OR BY THE ABUSE THEREOF, AND THE COMPANY OR ITS SUCCESSORS AND ASSIGNS SHALL INDEMNIFY AND HOLD THE CITY HARMLESS FROM AND ON ACCOUNT OF ALL DAMAGES, COSTS, EXPENSES, ACTIONS, AND CAUSES OF ACTION THAT MAY ACCRUE TO OR BE BROUGHT BY, A PERSON, PERSONS, COMPANY OR COMPANIES AT ANY TIME HEREAFTER BY REASON OF THE EXERCISE OF THE RIGHTS AND PRIVILEGES HEREBY GRANTED, OR OF THE ABUSE THEREOF.

SECTION VII. Installation of Meter

If a meter is to be installed in or near the Public Rights-of-Way, Company agrees to discuss with the City's representative the aesthetics of the meter placement and to accommodate the request of City to the maximum extent possible. Company meters and placement thereof must meet all landscaping requirements under the City's Code of Ordinances, as amended. If City requests a meter upgrade, Company will comply so long as City reimburses Company for the reasonable costs incurred by Company in changing meters. In no event, however, shall underground meters be required.

SECTION VIII. Rates

Company shall furnish reasonably adequate service to the public at reasonable rates and charges therefor, and Company shall maintain its System in good order and condition. Such rates shall be established in accordance with all applicable statutes and ordinances. Company shall maintain on file with the City copies of its current tariffs, schedules, or rates, and charges and

service rules and regulations applicable to the City. The rates and charges collected from its customers in the City shall be subject to revision and change by either the City or Company in the manner provided by law.

SECTION IX. Extensions of Mains

Company shall not be required to extend mains on any Public Right-of-Way more than one hundred (100) feet for any one consumer of gas; provided, however, Company is not required to extend its mains or facilities if the customer will not use gas for space heating and water heating, or the equivalent load, at a minimum.

SECTION X. Non-Exclusive Use

The rights and privileges granted to Company by this Ordinance are not to be considered exclusive and City hereby expressly reserves the right to grant, at any time, like privileges and rights as it may see fit to any other person or corporation for the purpose of furnishing gas for, but not limited to, light, heat, and power to and for City and the inhabitants thereof.

SECTION XI. Franchise Fee and Payment

(A) In consideration of the privilege granted by the City to Company to use and occupy the Public Rights-of-Way in the City for the purposes stated herein, Company and its successors and assigns agree to deliver and pay to City, and City agrees to accept, a franchise fee in an amount equivalent to five percent (5%) of the Company's Gross Revenues as defined in Section II(G). The initial payment shall be paid to the City by Company on or before the Due Date for the Quarter, as set forth below, in which the Effective Date occurs, and shall include Gross Revenues received by Company from the Effective Date of this Ordinance. Thereafter the Company shall pay the franchise fee quarterly as follows:

<u>Due Date</u>	<u>Quarter</u>
May 15	First (January 1 - March 31)
August 15	Second (April 1 - June 30)
November 15	Third (July 1 - September 30)
February 15	Fourth (October 1 - December 31)

(B) Each payment due during the term of this Ordinance will be made on or before the close of business on the payment due date. If any payment due date required by this Ordinance falls on a weekend or declared bank holiday, payment shall be made by the close of business on the next working day.

(C) The franchise fee amounts that are due based on CIAC shall be paid at least once annually on or before April 30 each year based on the total CIAC recorded during the preceding calendar year. The initial CIAC franchise fee amount will be paid on or before April 30, 2026, and will be based on the calendar year January 1 through December 31, 2025. The final CIAC franchise fee amount under the initial term will be paid on or before April 30, 2036, and will be based on the calendar year January 1 through December 31, 2035.

(D) It is expressly agreed that the franchise fee payments shall be in lieu of any and all other and additional occupation taxes, easement, franchise taxes or charges (whether levied as a special or other character of tax or charge), municipal license, permit, and inspection fees, bonds, street taxes, and street or alley rentals or charges, and all other and additional municipal taxes, charges, levies, fees, and rentals of whatsoever kind and character, including, without limitation, any charges under Chapter 182 of the Texas Tax Code (collectively, the "Other Charges") that City may now impose or hereafter levy and collect from Company or Company's agents, excepting only the usual general or special ad valorem taxes that City is authorized to levy and impose upon real and personal property and Company's separate obligation to reimburse the City for street repairs in accordance with this Ordinance. Should City not have the legal power to agree that the payment of the franchise fees shall be in lieu of the Other Charges, then City agrees that it will apply so much of said franchise fee payments as may be necessary to satisfy Company's obligations, if any, to pay such Other Charges.

(E) If Company fails to pay when due any payment provided for in this section, Company shall pay such amount plus interest consistent with the rate for customer deposits under Texas Utilities Code Section 183.003 from such due date until payment is received by City.

(F) SÍEnergy Franchise Fee Recovery Tariff.

(1) The Company may from time-to-time file with the City a tariff amendment(s) to provide for the recovery of the franchise fees payable by the Company under this Ordinance.

(2) City agrees that it will take no action, nor cause any other person or entity to take any action, to prohibit the recovery of such franchise fees by the Company.

(G) In order to determine the Gross Revenues received by Company, Company agrees that quarterly, on the same date that payment is made as provided in the preceding paragraphs of this section, it will provide a statement showing the amount of Gross Revenues for the period covered by the payments.

(H) Within thirty (30) days after receipt of a request by Company following the effective date of this Ordinance, the City shall provide Company (at the notice address specified in Section XVI) with maps clearly showing the location of the boundaries of the City. Within thirty (30) days after City annexes property into, or de-annexes property from, the territory of City, City shall provide Company (at the notice address specified in Section XVI) with maps clearly showing the location of the boundaries of such annexed or de-annexed property. Within sixty (60) days, or such additional time as mutually agreed to by the City and Company, after Company's receipt of (i) written notice from the City that the City has annexed territory into the City and (ii) maps showing clearly the areas annexed, the Company shall revise its accounting records to include the annexed territory, and Company's customers therein, within the City. After such time period, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are located within such annexed area shall be included in the calculation of the franchise fee payable under this Ordinance. Likewise, Gross Revenues related to Company's customers whose consuming facilities' points of delivery are in any area de-annexed by City shall cease to be included in the calculation of the franchise fee payable under this Ordinance upon the effective date of such disannexation.

SECTION XII. Retention, Accessibility and Confidentiality of Records

(A) Company shall maintain the fiscal records and supporting documentation for payments of Gross Revenues associated with this Ordinance for not less than five years.

(B) Company gives City, its designee, or any of their duly authorized representatives, access to and the right to examine relevant books, accounts, records, audit reports, reports, files, documents, written material, and other papers belonging to or in use by Company pertaining to the franchise fee payable under this Ordinance (the "Records") during the Company's regular business hours and at the Company's principal offices upon receipt of thirty (30) days written notice from the City. The City's access to the Records will be limited to information needed to verify that, within the two (2) year period prior to such access to the Records, Company is and has been complying with the terms of this Ordinance. If such an examination reveals that Company has underpaid the franchise fee to City, then upon receipt of written notification from City regarding the existence of such underpayment, Company shall undertake a review of City's claim and, if said underpayment is confirmed, remit the amount of underpayment to City, including any interest calculated in accordance with Section XI(E). The cost of the audit shall be borne by City unless the Company is finally determined to have underpaid the franchise fee by five percent (5%) or more, in which case the reasonable costs of the audit shall be immediately reimbursed to the City by Company. The rights to access the Records shall terminate two (2) year(s) after the termination or expiration of this Ordinance. Company agrees to maintain the Records in an accessible location.

(C) Any information that is not required by law to be made public shall be kept confidential by City. The City shall provide notice to Company of any request for release of information previously designated by Company as proprietary or confidential non-public information prior to releasing the information to allow Company adequate time to pursue available remedies for protection. If the City receives a request under the Texas Public Information Act that includes Company's previously designated proprietary or confidential information, City will request an opinion from the Texas Attorney General as to the confidential or the proprietary nature of the information. The City also will provide Company with notice of the request, and thereafter Company is responsible for establishing that an exception under the Texas Public Information Act allows the City to withhold the information.

SECTION XIII. Renegotiation

If either the City or Company requests renegotiation of any term of this Ordinance, Company and City agree to renegotiate in good faith revisions to all terms of this Ordinance. If the parties cannot come to agreement upon any provisions being renegotiated, then the existing provisions of this Ordinance will continue in effect for the remaining term of the Ordinance.

If Company should at any time after the effective date of this Ordinance agree to a new municipal franchise ordinance, or renew an existing municipal franchise ordinance, with another municipality in Company's service territory, which municipal franchise ordinance determines the franchise fee owed to that municipality for the use of its public rights-of-way in a manner that, if applied to the City, would result in a franchise fee greater than the amount otherwise due City under this Ordinance, then the franchise fee to be paid by Company to City pursuant to this Ordinance may, at the election of the City, be increased so that the amount due and to be paid is equal to the amount that would be due and payable to City were the franchise fee provisions of that other franchise ordinance applied to City.

SECTION XIV. Termination

(A) The City, in accordance with subsection (B) below, may terminate this Ordinance and all rights and privileges pertaining thereto, in the event that the Company violates any material provision of this Ordinance (an "Event of Default").

(B) Uncured Events of Default.

- (1) Upon the occurrence of an Event of Default which can be cured by the immediate payment of money to City or a third party, Company shall have thirty (30) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIV(C).
- (2) Upon the occurrence of an Event of Default by Company which cannot be cured by the immediate payment of money to City or a third party, Company shall have sixty (60) days (or such additional time as may be agreed to by the City) after receipt of written notice from City of an occurrence of such Event of Default to cure same before City may exercise any of its rights or remedies pursuant to Section XIV(C).
- (3) If the Event of Default is not cured within the time period allowed for curing the Event of Default as provided for herein, such Event of Default shall, without additional notice, become an Uncured Event of Default, which shall entitle City to exercise the remedies pursuant to Section XIV(C).

(C) Remedies. Upon receipt of a notice of an alleged Uncured Event of Default as described in Section XIV(B), which notice shall specify the alleged failure with reasonable particularity, the Company shall, within the time periods specified in Section XIV(B) or such longer period of time as may be agreed to by the City, either cure such alleged failure or, in a written response to the City, present facts and arguments in refuting or defending such alleged failure, or state that such alleged failure will be cured and set forth the method and time schedule for accomplishing such cure. In the event that such cure is not forthcoming or the City determines that an unexcused "Uncured Event of Default" has occurred, City shall be entitled to exercise any and all of the following cumulative remedies:

- (1) The commencement of an action against Company at law for monetary damages.
- (2) The commencement of an action in equity seeking injunctive relief or the specific performance of any of the provisions, which as a matter of equity, are specifically enforceable.
- (3) The termination of the franchise granted herein.

(D) Remedies Not Exclusive. The rights and remedies of City and Company set forth in this Ordinance shall be in addition to, and not in limitation of, any other rights and remedies provided by law or in equity. City and Company understand and intend that such remedies shall be cumulative to the maximum extent permitted by law and the exercise by a party of any one or more of such remedies shall not preclude the exercise by such party, at the same or different

times, of any other such remedies for the same failure to cure. However, notwithstanding this Section or any other provision of this Ordinance, City shall not recover both liquidated damages and actual damages for the same violation, breach, or noncompliance, either under this Section or under any other provision of this Ordinance.

(E) Termination. The franchise granted herein may be terminated only in accordance with the provisions of Section XIV(C). City shall notify Company in writing at least thirty (30) business days in advance of the City Council meeting at which the questions of termination shall be considered, and Company shall have the right to appear before the City Council in person or by counsel and raise any objections or defenses Company may have that are relevant to the proposed forfeiture or termination. The final decision of the City Council may be appealed to any court or regulatory authority having jurisdiction. Upon timely appeal by Company of the City Council's decision terminating the franchise granted herein, the effective date of such termination shall be either when such appeal is withdrawn or a court order upholding the termination becomes final and unappealable. If no appeal is filed, the effective date of such termination shall be the thirtieth (30th) day following the date of the final termination decision of the City Council. Until the termination becomes effective, the provisions of this Ordinance shall remain in effect for all purposes.

SECTION XV. Successors and Assigns

Company's rights under this Ordinance shall not be assigned or transferred without the written consent of the City, which consent shall not be unreasonably withheld; provided, however, that Company may assign its rights under this Ordinance to a parent, subsidiary, affiliate or successor entity without such consent, so long as such parent, subsidiary, affiliate or successor (i) assumes all obligations of Company hereunder, and (ii) is bound to the same extent as Company hereunder. Company shall give the City sixty (60) days prior written notice of any assignment to a parent, subsidiary, affiliate or successor entity. Any required consent shall be expressed by an ordinance that fully recites the terms and conditions, if any, upon which such consent is given. Any assignment or transfer effected prior to the City's approval thereof, if required, shall authorize the City to treat such assignment or transfer as an Uncured Event of Default and immediately implement the provisions of Section XIV, including the right to terminate the franchise granted herein.

SECTION XVI. Notices

Any notice required or permitted to be delivered hereunder shall be deemed received if sent electronically to the email address provided below, if applicable, and: (i) delivered in person to the applicable address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the applicable address set forth below; or (iii) delivered to such party by courier receipted delivery to the applicable address set forth below. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is deemed received by the other party as provided above, the last address of such party designated for notice shall remain such party's address for notice.

If intended for the City:
City of Elgin
Attention: City Manager's Office
P.O. Box 591

Elgin, TX 78621
citysecretary@elgintexas.gov

If intended for the Company:
SiEnergy Gas, LLC
Attention: Chief Executive Officer
13215 Bee Cave Pkwy, Suite B-250
Bee Cave, Texas 78738
Travis County, Texas

SECTION XVII. Severability; Amendment; Ordinance Controlling

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance. Both the Company and the City expressly recognize that this Ordinance creates a binding and enforceable contract between them, which contract may not be amended without written consent of both the Company and the City. Should any inconsistency or conflict exist now or in the future between the provisions of this Ordinance and the City's charter or another ordinance or ordinances, then the provisions of this Ordinance shall control to the extent of such inconsistency or conflict to the extent not prohibited by law.

SECTION XVIII. Governing Law

This Ordinance shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Exclusive venue for any action concerning this Ordinance, the transactions contemplated hereby, or the liabilities or obligations imposed hereunder shall be in the State District Court of Bastrop County, Texas.

SECTION XIX. No Waiver

Either City or Company shall have the right to waive any requirement contained in this Ordinance, which is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Ordinance shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or a different type of breach or violation.

SECTION XX. Paragraph Headings; Construction

The paragraph headings contained in this Ordinance are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the preparation of this Ordinance and this Ordinance shall not be construed either more or less strongly against or for either party.

SECTION XXI. Acceptance; Effective Date

The Company has consented to and agrees with this Ordinance via the submission to the City of written acceptance in the form of **Exhibit A** attached hereto and incorporated herein.

Subject to the submission to the City of this acceptance, this Ordinance shall become effective immediately upon final adoption of this Ordinance by the City (such date being the "Effective Date").

PASSED AND APPROVED ON THIS THE ____ DAY OF _____, 202__.

APPROVED:

ATTEST:

APPROVED AS TO FORM:

EXHIBIT "A"

SiEnergy Gas, LLC Acceptance of Franchise Ordinance

[DATE]

City of Elgin, Texas
Attention: City Secretary

RE: SiEnergy Gas, LLC Gas franchise; acceptance of ordinance

This letter certifies that SiEnergy Gas, LLC accepts and agrees to be contractually bound by the terms and conditions of an ordinance duly-enacted by the City of Elgin in the form attached hereto as Attachment A (the "Ordinance"). The Ordinance shall be deemed effective as of the date it is duly enacted by the City, with no further action necessary by either the City or SiEnergy.

SIENERGY GAS, LLC

By: _____

Printed Name: _____

Title: _____

SiEnergy Acceptance of Elgin Franchise Agreement - 07.29.2025

Final Audit Report

2025-07-29

Created:	2025-07-29
By:	Peter Jetty (peterjetty@sienergy.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAABRKcTfWr7YDKr-ZPi31uKhk0Y6ND0eHV

"SiEnergy Acceptance of Elgin Franchise Agreement - 07.29.2025" History

-  Document created by Peter Jetty (peterjetty@sienergy.com)
2025-07-29 - 10:09:06 PM GMT
-  Document emailed to Dan Croll (dancroll@sienergy.com) for signature
2025-07-29 - 10:09:12 PM GMT
-  Email viewed by Dan Croll (dancroll@sienergy.com)
2025-07-29 - 10:11:44 PM GMT
-  Document e-signed by Dan Croll (dancroll@sienergy.com)
Signature Date: 2025-07-29 - 10:12:08 PM GMT - Time Source: server
-  Agreement completed.
2025-07-29 - 10:12:08 PM GMT



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Appointment/Re-Appointment of Members to Various City Commissions, Boards, and/or Committees Including the Planning & Zoning Commission, Board of Adjustments, Library Advisory Boards, Park & Recreation Advisory Board, Economic Development Corporation Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standard Commission

DEPARTMENT: Executive

PROPOSED ACTION: Appointment/re-appointment of members to the Planning & Zoning Commission, Board of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standards Commission as applicable.

BACKGROUND:

The City Council has established by Ordinance policies and procedures regarding annual appointments to various City Commissions, Boards, and/or Committees. The City Secretary's Office has previously provided a report to the Council in compliance with the requirements of City code; and now such appointments and/or re-appointments are ready for the Council's consideration.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends appointment of the recommended members.

ATTACHMENTS:

None

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, NOMINATING PERSONS FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: Executive

PROPOSED ACTION: Council will nominate two individuals to serve on the Bastrop CAD Board of Directors and approve the resolution nominating them

BACKGROUND:

Five of the nine members of the Bastrop CAD Board of Directors are appointed by the participating taxing jurisdictions, the County, Cities, School Districts, and Community College. This year's appointment cycle is for two Board of Directors positions whose terms will begin on January 1, 2026, and end on December 31, 2029 (a four-year term). The two current Board members whose term will expire on December 31, 2025, have expressed interest in being nominated for another term. They are: David Redd and Justin Bezner. Taxing jurisdictions may nominate individuals on or before October 15, 2025. At a later date, each taxing jurisdiction must allocate its votes (by resolution at a regular session) to one or more nominees and deliver its resolution to the appraisal district on or before December 15, 2025.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {} included {} not included in the current-year budget {X} N/A

RECOMMENDATION:

Staff recommends nominating two individuals and approving the resolution

ATTACHMENTS:

1. BCAD Nomination Resolution

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

RESOLUTION NO. 2025-09-16-xx

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
NOMINATING PERSONS FOR THE BASTROP CENTRAL
APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING
FINDINGS OF FACT; AND PROVIDING FOR RELATED
MATTERS**

WHEREAS, the City of Elgin is a taxing unit within the Bastrop Central Appraisal District (BCAD); and,

WHEREAS the Texas Property Tax Code allows tax jurisdictions to nominate up to five people to serve on the Board of the Bastrop Central Appraisal District (BCAD) for a term of office beginning January 1, 2026; and,

WHEREAS, the City of Elgin desires to nominate a person or persons to said Board.

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Nominations for BCAD Board of Directors. The Mayor and City Council do hereby nominate the following person or persons for a position on the Board of Directors of the Bastrop Central Appraisal District.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 16th day of September, 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Consider and Take Possible Action to Approve Waiver of Performance Requirements Under the Funding Agreement Between The City of Elgin and the Elgin Chamber of Commerce for Expenditure of Hotel Occupancy Tax Funds for the First Quarter of 2025 and Second Quarter of 2025 Quarterly Payments, and Authorize Payment of the Quarterly Funding, with Findings that Such Payment Serves a Valid Public Purpose.

DEPARTMENT: Executive

PROPOSED ACTION: Discuss and consider possible action to waive the performance requirements of the funding agreement

BACKGROUND:

On January 7, 2025, the City Council approved a funding agreement with the Elgin Chamber of Commerce. The City of Elgin did not receive the quarterly invoices or reports from the Elgin Chamber of Commerce for quarters 1 and 2 in the time frame set out by the agreement, "*Statements to be provided within 15 days of the end of the quarters listed in Section 6 to City Secretary.*" Section 6 of the agreements lists the end of the first quarter as March 30th, and the end of the second quarter as June 30th.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {X} included {} not included in the current-year budget {} N/A

Funding for the Chamber of Commerce was included in the FY24-25 Budget. The Chamber of Commerce is to receive "HOT" Funds, or City Hotel Occupancy Tax Funds in equal quarterly payments to amount to \$58,000.00.

RECOMMENDATION:

Staff does not have a recommendation.

ATTACHMENTS:

1. Funding Agreement between the Chamber and City of Elgin 1.7.2025

- { } Staff will be making a detailed presentation on this agenda item at the meeting.
- {X} Staff will provide brief comments and answer questions on this item at the meeting.
- { } This is a routine procedural item and no presentation is planned for the meeting.

Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

**FUNDING AGREEMENT BETWEEN THE CITY OF ELGIN AND THE ELGIN CHAMBER OF
COMMERCE FOR EXPENDITURE OF HOTEL OCCUPANCY TAX FUNDS**

THE STATE OF TEXAS

KNOW ALL BY THESE PRESENTS:

COUNTY OF BASTROP

THIS PENDING AGREEMENT (the “AGREEMENT”) is entered into between the CITY OF ELGIN, TEXAS, a Texas home-rule city (“CITY”), and the ELGIN CHAMBER OF COMMERCE, a Texas non-profit corporation (“Chamber”). In this agreement, the City and Chamber are sometimes individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

WHEREAS, the Elgin Chamber of Commerce has requested Hotel Occupancy Tax funding to serve as the official Elgin Visitor Center to positively promote the City to out-of-town visitors; and

WHEREAS, the City of Elgin has considered the request and considers the Elgin Visitor Center provided by the Elgin Chamber of Commerce directly enhances and promotes tourism in the City; and

WHEREAS, the goal of this agreement is to assist visitors to the City of Elgin, thus directly enhancing and promoting tourism as outlined in Chapter 351 of the State of Texas Tax Code; and

NOW THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements of the Parties contained in this Agreement, the Parties agree as follows:

GENERAL PROVISIONS

Section 1. Purpose. The purpose of this Agreement is for the Elgin Chamber of Commerce to utilize City of Elgin Hotel Occupancy Taxes to promote the City of Elgin tourism by providing a quality Elgin Visitor Center for out-of-town visitors in order to increase the number of overnight visitors to Elgin. City Hotel Occupancy Tax funds shall only be used for those activities associated with the Visitor Center as covered under this Agreement.

Section 2. Chamber Obligations. The Chamber shall use all of the awarded funds provided by the City in accordance with Chapter 351 of the Texas Tax Code and the Chamber's funding application solely for the use of operating and maintenance of the Elgin Visitor Center and providing assistance to out-of-town visitors. At a minimum, the Elgin Visitor Center must:

- a) display marketing materials from local hotels, motels, and restaurants; and
 - 1. display information related to local special events and sporting events; which would support hotels, motels, and accommodations in the City.
 - 2. Produce at least one print marketing material targeted towards outside visitors and distribute at least 4,000 items by February 1 annually to locations outside Elgin including but not limited to the TXDOT travel Centers.
 - 3. advertise community events listed in Section 4 to outside visitors Via sponsored social media posts, flyers, newspaper ads. Provide documentation of this advertising in the respective quarterly reports.
 - 4. Add community events listed in Section 4 to online calendars such as the Statesman, Do512, Community Impact, Elgin Courier, Austin Chronicle, Texas Highways. Provide documentation of these listings in the respective quarterly reports.
 - 5. Chamber of Commerce will have a staff member attend joint Main Street & Chamber promotion and tourism committee meetings.
 - 6. Two representatives of the city's choosing are voting members on the Greater Elgin Chamber of Commerce Board of Directors.

Section 3. Chamber Reporting Requirements. The Chamber shall deliver the following to the City Secretary:

- a) On a MONTHLY basis, within fifteen (15) days after the end of the month a Visitor Center Report that includes the following information to City Secretary:
 - i. The number of assisted walk-in-visitors during normal visiting hours segregated into four categories (1) out-of-state or international visitors, (2) Elgin visitors, (3) Bastrop County visitors, and (4) other visitors from Texas; and
 - ii. The number of phone calls where out-of-town visitors were provided assistance; and
 - iii. The name of out-of-town groups and number of visitor packets distributed; and
 - iv. Actual hours of operation of the Visitor Center

- b) On a QUARTERLY basis, within fifteen (15) days of the end of each quarter a General Activity Report that includes the following information to City Secretary:
 - i. Promotional activities, specifically including any activities intended to generate visitors to Elgin; and
 - ii. Tourism related meetings and promotional events attended; and
 - iii. Groups or organizations that utilized Chamber facilities or equipment; and
 - iv. Marketing efforts, including but not limited to any publications or media coverage generated by Chamber; and
 - v. A synopsis of Chamber social media activity; and
 - vi. The number of volunteers utilized to support the Chamber and its programs, delineated by their associated activity.
- c) On an ANNUAL basis, within fifteen (15) days after the end of the year, an Annual Report summarizing all information required under this section.
- d) Chamber P&L Budget Performance for the Period ending December 31, Provided by January 15 and June 30, to City Secretary .
- e) A copy of the Chambers Form 990 no later than June 30th to City Secretary .
- f) A copy of audited financial reports submitted to the City Secretary every two years by June 30th.
- g) Present an annual report to City Council on the first Tuesday of February, coordinated with the City Secretary.

Section 3 A.

- a) The Chamber of commerce must comply with state and federal regulations for receiving hot funds.
- b) The Chamber of commerce must have one member of the chamber staff attend a HOT Funds workshop or training provided through the Texas Comptroller's office every two years and provide documentation to the City Secretary of successful completion of that training by January 15 of odd numbered years.

Section 4. Visitor Center Operating Hours. The Chamber shall maintain operating hours whereby the Visitor Center is open for business a minimum of thirty-eight (38) hours each normal (non-holiday) work week. Unless otherwise agreed to by the City Manager, the average or normal operating hours of the Visitor Center shall be Monday through Friday 9:00 AM to 4:00 PM and Saturday 9:00 AM to noon (12:00PM).

Section 4 A Hours in addition to regular visitor center hours

The Chamber will have an information booth or the Visitor's Center will be open to the public outside normal business hours during the following events:

- a. Elgin Music Festival / Explore Elgin Art & Culture 10am to 2pm
- b. Juneteenth 10am to 2pm
- c. Western Days 10am to 4pm
- d. Hogeye Festival 10am to 2pm
- e. Dia De Los Muertos 5pm to 8pm
- f. Small Business Saturday 9am to noon
- g. Holiday by Tracks 10am to 4pm
- h. Sip Shop & Stroll monthly every 2nd Tuesday 5pm to 8pm

Section 5. Limitations on Funding. Subject to the Chamber's satisfactory performance and compliance with the terms of this Agreement, the City agrees to provide annual funding: \$58,000 fiscal year 2024-2025.

- a) The Chamber of Commerce will hold these funds in a separate bank account and will provide monthly bank statements to the City Secretary. Statements to be provided within 15 days of the end of the quarters listed in Section 6 to City Secretary. It is the expressed goal of this Agreement and the Parties hereto that at no time shall funding provided to the Chamber by the City under this Agreement represent the majority of overall annual operational funding of the Elgin Chamber of Commerce.
- b) The Funding Agreement may be extended for one (1) year with written acceptance of both parties thirty (30) days prior to end of said Agreement term.

Section 6. Authorization of Payment. Subject to the Chambers satisfactory performance and compliance with the terms of this Agreement, the City agrees to provide funding to the Chamber in equal quarterly payments from City Hotel Occupancy Tax funds as authorized by the City Council in the City Annual Operating Budget. Quarterly payments will be made after services have been provided and within thirty (30) days of receiving the required reports and an invoice. Failure to submit the quarterly report within 30 days of the end of the quarter will result in the forfeiture of that quarters funding.

- a. Q1 – ends March 30th.
- b. Q2 – ends June 30th.
- c. Q3 – ends September 30th.
- d. Q4 – ends December 31st.

Section 7. Non-Appropriation of Funds. All obligations of the City under this agreement are subject to the availability of annual legislative appropriations by the City Council and the Chamber acknowledges that the ability of the City to Perform under this Agreement is contingent upon the continued availability of funds. The amount of City obligation hereunder shall not at any time exceed the amount certified for the purpose stated in such advance authorization. The City has no obligation to

make appropriations for this Agreement in lieu of appropriations for new or other agreements. City budget decisions are within the exclusive discretion of the Elgin City Council.

Section 8. Rights. The City of Elgin has the right, at any time, to inspect the books or records of the Chamber that may relate to the performance of this Agreement. The City, at its sole expense, has the right to conduct an audit of the Chamber.

Section 9. Term. This Agreement shall become effective as of January 1, 2025, and shall continue in effect until December 31, 2025.

Section 10. Recapture Provision. In the event the Chamber does not comply with the terms of this Agreement, is otherwise in default, or fails to appropriately spend the funds in accordance with State law, or falsifies any documents required under this Agreement, the Chamber, in pursuant to the provisions herein shall refund to the City an amount equal to the sum of all funding actually paid by the City to the Chamber immediately preceding the date of such termination.

Section 11. Indemnification. The Chamber agrees to defend, indemnify, and hold harmless the City of Elgin, the Mayor, and City Council, its officers, agents and employees, against any and all claims, lawsuits, judgments, cause of action, costs and expenses for personal injury (including death), property damage, or other harm for which recovery of damages which is sought, suffered by any person or persons, that may arise out of or be occasioned by the Chamber's breach of any of the terms or provisions of this Agreement, or by any negligent act or omission of the Chamber, its officers, agents, servants, employees, contractors, or subcontractors, in the performance of this Agreement; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence of the City, its officers, agents, employees or separate contractors, and in the event of joint and concurrent negligence of both the Chamber and the City under Texas law and without waiving any defenses of the parties under Texas law. The provisions of this paragraph are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any other person or entity. Both parties expressly agree that this Agreement does not assign any responsibility for civil liability to the City that may arise by virtue of this Agreement.

Section 12. Termination. TERM/TERMINATION

1. The term of this Agreement shall be for twelve months beginning on the date this Agreement is signed, unless otherwise terminated by either party in writing.

2. Upon sixty (60) days written notice, the City may terminate this Agreement, with or without cause, and without the consent of the Licensee. Likewise, upon sixty (60) days written notice, the Licensee may terminate this Agreement, with or without cause, and without the consent of the City.

Section 13. Appeal Process. If the Chamber wishes to make any appeals on decisions of the City relating to this Agreement, the Chamber must present their appeal in writing within ten (10) business days of funding denial to the City Manager.

MISCELLANEOUS

Section 14. Approval. This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party herein. Each Party represents and warrants that it has the full right, power, and authority to execute this Agreement.

Section 15. Severability. The provision of this Agreement is held to invalid for any reason by a court or agency of competent jurisdiction, the remainder of this Agreement shall not be affected and this Agreement shall be construed as if the invalid portion had never been contained herein.

Section 16. Cooperation. The Parties agree to cooperate at all times in good faith to effectuate the purposes and intent of this Agreement.

Section 17. Entire Agreement. Except as otherwise expressly provided herein, this Agreement contains the entire agreement of the Parties and supersedes all prior or contemporaneous understandings or representations regarding the subject matter hereof.

Section 18. Amendments. Any amendment of this Agreement must be in writing and shall be effective if signed by the authorized representatives of both parties.

Section 19. Applicable Law; Venue. This Agreement shall be construed in accordance with Texas law. Venue for action arising hereunder shall be in Bastrop County, Texas.

Section 20. Assignment. Except as otherwise provided in this Agreement, the Chamber may not assign this Agreement or subcontract the performance of services without first obtaining the written consent of the City.

Section 21. Non-Waiver. A party's failure or delay to exercise right or remedy does not constitute a waiver of the right or remedy. An exercise of a right or remedy

under this Agreement does not preclude the exercise of another right or remedy. Rights and remedies under this Agreement are cumulative and are not exclusive of other rights or remedies provided by law.

Section 22. Force Majeure. The Parties shall not be deemed in violation of this Agreement if prevented from performing any of their obligations hereunder by reasons for which they are not responsible or circumstances beyond their control. However, notice of such impediment or delay in performance must be timely given, and all reasonable efforts undertaken to mitigate its effects.

Section 23. Notices. Notices provided hereunder shall be sufficient if forwarded to the other party by hand-delivery or via U.S. Postal Service, postage prepaid, to the address of the other party shown below:

CITY:	City of Elgin Attn: City Secretary PO Box 591 Elgin, TX 78621
CHAMBER:	Elgin Chamber of Commerce Attn: Executive Director P.O. Box 408 Elgin, TX. 78621

Section 24. Counterparts. This Agreement may be executed simultaneously in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute the same instrument.

CITY OF ELGIN:

BY: Theresa Y. McShan

Theresa Y. McShan, Mayor

Date 1-7-2025

THE ELGIN CHAMBER OF COMMERCE:

BY: Stacy Shuff

Chairman

Date 12-18-24

BY: Veronica Seener

Executive Director

Date 12-18-24