



**ELGIN CITY COUNCIL AGENDA
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
October 21, 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 AMENDING CHAPTER 20 FLOODS, SEC. 20-19, SEC. 20-21 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80 THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

VI. 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.

VII. ANNOUNCEMENTS

- 1. Bastrop County Cares and City of Elgin CARTS Bus Passes Program (Marzec)**
- 2. Prime Timer Craft - Decorative Ghost Votives Monday, October 20th at the Elgin Recreation Center**
- 3. Lanterns of Remembrance Wednesday, October 22nd at the Elgin Recreation Center**
- 4. Trees 101: Planting for Success Sunday, October 26th at the Elgin Recreation Center**
- 5. 38th Annual Hogeye Festival Saturday, October 25th in Downtown Elgin**

VIII. PRESENTATION

- 1. A PROCLAMATION HONORING RONALD D. CREPPON'S YEARS OF SERVICE AS A MEMBER OF THE PLANNING AND ZONING COMMISSION**
- 2. A PROCLAMATION HONORING S.H. MCSHAN'S YEARS OF SERVICE AS A MEMBER OF THE BOARD OF ADJUSTMENTS**
- 3. Presentation of the Annual Audit Report for the period ending September 30, 2024, by BrooksWatson &Co. PLLC.**

IX. CITY MANAGERS REPORT

- 1. Discussion about Audit Findings**
- 2. Discussion over the Approved 2025 Tax Rate**
- 3. Update on the Cost Incurred by Fee Waivers for Special Events in the City of Elgin (Marzec/Gonzalez)**
- 4. Historic Review Board Quarterly Report**
- 5. Notification of the Appointment of Kaley Frye as the Economic Development Director by the Economic Development Corporation**

X. 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 - September 9, 2025**
- 2. City Council Regular Meeting Minutes - September 16, 2025**
- 3. City Council Work Session Minutes - September 23, 2025**

4. **Possible Action to Approve the Waiver of the Noise Ordinance for the Hogeye Street Dance on Friday, October 24th, Through Midnight. (Gonzalez)**
5. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, RATIFYING PAYMENT AND AUTHORIZATION OF THE REPAIR OF PUMP FOUR AT THE WATER TREATMENT PLANT AND MAKING CERTAIN FINDINGS RELATED THERETO. (GONZALEZ)**
6. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING A ROUTINE PAYMENT TO WGA ENGINEERS FOR DESIGN OF THE WASTEWATER TREATMENT PLANT 2; AND MAKING CERTAIN FINDINGS RELATED THERETO (GONZALEZ)**

XI. NEW BUSINESS

1. **AN ORDINANCE AMENDING CHAPTER 20 FLOODS, SEC. 20-19 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80 THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS. (LIPIEC)**

XII. 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.

XIII. RECONVENE

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

XIV. 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, October 15, 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 AMENDING CHAPTER 20 FLOODS, SEC. 20-19, SEC. 20-21 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80 THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

DEPARTMENT: Development Services

PROPOSED ACTION: None.

BACKGROUND:

State law requires a public hearing on amendments to ordinances.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

None.

ATTACHMENTS:

1. Chapter 20 Proposed Amending Ordinance
2. EXHIBIT "A"

{ } 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. 2025-10-14-_____

AN ORDINANCE AMENDING CHAPTER 20 FLOODS, SEC. 20-19 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80, THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to update certain regulations regarding floods; and

WHEREAS, City Staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, the City Planning & Zoning Commission has determined that the proposed amendments shown in Exhibit “A” better the Floods Code; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

BE IT ORDANED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS:

I.

That Chapter 20 Floods of the Revised Code of Ordinances, City of Elgin, Texas 2013, is hereby amended to read as shown in Exhibit “A”.

II.

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

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

C. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof 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 this 14th day of October 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

EXHIBIT “A”

Amendments to Chapter 20 of the Elgin Code of Ordinances are shown in blue and purple. Only the text in ~~blue~~ or ~~purple~~ or blue or purple shall change.

Note: The different colors indicate edits made by different staff members.

Chapter 20 FLOODS

ARTICLE I. IN GENERAL

Secs. 20-1—20-18. Reserved.

ARTICLE II. FLOOD DAMAGE PREVENTION¹

DIVISION 1. GENERALLY

Sec. 20-19. Statutory ~~A~~authorization.

(a) The ~~L~~egislature of the ~~S~~tate of Texas has in ~~the~~~~is~~ Flood Control and Insurance ~~Act, Texas V.T.C.A.,~~ Water Code § 16.311 et seq., delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the ~~C~~ity ~~C~~ouncil does ordain the regulations set forth in this article.

(Code 1990, ch. 3, § 8(A); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

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Commented [AL1]: TWC Section 16.311 references the "Short Title" of the Flood Control and Insurance Act, but TWC Section 16.315 specifically references the delegated responsibility of local governments to adopt regulations designed to minimize flood losses. Recommend updating to TWC Section 16.315.

Sec. 20-20. Findings of ~~F~~fact.

- (a) The ~~s~~pecial flood hazard areas of the ~~C~~ity are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of ~~s~~pecial flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(Code 1990, ch. 3, § 8(B); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-21. Statement of ~~P~~urpose.

(a) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. It is also the purpose of this ordinance to promote land use controls necessary to qualify the city for flood insurance under requirements of the National Flood Insurance Act of 1968 with by-provisions designed to:

- (1) Protect human life and property exposed to the hazards of floodingand health;

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¹State law reference(s)—Flood Control and Insurance, V.T.C.A., Water Code § 16.311 et seq.

- (2) Minimize expenditure of future public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in special flood hazard area~~floodplains~~;
- (6) Help maintain a stable tax base by providing for the sound use and development of ~~flood-prone~~flood prone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure the potential buyers are notified ~~if that~~ property is in a ~~flood-area~~special flood hazard area.

(Code 1990, ch. 3, § 8(C); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-22. Methods of Reducing Flood Losses.

(a) In order to accomplish reduction of flood losses~~its purposes~~, this article uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels and natural protection barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Code 1990, ch. 3, § 8(D); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-23. Definitions.

Unless specifically defined as follows, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application:

Appeal means a request for a review of the floodplain administrator's interpretation of any provisions of this article or a request for a variance.

Area of special flood hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHB). After detailed rate making has been completed in preparation for publication of the flood insurance rate map (FIRM) zone A, usually is refined into zone, A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

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Commented [AL2]: Definition taken from NFIP. Including because sections of this chapter reference "community".

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Elevated building means a nonbasement building:

- (1) Built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (post and piers) or shear walls parallel to the floor of the water; and
- (2) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, D, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE or V, the term "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing construction means for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term "existing construction" may also be referred to as existing structures.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard boundary map (FHBM) means an official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the flood, mudslide (i.e. mudflow) related erosion areas having special hazards have been designated as Zone A, M and/or E.

Flood protection system means those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain or floodprone area means any land area susceptible to being inundated by water from any source (see *Flood or flooding*).

Levee means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that, such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured home.

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(Supp. No. 18)

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- (1) The term "manufactured home" means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 days.
 - (2) The term "manufactured home," for insurance purposes, does not include park trailers, travel trailers and other similar vehicles.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New construction, for floodplain management purposes, means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the community.

Start of construction, for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The term "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. The term "permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial improvement.

- (1) The term "substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

- (2) The term "substantial improvement" does not, however, include either:
 - a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to safe living conditions; or
 - b. Any alteration of a structure listed on the National Register of Historic Places or state inventory of historic places.

Variance means a grant of relief to a person from the requirements of this article when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this article. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in ~~section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations~~ 44 CFR Section 60.3 (Floodplain management criteria for flood-prone areas) is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Code 1990, ch. 3, § 8(E); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-24. Lands to ~~W~~hich ~~these~~ ~~P~~rovisions ~~A~~pply.

These provisions shall apply to all areas of special flood hazard within the jurisdiction of the ~~C~~ity and where applicable in its area of extraterritorial jurisdiction.

(Code 1990, ch. 3, § 8(F)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-25. Basis for ~~E~~stablishing the ~~A~~reas of ~~S~~pecial ~~F~~lood ~~H~~azard.

The areas of special flood hazard identified by the Federal Emergency Management Agency on its flood hazard boundary map (FHBM), Community No. 480023A, dated June 21, 1974, and any revisions thereto are hereby adopted by reference and declared to be a part of this article.

(Code 1990, ch. 3, § 8(F)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-26. Compliance.

No structure or land ~~in an area of special flood hazard~~ shall hereafter be located, altered or have its use changed, ~~or otherwise be developed~~ -without full compliance with the terms of this article and other applicable regulations.

(Code 1990, ch. 3, § 8(F)(4); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-27. Abrogation and ~~G~~reater ~~R~~estrictions.

This article is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Code 1990, ch. 3, § 8(F)(5); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-28. Interpretation.

(a) In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the city council; and

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(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Code 1990, ch. 3, § 8(F)(6); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-29. Warning and Disclaimer or Liability.

The degree of flood protection required by this article 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 manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the community City or any official or employee thereof for any flood damages that result from reliance on these provisions or any administrative decision lawfully made thereunder.

(Code 1990, ch. 3, § 8(F)(7); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-30. Penalty.

- (a) Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor, and, upon conviction shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.
- (b) In the event that any section, paragraph, subdivision, clause or other part of this article or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by any court, it shall not impair or invalidate this article as a whole or any part or provision hereof other than the part declared invalid or unconstitutional and the city council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

(Code 1990, ch. 3, § 8(I); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Secs. 20-31—20-48. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 20-49. Designation of the Floodplain Administrator.

The building official or his or her designee is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR, National Flood Insurance Program regulations, pertaining to floodplain management.

(Code 1990, ch. 3, § 8(G)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-50. Duties and Responsibilities of the Floodplain Administrator.

(a) Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit application to determine whether proposed building site will be reasonably safe from flooding.

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- (3) Review, approve or deny all applications for development permits required by adoption of the ordinance from which this article is derived.
 - (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act amendments of 1972, (33 USC 1344) from which prior approval is required.
 - (5) Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
 - (6) Notify ~~(as applicable);~~ in riverine situations; adjacent communities, [the Texas Water Development Board \(TWDB\)](#) and [the Texas Commission on Environmental Quality \(TCEQ\)](#) ~~and the state coordinating agency which is the state water commission~~, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - (7) Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
 - (8) When base flood elevation data has not been provided in accordance with section 20-25, obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of division 3 of this article.

(Code 1990, ch. 3, § 8(G)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-51. Establishment of ~~F~~floodplain ~~D~~development ~~P~~permit.

A floodplain development permit shall be required to ensure conformance with the provisions of this article. The fee for the granting of said permit is available in the ~~C~~city ~~S~~ecretary's ~~O~~ffice.

(Code 1990, ch. 3, § 8(F)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-52. Permit ~~P~~procedures.

- (a) Application for a development permit shall be presented to the floodplain administrator on forms furnished by him and may include, but not be limited to, plans in duplicate drawn to scale showing the locations, dimensions and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 - (1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 - (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 - (3) Has certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 20-81(2);
 - (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
 - (5) Maintain a record of all such information in accordance with section 20-50(1).
- (b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:

-
- (1) The danger to life and property due to flooding or erosion damage;
 - (2) The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner;
 - (3) The danger that materials may be swept onto other lands to the injury of others;
 - (4) The compatibility of the proposed use with existing and anticipated development;
 - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges and public utilities and facilities such as sewer, gas, electrical and water systems;
 - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - (8) The necessity to the facility of a waterfront location, where applicable;
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (10) The relationship of the proposed use to the comprehensive plan for that area.

[\(11\) The floodplain administrator may deny a permit based on historical high-water rescues, repetitive losses, or other factors affecting public or life safety.](#)

(Code 1990, ch. 3, § 8(G)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-53. Variance Procedures.

- (a) The appeal board as established by the community shall hear and render judgment on requests for variances from the requirements of this article.
- (b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this article.
- (c) Any person aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this article.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 20-52(b) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted in this article and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of section 20-21.

-
- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Prerequisites for granting variances.
- (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (j) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
- (1) The criteria outlined in subsections (a) through (i) of this section are met; and
 - (2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(Code 1990, ch. 3, § 8(G)(4); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Secs. 20-54—20-79. Reserved.

DIVISION 3. PROVISIONS FOR FLOOD HAZARD REDUCTION

Sec. 20-80. General standards.

In all areas of special flood hazard^s, the following provisions are required for all new construction and substantial improvements:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)
- (3) All new construction or substantial improvements shall be constructed with materials [and utility equipment](#) resistant to flood damage [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)

-
- (4) All new construction ~~and or~~ substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or floodproofed located so as to prevent water from entering or accumulating within the components during conditions of flooding; to a minimum of one (1) foot above the regulatory floodplain elevation.
 - (5) All new and ~~replacement improved portions of~~ water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system ~~and discharges from the systems into floodwaters;~~
 - (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters; and
 - (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. Waste disposal systems shall be located one (1) foot above the regulatory floodplain surface elevation.

(Code 1990, ch. 3, § 8(H)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-81. Specific ~~S~~standards.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in sections 20-25, 20-50(8), and 20-82(d), the following provisions are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated ~~to or above~~ one (1) foot above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that these standards as proposed in section 20-52(b)(9), are satisfied.
- (2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated ~~to or above~~ one (1) foot above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and method of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
- (3) *Manufactured homes.* Require that all manufactured homes to be placed within zone A, shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. All manufactured homes shall be in compliance with subsection (1) of this section.

(Code 1990, ch. 3, § 8(H)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-82. Standards for Subdivision Proposals.

- (a) All subdivision proposals including manufactured home parks and subdivisions shall be consistent with sections 20-20 through 20-22.
- (b) All proposals for the development of subdivisions including manufactured home parks and subdivisions shall meet development permit requirements of sections 20-51, 20-52 and this division.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including manufactured home parks which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to section 20-25 or 20-50(8).
- (d) All subdivision proposals including manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals including manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (f) All subdivision proposals including manufactured home parks and subdivisions traversed by an area of special flood hazard where the "buildable" portion of the subdivision is severed by the floodplain shall be provided with adequate access. Adequate access shall be a structure that will pass the control flood (ultimate development 100-year) without overtopping the structure. Upstream property must not be affected by backwater, and velocities of the structure must be controlled to prevent scour, erosion or structural damage. Proposed subdivisions that involve the platting of streets shall have at least one (1) access to an unflooded portion of existing dedicated street or roadway unless otherwise approved by the City Engineer.
- (g) All subdivision proposals including manufactured home parks and subdivisions that do not involve the platting of streets shall have access to an existing dedicated street that is not subject to flood depths of over one (1) foot.

(Code 1990, ch. 3, § 8(H)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION HONORING RONALD D. CREPPON'S YEARS OF SERVICE AS A MEMBER OF THE PLANNING AND ZONING COMMISSION

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

Ronnie Creppon has faithfully served on the Planning and Zoning Commission for a number of years. This is a proclamation recognizing those years of service.

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 Ronnie Creppon

- { } 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 RONALD D. CREPPON'S YEARS OF SERVICE AS A MEMBER OF THE PLANNING AND ZONING COMMISSION

WHEREAS, Mr. Ronald “Ronnie” Creppon was first recommended by Albert Mikulencak to the Planning and Zoning Commission on November 30, 1987, to replace C.H. Marburger; and

WHEREAS, His first meeting was on July 25, 1988; and

WHEREAS, He served as the Chairman of the Planning and Zoning Commission twice, once from February 28, 1994, to December 29, 2003, for a period of 9 years, and again from January 28, 2008, to April 18, 2016, for a period of 8 years; and

WHEREAS, Mr. Creppon faithfully served the City of Elgin on the Planning and Zoning Commission for 38 years, with a brief break from January 2004 to February 2005; and,

WHEREAS, He was known to rarely miss a meeting, unless it was in February for his wife’s birthday; and

WHEREAS, The City of Elgin is grateful for and humbled by the commitment shown by Mr. Creppon for these 38 years of service.

NOW THEREFORE, I, THERESA Y. MCSHAN, Mayor of the City of Elgin, do hereby recognize and salute the dedication and contributions of Mr. Ronnie Creppon for his incredibly valuable years of service as a member of the Planning and Zoning Commission.

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 14th day of October 2025.

Theresa McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A PROCLAMATION HONORING S.H. MCSHAN'S YEARS OF SERVICE AS A MEMBER OF THE BOARD OF ADJUSTMENTS

DEPARTMENT: Executive

PROPOSED ACTION: None

BACKGROUND:

S.H. McShan has cycled off of the Board of Adjustments. This is a proclamation thanking him for his 29 years of service on that board.

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 Shifton McShan

- { } 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 S.H. MCSHAN’S YEARS OF SERVICE AS A MEMBER OF THE BOARD OF ADJUSTMENTS

WHEREAS, Mr. S.H. McShan was first recommended by Mertis Thomas to the Board of Adjustments on November 7, 1995; and

WHEREAS, His first meeting was on October 28, 1996, with his last meeting being June 12, 2025; and

WHEREAS, He has served on various Boards and Commissions in the City, including the Economic Development Corporation for over 25 years; and

WHEREAS, Mr. McShan is also a business owner of McShan’s Barbershop in downtown Elgin; and

WHEREAS, Mr. McShan faithfully served the City of Elgin on the Board of Adjustments for 29 years; and

WHEREAS, He was known to never be late and rarely miss a meeting; and

WHEREAS, The City of Elgin is grateful for and humbled by the commitment shown by Mr. McShan for these 29 years of service.

NOW THEREFORE, I, THERESA Y. MCSHAN, Mayor of the City of Elgin, do hereby recognize and salute the dedication and contributions of Mr. S. H. McShan for his incredibly valuable years of service as a member of the Board of Adjustments.

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 14th day of October 2025.

Theresa Y. McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Presentation of the Annual Audit Report for the period ending September 30, 2024, by BrooksWatson & Co. PLLC.

DEPARTMENT: Finance

PROPOSED ACTION: City Council receive the presentation of the FY 2023–2024 Annual Audit Report by BrooksWatson & Co., PLLC.

BACKGROUND:

The City of Elgin has completed its annual independent financial audit for the fiscal year ending September 30, 2024, in compliance with state law and generally accepted auditing standards. BrooksWatson & Co., PLLC, the City's independent audit firm, will present the Annual Audit Report and provide an overview of their findings to the City Council.

Key Points:

- The audit was conducted in accordance with Generally Accepted Auditing Standards (GAAS) and the requirements of the Governmental Accounting Standards Board (GASB).
- The report provides assurance on the fair presentation of the City's financial statements and compliance with applicable laws, regulations, and internal controls.
- BrooksWatson & Co. will summarize the City's financial condition, highlight significant trends, and note any recommendations for improvement, if applicable.
- Acceptance of the audit report fulfills the City's statutory requirements under Texas Local Government Code Chapter 103.
- The audit report will be posted on the City's website on the business day following the presentation to the City Council.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Staff recommends that the City Council receive the presentation of the FY 2023–2024 Annual Audit Report by BrooksWatson & Co., PLLC.

ATTACHMENTS:

None

- {X} 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.
- { } 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: Discussion about Audit Findings

DEPARTMENT: Executive

PROPOSED ACTION: No action is required from the Council

BACKGROUND:

The City Manager will discuss the Audit findings with the Council.

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: Discussion over the Approved 2025 Tax Rate

DEPARTMENT: Executive

PROPOSED ACTION: No action is required from Council

BACKGROUND:

The City Manager will discuss the approved 2025 tax rate with the Council.

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: Update on the Cost Incurred by Fee Waivers for Special Events in the City of Elgin (Marzec/Gonzalez)

DEPARTMENT: Executive

PROPOSED ACTION: No action is required from the Council.

BACKGROUND:

On September 2, 2025, the City Council requested that staff prepare an estimated cost for the waived fees for outside special events. Staff from Parks and Recreation, the police department, and Public Works have collaborated to prepare an estimated cost for the fee waivers passed this year. The City Council has approved approximately 22 fee waivers in 2025. Fee waivers that have been approved include: street closures, park rentals, staffing from the police department, staffing from Public Works, and others.

BUDGET/FINANCIAL IMPACT:

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

2025 Fees Waived for Non-City Sponsored Events
\$51,180

RECOMMENDATION:

None.

ATTACHMENTS:

1. 10.21.25 Memo - Special Event Costs and Fee Waivers

- { } 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.

To: Mayor and Members of the Elgin City Council
From: Elizabeth Marzec, Recreation & Leisure Manager and Michael Gonzalez, Public Works Director
Date: 10/9/2025
Subject: 2025 Fee Waivers for Special Events

Purpose:

The purpose of this memo is to provide detailed information regarding the costs to the City of Elgin waived for community events as approved by City Council.

Background

- The City of Elgin frequently receives requests from community organizations, nonprofits, and private groups to host events on city property.
- Many of these requests include the use of city facilities, equipment, and staff resources.
- **The City of Elgin received and awarded (or is projected to award) \$51,180 in waived fees in 2025 for non-city sponsored events.**

2025 Fees Waived for Non-City Sponsored Events:

Event Name	Organizer	Fees Waived
Elgin Music Festival	Elgin Arts Association	\$2,075
Relay for Life	Elgin Relay for Life	\$735
Western Days Festival & Parade	Elgin Chamber of Commerce	\$24,545
Elgin Cares Community Cookout	Elgin Cares	\$825
Chamber Banquet	Elgin Chamber of Commerce	\$1,125
Veterans Appreciation Parade	Elgin VFW Post	\$10,025
La Cultura Market	La Cultura	\$1,925
Chamber Christmas Bazaar	Elgin Chamber of Commerce	\$525
EISD Children's Choir Concert	Elgin Independent School District	\$375
Live Nativity	St. Peter's Lutheran Church	\$9,025
		\$51,180

Additional Information:

Fee Waivers include Public Work and Police Department staff time during the event, park rental fees and street closure fees. Fee Waiver amounts do not include any set up time or any additional time spent cleaning parkland and facilities from event use.

To: Mayor and Members of the Elgin City Council
From: Elizabeth Marzec, Recreation & Leisure Manager and Michael Gonzalez, Public Works Director
Date: 10/9/2025
Subject: 2025 Costs for City of Elgin Special Events

Purpose:

The purpose of this memo is to provide detailed information regarding the costs to the City of Elgin for city-sponsored events as approved by City Council.

Background:

- The City of Elgin hosts a variety of annual community events that serve both local residents and attract visitors from outside the area.
- These events use city facilities, equipment, and staff resources.
- **The City of Elgin spent \$74,145 in 2025 for city sponsored community events.**

2025 Costs for City-Sponsored Events:

Event Name	Organizer	Costs
Music in the Park	City of Elgin	\$4,075
Space Night	Elgin Parks & Recreation	\$325
Juneteenth Celebration	Juneteenth Committee & City of Elgin	\$13,755
Fall Fest	Elgin Public Library	\$325
Hogeye Festival	Elgin Main Street	\$37,345
Dia de los Muertos	City of Elgin	\$8,945
Holiday by the Tracks	City of Elgin	\$1,325
Lighted Holiday Parade	City of Elgin	\$5,625
Sip, Shop and Stroll (12 Months)	Elgin Main Street	\$2,425
		\$74,145



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Historic Review Board Quarterly Report

DEPARTMENT: Community Services

PROPOSED ACTION: No action is necessary.

BACKGROUND:

The Historic Review Board's Quarterly Report is attached for the Council's review.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

None

ATTACHMENTS:

1. HRB Council Quarterly Report 2025-3

{ } 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.

September 19, 2025

To: City Council
From: Kristina Alvarez, Historic Preservation Officer
Re: Historic Review Board Quarterly Report

HRB reviews an alteration visible from the public right of way in the historic district. Board members: Jake Carter, Becky Davis, Caleb Dawson, Joan Godfrey, Sheldon Johnson, Regina McIlvian, Bennett Smith, Jessica Jaimes and Nicolas Lealos.

HRB meets monthly, typically on the 4th Wednesday of the month at 7:30am in the City Council chamber. The area within the red dotted line in the attached map shows the historic district. The board reviewed and approved the following applications in the first quarter of 2025.

Applications Reviewed Internally

116 Depot Street - Cutbirth Family Dental

Urgent mitigation measures were required due to flooding associated with the original residential-grade gutter system. Although this item was scheduled for review at the July 23, 2025 meeting, action was delayed due to lack of quorum. The system has since been upgraded to a commercial-grade installation to ensure adequate drainage capacity and long-term structural protection of the property. The City will coordinate with the original mural artist to undertake conservation work and restore the affected portion of the artwork where the prior gutter system intersected the wall.

Applications for Review

2 Depot Square, 15 N. Main Street, 11 N. Main Street, W.C. Estes

The property owner has recently completed an exterior maintenance painting on three contiguous sections of a commercial building located at 2 Depot Square, 17 N. Main Street, and 11 N. Main Street. According to the owner, the paint color applied matches the previously existing color scheme.

At this time, city staff have been unable to locate photographic documentation or archival records that conclusively verify the prior color used. While the property owner maintains that the new paint is consistent with the historical color, it should be noted that, in the absence of such documentation, compliance cannot be definitively confirmed.

Should the Historic Review Board determine that the new color deviates from previously approved or appropriate historic color standards, the cost to repaint may

present a significant financial burden to the property owner. Staff recommend taking this into consideration during the review process, especially given the owner's assertion of good-faith maintenance in line with past conditions.

N. Avenue C at Depot and Central: Crosswalk of Unity

Reviewed and approved by the Design Team August 4, 2025 and reviewed and approved by the Main Street Board September 18, 2025. Project funded through the 2025 GM on Main Street Grant Program, announced in May 2025.

The Crosswalk of Unity is a vibrant painted crosswalk located at the intersection of Main Street and Avenue C, directly in front of the newly expanded Veterans Memorial Park. The project is designed to enhance pedestrian safety and accessibility while symbolically bridging historic divides in the community.

The design will feature bold, colorful patterns representing harmony and diversity, informed by community workshops and input. The project will highlight Elgin's commitment to inclusivity, pedestrian safety, and creative placemaking, while also encouraging greater downtown engagement.

Installation is scheduled to begin the first week of October, with a community dedication to follow.

The Main Street Board selected this project as part of its ongoing commitment to public art, pedestrian safety, and community vitality.

Map Legend

Downtown Elgin Zoning overlay – yellow and blue

Historic District – red dotted Line

Training

Board training was held on August 27, 2025 with Amy Miller presenting.





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Notification of the Appointment of Kaley Frye as the Economic Development Director by the Economic Development Corporation

DEPARTMENT: Executive

PROPOSED ACTION: No action is required of Council at this time.

BACKGROUND:

Kaley Frye was appointed as the Director of Economic Development by the Economic Development Corporation at their meeting on October 8, 2025.

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: City Council Special Meeting Minutes - September 9, 2025

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the meeting minutes.

BACKGROUND:

The City Council held a special meeting on September 9, 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 - September 9, 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 COUNCIL MINUTES
September 9, 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:

Isaac Turner, Interim City Manager
Peyton Standifer, City Secretary
Sonia Browder, Media Specialist
Esmeralda Rangel, Assistant City Secretary
Daniel Mahoney, Police Officer

INVOCATION

Council Member Crim 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 three item titles for Executive Session, and adjourned the meeting into executive session at 6:32 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 8:39 PM.

Mayor McShan directed City Staff to follow through with the City Council recommendations regarding an Interim City Manager. Council Member St. Pierre made a motion to appoint Beau Perry as Action City Manager starting Friday, September 12, 2025, at 5:00 PM until further notice. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

ADJOURNMENT

Mayor McShan adjourned the meeting at 8:40 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 16, 2025

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the meeting minutes.

BACKGROUND:

The City Council held a regularly scheduled meeting on September 16, 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 16, 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 COUNCIL MINUTES
September 16, 2025
6:30 PM

CALL TO ORDER

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

ROLL CALL

Mayor McShan called roll. Mayor McShan stated the Mayor Pro Tem Brashar was out of town. Council Member Casnovsky made a motion to excuse 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:

Beau Perry, Acting City Manager
Peyton Standifer, City Secretary
Kaley Frye, Interim Economic Development Director
Michael Gonzales, Public Works Director
Pamela Sanders, Human Resources Director
Sonia Browder, Media Specialist
Kristina Alvarez, Main Street Manager
Elizabeth Marzec, Recreation & Leisure Services Manager
Esmeralda Rangel, Assistant City Secretary
Melissa Lipiec, Planning Technician
Todd Johnson, Police Commander
Bryan Heinrich, Police Officer

INVOCATION

Council Member Rodriguez 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

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)**

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

PUBLIC HEARING ON BUDGET AND TAX RATE

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.**

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

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.**

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

Kristina Alvarez, Main Street Manager, announced several upcoming events, including Viva Elgin, gardening and recreation programs, the Hogeys Committee meeting, Haunted Falloween, and ongoing wellness and library activities.

PRESENTATION

1. **A PROCLAMATION HONORING THE LATE EDDIE COCKRELL SHAW**
Mayor McShan read the proclamation. Eddie Cockrell Shaw's family received the proclamation from Mayor McShan.
2. **A PROCLAMATION DESIGNATING OCTOBER AS DOMESTIC VIOLENCE AND BULLYING PREVENTION MONTH IN THE CITY OF ELGIN**

Mayor McShan read the proclamation. Nell Selenus, President of Bastrop County Youth

Advisory Board, received the proclamation from Mayor McShan and provided a speech about Domestic Violence and Bullying.

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

Mayor McShan read the proclamation. Rhonda Thompson, CAPCOG Health & Wellness Coordinator, received the proclamation from Mayor McShan.

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

Mayor McShan read the proclamation. Rhonda Thompson, CAPCOG Health & Wellness Coordinator, received the proclamation from Mayor McShan.

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

Mayor McShan read the proclamation. Rhonda Thompson, CAPCOG Health & Wellness Coordinator, received the proclamation from Mayor McShan. Ms. Thompson briefly addressed the Council about the three proclamations she received.

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

Mayor McShan read the proclamation. A representative would receive the proclamation from Mayor McShan at a later time.

CITY MANAGERS REPORT

1. Library Advisory Board Quarterly Report

Beau Perry, Acting City Manager, explained to the council that the Library Advisory Board Quarterly Report is available for their review. There were no questions from the Council.

2. Building Standards Commission Quarterly Report

Beau Perry, Acting City Manager, explained to the council that the Building Standards Commission Quarterly Report is available for their review. There were no questions from the Council.

3. Board of Adjustments Quarterly Report

Beau Perry, Acting City Manager, explained to the council that the Board of Adjustments Quarterly Report is available for their review. There were no questions from the Council.

4. Parks and Recreation Advisory Board Quarterly Report

Beau Perry, Acting City Manager, explained to the council that the Parks and Recreation Advisory Board Quarterly Report is available for their review. There were no questions from the Council.

5. Update to Council on Short Term Rental Properties (Perry)

Beau Perry, Acting City Manager, informed the Council that 12 properties are currently operating as short-term rentals without the required specific use permit. He explained that this item was to make Council aware that staff is drafting a letter to these property owners notifying them of the need to come into compliance and to file any Hotel Occupancy Taxes (HOT) taxes with the City for 2025, as required by the State for taxation purposes.

6. Review and Discuss the Remaining Meeting Dates in 2025

Beau Perry, Acting City Manager, explained to Council that this item would appear on the consent agenda. The proposed changes on the Consent Agenda will cancel the October 28th meeting, and reschedule the November 11th meeting. The October 28th meeting is proposed to be canceled for the Annual TML Conference. The November meeting would be rescheduled to Monday, November 17th, to allow the City Council to CANVASS following the November election. The December meeting would remain as scheduled. Mr. Perry also reminded Council that they may call for a special meeting, if necessary.

CONSENT AGENDA

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

This item was approved on the consent agenda.

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

This item was approved on the consent agenda.

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.

This item was approved on the consent agenda.

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

This item was approved on the consent agenda.

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)

This item was approved on the consent agenda.

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)

This item was approved on the consent agenda.

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

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)

Beau Perry, Acting City Manager, stated that there would be a brief presentation to highlight some budget questions that the council had previously asked. Pamela Sander, Human Resources Director, provided a presentation stating that it was a moderate and responsible outlook on revenue growth with a 7% sales tax projection and 4% property tax projection. The proposed budget includes funding for the existing 180 positions with no new positions added, a comprehensive compensation and benefits study, the upgrade of 2 current finance department positions for accountants, and a 4% COLA increase to all positions effective January 2026, excluding staff assigned to the police pay scale. She displayed a chart with the total appropriation for all funds. Mrs. Sanders went on to explain the Law Enforcement Pay Scale step program and answered questions from the Council. Discussion continued.

Council Member Casnovsky motioned 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.

The vote is as follows:

Council Member Casnovsky - Yes

Council Member Gibson - No

Council Member Swain - Yes

Deputy Mayor Pro Tem Love - Yes

Council Member St. Pierre - No

Council Member Rodriguez - No

Council Member Crim - Yes

Mayor McShan - Yes

The motion carried with five votes in favor, and three votes not in favor.

Council Member Swain made a motion to amend the budget to include the STEP PD individuals to also receive the 4% COLA. Council Member St. Pierre seconded the motion. All voted in favor. The motion carried.

Deputy Mayor Pro Tem Love made a motion to approve the Ordinance on its second reading adopting the proposed budget for fiscal year beginning October 1, 2025 and ending September 30, 2026. Council Member Crim seconded the motion.

The vote is as follows:

Deputy Mayor Pro Tem Love - Yes

Council Member St. Pierre - Yes

Council Member Rodriguez - No

Council Member Crim - Yes

Mayor McShan - Yes

Council Member Casnovsky - Yes

Council Member Gibson - No

Council Member Swain - Yes

The motion carried with six votes in favor, and two votes not in favor.

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)

Pam Sanders stated that the FY25–26 budget is based on the voter-approval tax rate, which is the maximum rate allowed without requiring an election. She noted that setting the tax rate is the only control the City has, as all other numbers are determined by the County for other entities. She further explained that each cent on the tax rate generates an

estimated \$116,996 in revenue for the City. Discussion followed.

The Mayor stated that this tax rate will raise more taxes for the maintenance and operation than last year's tax rate. The tax rate will increase by 8.64% and will increase taxes for maintenance and operation on a \$100,000 home by approximately \$135.00 for the 2026 tax year (and is equivalent to \$11.25 per month on average).

Council Member Casnovsky made a motion to approve the Ordinance on its second 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 \$100.00 valuation, and is compromised of the M&O rate being \$0.501934, and the interest & sinking rate being \$0.117362, which is effectively in total of 8.64% increase in the tax rate. Council Member Crim seconded the motion.

The vote is as follows:

Council Member Casnovsky - Yes

Council Member Gibson - No

Council Member Swain - Yes

Deputy Mayor Pro Tem Love - No

Council Member St. Pierre - No

Council Member Rodriguez - Yes

Council Member Crim - Yes

Mayor McShan - Yes

The motion carried with five votes in favor, and three votes not in favor.

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)

New Business Item No. 9 was addressed before this item. The rest of the meeting took place in order.

Mayor McShan read the title title, and invited Pamela Sanders, Human Resources Director, to address the Council. Mrs. Sanders briefly reviewed the fees with the Council, and noted that the credit card fees had been changed at the Council's previous direction. Discussion followed.

Council Member Casnovsky motioned to approve the ordinance as it was presented. Deputy Mayor Pro Tem Love seconded the motion. All voted in favor. The motion carried.

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)

Mayor McShan read the title of the item, and invited Pamela Sanders, Human Resources Director, to address the Council. Mrs. Sanders explained that this would set the holidays for the City of Elgin, and a resolution each year to set the dates would no longer be necessary. There were no questions from the Council.

Council Member Crim motioned to approve the resolution as it was presented. Council Member Gibson seconded the motion. All voted in favor. The motion carried.

- 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)**

Mayor McShan read the title of the item, and Beau Perry, Acting City Manager addressed the Council. Mr. Perry explained the process for obtaining a special use permit. The Planning and Zoning Commission has held one public hearing, and has recommended this permit to the Council. Discussion followed.

Deputy Mayor Pro Tem Love motioned to approve the ordinance granting the specific use permit. Council Member St. Pierre seconded the motion. All voted in favor. The motion carried.

- 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)**

Mayor McShan read the title of the ordinance and invited Michael Gonzalez, Public Works Director, to address the Council. Mr. Gonzalez stated that this was the third and final reading of the ordinance before Council for a vote. He explained that, like any other franchise operating within the City's rights-of-way, the company will be required to obtain permits and have plans reviewed by City staff to ensure compliance with policies, with additional review provided by the City's engineering staff. The council had no further questions.

Council Member Rodriguez made a motion to approve the ordinance as presented. Council Member St. Pierre seconded the motion. All voted in favor. The motion carried.

- 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**

Mayor McShan read the title of the item and explained the annual process for members whose terms are expiring. She noted that each year, when terms are set to expire, the board chair reviews the applications received and provides suggestions or recommendations regarding candidates they believe would be a good fit for the board. Discussion followed.

Council Member Rodriguez made a motion to approve the appointment/re-appointment as stated. Council Member Swain seconded the motion.

The vote is as follows:

Council Member Rodriguez - Yes

Council Member Crim - Yes

Mayor McShan - Yes

Council Member Casnovsky - Yes

Council Member Gibson - Yes

Council Member Swain - Yes

Deputy Mayor Pro Tem Love - Yes

Council Member St. Pierre - No

The motion carried with seven votes in favor, and one votes not in favor.

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

Council Member Swain made a motion to approve the nominations of David Redd and Justin Bezner.

Council Member Crim seconded the motion. All voted in favor. The motion carried.

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.

Mayor McShan the title of this item and invited Veronica Seever, Elgin Chamber of Commerce President, to address the Council. Ms. Seever explained to Council the lapse in leadership left the Chamber without someone to fulfill these requirements, and their plan for moving forward. Ms. Seever answered questions from the Council. Discussion followed.

Council Member Swain motioned to pay the Elgin Chamber of Commerce for quarters one and two. Council Member Rodriguez seconded the motion.

The vote was as follows:

Council Member Swain - Yes

Deputy Mayor Pro Tem Love - No

Council Member St. Pierre - No

Council Member Rodriguez - Yes

Council Member Crim - Yes

Mayor McShan - Yes

Council Member Casnovsky - No

Council Member Gibson - Yes

The motion carried with a vote of 5 in favor and 3 not in favor.

EXECUTIVE SESSION

Mayor McShan read the two item titles for Executive Session, and adjourned the meeting into executive session at 8:41 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 9:05 PM.

Deputy Mayor Pro Tem Love made a motion to authorize the Mayor to execute an employment contract for interim services with SGR. Council Member Gibson seconded the motion. All voted in favor. The motion carried.

Council Member St.Pierre made a motion to appoint Robert Eads as Interim City Manager for the City of Elgin per contractual agreement. Deputy Mayor Pro Tem Love seconded the motion. All voted in favor. The motion carried.

ADJOURNMENT

Mayor McShan adjourned the meeting at 9:06 PM

ATTEST:

Theresa Y. McShan, Mayor

Peyton Standifer, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Work Session Minutes - September 23, 2025

DEPARTMENT: Executive

PROPOSED ACTION: Approval of the meeting minutes.

BACKGROUND:

The City Council held a work session meeting on September 23, 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 Work Session Minutes - September 23, 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 COUNCIL MINUTES
September 23, 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:

Beau Perry, Acting City Manager
Peyton Standifer, City Secretary
Kaley Frye, Interim Economic Development Director
Pamela Sanders, Human Resources Director
Esmeralda Rangel, Assistant City Secretary
Dillon Scherr, Police Officer

NEW BUSINESS

1. Discuss Strategic Planning of Duties for Newly Appointed Interim City Manager

Council discussed establishing clear priorities and direction for Mr. Eads during his first 90 days. While he already has general onboarding tasks, such as meeting with Council and staff, Council emphasized several key focus areas. Mayor McShan highlighted the urgent need to fill the Finance Director position. Mayor Pro Tem Brashar stressed the importance of addressing audit findings, including completing the FY2024 audit, reviewing outstanding FY2023 findings while developing a plan with actionable steps to resolve them, and preparing to begin the FY2025 audit. Additional priorities identified included issuing the RFQ for the comprehensive compensation and benefits study and presenting recommendations to Council; preparing an RFP for a utility rate survey; conducting a Community Services assessment with recommendations on needs, improvements, and

areas requiring support; performing an assessment of staff and Council operations; and beginning to issue regular Friday reports.

No formal action taken by the City Council.

EXECUTIVE SESSION

The City Council did not adjourn into executive session.

RECONVENE

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: Possible Action to Approve the Waiver of the Noise Ordinance for the Hogeye Street Dance on Friday, October 24th, Through Midnight. (Gonzalez)

DEPARTMENT: Community Services

PROPOSED ACTION: Approve the waiver of the noise ordinance

BACKGROUND:

The Hogeye Street dance will take place Friday, October 24th, from 8:00 PM through midnight. Chapter 16, Article III of the Elgin City Code of Ordinances requires that noise must cease by 10:00 PM. This is a waiver of that requirement that will allow the Hogeye Street Dance to continue until midnight.

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 waiver.

ATTACHMENTS:

None

- { } 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 Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, RATIFYING PAYMENT AND AUTHORIZATION OF THE REPAIR OF PUMP FOUR AT THE WATER TREATMENT PLANT AND MAKING CERTAIN FINDINGS RELATED THERETO. (GONZALEZ)

DEPARTMENT: Public Works

PROPOSED ACTION: Approval of the resolution

BACKGROUND:

Staff identified a pump within the in-ground storage system that was not working. The pump was pulled and inspected by a third part Vendor, AAW pumping. The main seal was compromised as well as the bearings, causing the pump to fail. The cause was normal wear and tear. City staff does not hold a shelf stock replacement for this pump. There are 4 inline pumps for this system and, without replacement, the pumping volume would rest on the remaining 3 booster pumps. Staff has moved forward with the replacement, given its critical nature, and brings this item forward for ratification.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {x} included {} not included in the current-year budget {} N/A The cost to inspect, crane out, tear down and rebuild and crane back in is listed as \$32,725.79 and the vendor using buy-board pricing. The cost of this item will be funded out of the "water plant maintenance" line item.

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. Quote Detail_FRQ4531_202592414285
2. RESOLUTION Booster Pump repair

- { } 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.

Quote

Quote Number

FRQ4531



Austin Armature Works, LP
496 Commercial drive, Buda, TX 78610
Phone (512)312 0088 Fax (512)312 0988

Customer ID

002925

Quote Date

9/18/2025

Attn

Tony Ledesma

cc

Customer Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Ship To Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Quote By: Charles Moore Jr

PO #:

RFQ #:

Salesperson: Charles Moore Jr

Phone: (512) 281-6855 x

Fax:

Terms: Net 30

Quote Information

Reason Sent For Repair: Pump Station Rd- Pump 4 Pump, Motor Rebuild and Install

Required Work: *Shop Work*

Measurements & Disassembly Photos
Complete teardown & inspection
Clean all parts and check mechanical fits

Motor Recondition

Electrical test & Test run, Record Volts, Amps, and Vibration levels
Measurements, & Breakdown Photos
Complete teardown & inspection
Wash & Bake Stator
Rewind Motor:
Take disassembly photos.
Record winding data and strip winding.
Perform core loss test; rewind stator if test passes.
Double dip and bake stator.
Clean all parts and check mechanical fits.
Dynamically balance rotor if required.
Provide and install new bearings.
Provide and Install new Winding rtds.
Provide and Install new Space Heaters.
Assemble motor with photos.
Use Polyrex unless customer requests otherwise.
Perform test run; record volts, amps, and vibration levels.
Complete final prep: prime and paint (Match Incoming).
Conduct final quality assurance with photos.

Subtotal : 32,725.79

Lead Time

Tax : 0.00

Total for Quote FRQ4531 : 32,725.79

Fee:

If Not Repaired an Inspection Fee Will Apply

\$560.00

Quotes are only Valid for 30 days.

SIGNATURE: _____

DATE: _____

PO# (IF NOT ALREADY ISSUED):

Ship Via: _____

Our Tax ID: 740731348

Your Tax ID:

Sales Tax Code 1: No Sales Tax

Quote



Austin Armature Works, LP
496 Commercial drive, Buda, TX 78610
Phone (512)312 0088 Fax (512)312 0988

Customer ID

002925

Quote Date

9/18/2025

Quote Number

FRQ4531

Attn

cc

Tony Ledesma

Customer Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Ship To Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Quote By: Charles Moore Jr

PO #:

RFQ #:

Salesperson: Charles Moore Jr

Phone: (512) 281-6855 x

Fax:

Terms: Net 30

Recondition Turbine Pump:

Clean all parts
Prep/Blast/Burn all pump parts
Remove all broken bolts or damaged lines
Provide and install:
All new 416 SS PSQ Shafting
New Bushings
New Couplings
New Stainless hardware (as needed)
Machine Work
Impeller Wear rings and bowl wear area to nominal size x 2
Bowl Bushings x 3
Top Shaft machine new shafts x 3
Motor Shaft x 1
Bowl Shaft x1
Recondition stuffing box
Assemble Pump with photos
Provide rebuild kit for Chesterton Seal C/RSC faces (field install)
Final Prep/Prime - Red Oxide primer (0340-10101)
Coating Head, Bowl Assembly, & Columns (Black - Tnemec 21 PN# 0340-00412)
Top cost head - Match incoming (as required)
Provide Can & Discharge gaskets
Final QA with Photos

Installation

AAW Will Provide the Following
Transport Rebuilt Pump 2 Site
Remove Overhead Crane System
Rig and Lift Pump Into Place
Bolt To Base and Discharge
Install Motor
Set Bowl Height
Terminate Motor
Verify Operation

Subtotal : 32,725.79

Lead Time

Tax : 0.00

Total for Quote FRQ4531 : 32,725.79

Fee: If Not Repaired an Inspection Fee Will Apply \$560.00

Quotes are only Valid for 30 days.

SIGNATURE: _____

DATE: _____

PO# (IF NOT ALREADY ISSUED):

Ship Via: _____

Our Tax ID: 740731348

Your Tax ID:

Sales Tax Code 1: No Sales Tax

Quote

Austin Armature Works, LP
496 Commercial drive, Buda, TX 78610
Phone (512)312 0088 Fax (512)312 0988

Customer ID

002925

Quote Date

9/18/2025

Quote Number

FRQ4531

Attn

cc

Tony Ledesma

Customer Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Ship To Information

CITY OF ELGIN
PO Box 591
ELGIN, TX 78621

Quote By: Charles Moore Jr

PO #:

RFQ #:

Salesperson: Charles Moore Jr

Phone: (512) 281-6855 x

Fax:

Terms: Net 30

Installation

Unit Price

Ext Price

Total for Installation : 8,346.15

Rebuild Quote for Motor

Unit Price

Ext Price

Total for Rebuild Quote for Motor : 5,912.00

Rebuild Quote for Turbine

Unit Price

Ext Price

Total for Rebuild Quote for Turbine : 18,467.64

Subtotal : 32,725.79

Lead Time

Tax : 0.00

Total for Quote FRQ4531 : 32,725.79

Fee: If Not Repaired an Inspection Fee Will Apply \$560.00

Quotes are only Valid for 30 days.

SIGNATURE: _____

DATE: _____

PO# (IF NOT ALREADY ISSUED):

Ship Via: _____

Our Tax ID: 740731348

Your Tax ID:

Sales Tax Code 1: No Sales Tax

RESOLUTION NO. 2025-10-14-XX

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
RATIFYING PAYMENT AND AUTHORIZATION OF THE
REPAIR OF PUMP FOUR AT THE WATER TREATMENT
PLANT AND MAKING CERTAIN FINDINGS RELATED
THERE TO.**

WHEREAS, the City of Elgin owns, operates and maintains equipment for a municipal drinking water system and;

WHEREAS, City staff have worked to ensure pumping equipment essential to the function of the water system is working effectively;

WHEREAS, having identified this item as a critical need, City staff have expedited repairs to the equipment and now bring this item to the Council as a matter of fact and for full transparency in operations;

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, Mayor or Mayor Pro Tem is hereby authorized to ratify and oversee the payment terms, 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 14th day of October 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING A ROUTINE PAYMENT TO WGA ENGINEERS FOR DESIGN OF THE WASTEWATER TREATMENT PLANT 2; AND MAKING CERTAIN FINDINGS RELATED THERETO (GONZALEZ)

DEPARTMENT: Public Works

PROPOSED ACTION: Review and approve the resolution

BACKGROUND:

This is one of several payments that will be made in the near future to get the Wastewater Plant underway. This particular payment is for the survey and design services of the landscape that will hold Plant 2. This project has its own project code and accounting history. As the Council may recall, the City is charging developers a pro rata share of design and acquisition of this plant to start out. While the overall contract was presented to the Council, staff has made a point to bring individual payments of over \$50,000.00 to the Council to maintain transparency about the timeline and budget involved with such a large project.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {X} included {} not included in the current-year budget {} N/A This particular invoice is for the surveying services. The total amount for this invoice is \$54,670.00.

RECOMMENDATION:

Staff recommends approval.

ATTACHMENTS:

1. RESOLUTIONWGAPAYMENT
2. Ward Getz Ass_20003-010_Elgin WWTP No 2_27770_09-15-2025

- { } 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. 2025-10-14-XX

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING A ROUTINE PAYMENT TO WGA ENGINEERS
FOR DESIGN OF THE WASTEWATER TREATMENT PLANT 2;
AND MAKING CERTAIN FINDINGS RELATED THERETO**

WHEREAS, The City of Elgin is currently engaged in a contract for design services to WGA engineers for design of the wastewater treatment plant 2 project; and,

WHEREAS, This design and ultimately finished plant project is directly in line with the strategic vision and goals laid out by the Council; and,

WHEREAS, This is a routine payment for surveying and due diligence services on the land where this project is to take place; and,

WHEREAS, Staff is hereby recommending payment, and this item is presented to the Council as a matter of policy and fact, given its current amount listed in the invoice attached to this resolution.

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, Mayor or their designee is hereby authorized to execute the payment terms of payment with WGA Engineers, in the amount of \$54,670.00. as described in the invoice attached to this resolution and copied herein as verbatim.

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 14th day of October 2025.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

PEYTON STANDIFER, City Secretary



Remit To:
Ward, Getz & Associates LLC
2500 Tanglewilde, Ste 120
Houston, TX 77063

By ACH:
Ward, Getz & Associates LLC
ABA#: 113104796 | **Acct. #:** 275344

City of Elgin
Melissa Lipiec
802 N. Avenue C
Elgin, TX 78621

Invoice number 27770
Date 09/15/2025

Project 20003-010 ELGIN WWTP NO. 2 DESIGN

Elgin WWTP No. 2 Design
Attn: Melissa Lipiec (planninganddevelopment@elgintexas.gov);
cc: Michael Gonzalez michael.gonzalez@elgintexas.gov)

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Current Billed
Environmental Services	47,855.00	0.00	0.00	0.00	0.00
Surveying Services	54,670.00	100.00	0.00	54,670.00	54,670.00
Structural	634,080.00	0.00	0.00	0.00	0.00
Electrical	365,580.00	0.00	0.00	0.00	0.00
Geotechnical	85,104.00	0.00	0.00	0.00	0.00
Architectural	140,560.00	0.00	0.00	0.00	0.00
Engineering Design 30%	880,000.00	0.00	0.00	0.00	0.00
Engineering Design 60%	750,000.00	0.00	0.00	0.00	0.00
Engineering Design 90%	640,000.00	0.00	0.00	0.00	0.00
Engineering Design 100%	560,717.00	0.00	0.00	0.00	0.00
Bidding Services	947,834.00	0.00	0.00	0.00	0.00
Total	5,106,400.00	1.07	0.00	54,670.00	54,670.00

Invoice total 54,670.00

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
27770	09/15/2025	54,670.00	54,670.00				
	Total	54,670.00	54,670.00	0.00	0.00	0.00	0.00



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE AMENDING CHAPTER 20 FLOODS, SEC. 20-19 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80 THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS. (LIPIEC)

DEPARTMENT: Development Services

PROPOSED ACTION: Discussion and possible action on an Ordinance amending Chapter 20 Floods.

BACKGROUND:

The Planning and Zoning Commission, in its July 25, 2025 meeting, recognized the need for revisions to Chapter 20 pertaining to floods. A workshop was held to review and discuss the Chapter on August 25, 2025 and a public hearing on the proposed amendments was held on September 22, 2025. The changes include: minor grammatical corrections, defining the word Community, adding notification to certain state agencies under Duties and responsibilities of Floodplain Administrator, etc. The most significant change being Sec. 20-81. Specific Standards requiring the lowest floor elevation be raised to one (1) foot above the base flood elevation for residential and nonresidential new construction or substantial improvement. The previous standard allowed the lowest floor to be at the base flood elevation level.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Staff, and the Planning and Zoning Commission recommend approval of the ordinance.

ATTACHMENTS:

1. Chapter 20 Proposed Amending Ordinance
2. EXHIBIT "A"

- { } 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. 2025-10-14-_____

AN ORDINANCE AMENDING CHAPTER 20 FLOODS, SEC. 20-19 THROUGH SEC. 20-29, SEC. 20-49 THROUGH SEC. 20-53, SEC. 20-80, THROUGH SEC. 20-82; REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to update certain regulations regarding floods; and

WHEREAS, City Staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, the City Planning & Zoning Commission has determined that the proposed amendments shown in Exhibit “A” better the Floods Code; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

BE IT ORDANED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, TEXAS:

I.

That Chapter 20 Floods of the Revised Code of Ordinances, City of Elgin, Texas 2013, is hereby amended to read as shown in Exhibit “A”.

II.

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

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

C. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof 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 this 14th day of October 2025.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

PEYTON STANDIFER, City Secretary

EXHIBIT “A”

Amendments to Chapter 20 of the Elgin Code of Ordinances are shown in blue and purple. Only the text in ~~blue~~ or ~~purple~~ or blue or purple shall change.

Note: The different colors indicate edits made by different staff members.

Chapter 20 FLOODS

ARTICLE I. IN GENERAL

Secs. 20-1—20-18. Reserved.

ARTICLE II. FLOOD DAMAGE PREVENTION¹

DIVISION 1. GENERALLY

Sec. 20-19. Statutory **A**uthorization.

(a) The **L**egislature of the **S**tate of **T**exas has in **t**he **F**lood Control and Insurance **A**ct, **T**exas **V**.**T**.**C**.**A**., Water Code § 16.311 et seq., delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the **C**ity **C**ouncil does ordain the regulations set forth in this article.

(Code 1990, ch. 3, § 8(A); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

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Commented [AL1]: TWC Section 16.311 references the "Short Title" of the Flood Control and Insurance Act, but TWC Section 16.315 specifically references the delegated responsibility of local governments to adopt regulations designed to minimize flood losses. Recommend updating to TWC Section 16.315.

Sec. 20-20. Findings of **F**act.

- (a) The **s**pecial flood hazard areas of the **C**ity are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- (b) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of **s**pecial flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

(Code 1990, ch. 3, § 8(B); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-21. Statement of **P**urpose.

(a) It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. It is also the purpose of this ordinance to promote land use controls necessary to qualify the city for flood insurance under requirements of the National Flood Insurance Act of 1968 with by-provisions designed to:

- (1) Protect human life and property exposed to the hazards of floodingand health;

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¹State law reference(s)—Flood Control and Insurance, V.T.C.A., Water Code § 16.311 et seq.

- (2) Minimize expenditure of future public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in special flood hazard area~~floodplains~~;
- (6) Help maintain a stable tax base by providing for the sound use and development of ~~floodprone~~flood prone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure the potential buyers are notified ~~if that~~ property is in a ~~flood area~~special flood hazard area.

(Code 1990, ch. 3, § 8(C); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-22. Methods of Reducing Flood Losses.

(a) In order to accomplish reduction of flood losses~~its purposes~~, this article uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels and natural protection barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Code 1990, ch. 3, § 8(D); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-23. Definitions.

Unless specifically defined as follows, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application:

Appeal means a request for a review of the floodplain administrator's interpretation of any provisions of this article or a request for a variance.

Area of special flood hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBm). After detailed rate making has been completed in preparation for publication of the flood insurance rate map (FIRM) zone A, usually is refined into zone, A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Community means a political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

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Commented [AL2]: Definition taken from NFIP. Including because sections of this chapter reference "community".

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Elevated building means a nonbasement building:

- (1) Built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (post and piers) or shear walls parallel to the floor of the water; and
- (2) Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, D, the term "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters. In the case of zones V1-30, VE or V, the term "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing construction means for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. The term "existing construction" may also be referred to as existing structures.

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

Flood hazard boundary map (FHBM) means an official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the flood, mudslide (i.e. mudflow) related erosion areas having special hazards have been designated as Zone A, M and/or E.

Flood protection system means those physical structural works for which funds have been authorized, appropriated and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodplain or floodprone area means any land area susceptible to being inundated by water from any source (see *Flood or flooding*).

Levee means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that, such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured home.

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(Supp. No. 18)

-
- (1) The term "manufactured home" means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 days.
 - (2) The term "manufactured home," for insurance purposes, does not include park trailers, travel trailers and other similar vehicles.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New construction, for floodplain management purposes, means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the community.

Start of construction, for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The term "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. The term "permanent construction" does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial improvement.

- (1) The term "substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:

- a. Before the improvement or repair is started; or
- b. If the structure has been damaged and is being restored, before the damage occurred.

For the purpose of this definition substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

- (2) The term "substantial improvement" does not, however, include either:

- a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to safe living conditions; or
- b. Any alteration of a structure listed on the National Register of Historic Places or state inventory of historic places.

Variance means a grant of relief to a person from the requirements of this article when specific enforcement would result in unnecessary hardship. A variance, therefor, permits construction or development in a manner otherwise prohibited by this article. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in ~~section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4) or (e)(5) of the National Flood Insurance Program regulations~~ 44 CFR Section 60.3 (Floodplain management criteria for flood-prone areas) is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Code 1990, ch. 3, § 8(E); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-24. Lands to ~~W~~hich ~~these~~ ~~P~~rovisions ~~A~~pply.

These provisions shall apply to all areas of special flood hazard within the jurisdiction of the ~~C~~ity and where applicable in its area of extraterritorial jurisdiction.

(Code 1990, ch. 3, § 8(F)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-25. Basis for ~~E~~stablishing the ~~A~~reas of ~~S~~pecial ~~F~~lood ~~H~~azard.

The areas of special flood hazard identified by the Federal Emergency Management Agency on its flood hazard boundary map (FHB), Community No. 480023A, dated June 21, 1974, and any revisions thereto are hereby adopted by reference and declared to be a part of this article.

(Code 1990, ch. 3, § 8(F)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-26. Compliance.

No structure or land ~~in an area of special flood hazard~~ shall hereafter be located, altered or have its use changed, ~~or otherwise be developed~~ -without full compliance with the terms of this article and other applicable regulations.

(Code 1990, ch. 3, § 8(F)(4); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-27. Abrogation and ~~G~~reater ~~R~~estrictions.

This article is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Code 1990, ch. 3, § 8(F)(5); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-28. Interpretation.

(a) In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the city council; and

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(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Code 1990, ch. 3, § 8(F)(6); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-29. Warning and Disclaimer or Liability.

The degree of flood protection required by this article 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 manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the community City or any official or employee thereof for any flood damages that result from reliance on these provisions or any administrative decision lawfully made thereunder.

(Code 1990, ch. 3, § 8(F)(7); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-30. Penalty.

- (a) Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor, and, upon conviction shall be fined in an amount not to exceed \$500.00. Each day of violation shall constitute a separate offense.
- (b) In the event that any section, paragraph, subdivision, clause or other part of this article or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by any court, it shall not impair or invalidate this article as a whole or any part or provision hereof other than the part declared invalid or unconstitutional and the city council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

(Code 1990, ch. 3, § 8(I); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Secs. 20-31—20-48. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 20-49. Designation of the Floodplain Administrator.

The building official or his or her designee is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR, National Flood Insurance Program regulations, pertaining to floodplain management.

(Code 1990, ch. 3, § 8(G)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-50. Duties and Responsibilities of the Floodplain Administrator.

(a) Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review permit application to determine whether proposed building site will be reasonably safe from flooding.

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- (3) Review, approve or deny all applications for development permits required by adoption of the ordinance from which this article is derived.
 - (4) Review permits for proposed development to ensure that all necessary permits have been obtained from those federal, state or local governmental agencies (including section 404 of the Federal Water Pollution Control Act amendments of 1972, (33 USC 1344) from which prior approval is required.
 - (5) Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
 - (6) Notify ~~(as applicable);~~ in riverine situations; adjacent communities, [the Texas Water Development Board \(TWDB\)](#) and [the Texas Commission on Environmental Quality \(TCEQ\)](#) ~~and the state coordinating agency which is the state water commission~~, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - (7) Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.
 - (8) When base flood elevation data has not been provided in accordance with section 20-25, obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of division 3 of this article.

(Code 1990, ch. 3, § 8(G)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-51. Establishment of ~~F~~floodplain ~~D~~development ~~P~~permit.

A floodplain development permit shall be required to ensure conformance with the provisions of this article. The fee for the granting of said permit is available in the ~~C~~city ~~S~~ecretary's ~~O~~ffice.

(Code 1990, ch. 3, § 8(F)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-52. Permit ~~P~~procedures.

- (a) Application for a development permit shall be presented to the floodplain administrator on forms furnished by him and may include, but not be limited to, plans in duplicate drawn to scale showing the locations, dimensions and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 - (1) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 - (2) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
 - (3) Has certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of section 20-81(2);
 - (4) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and
 - (5) Maintain a record of all such information in accordance with section 20-50(1).
- (b) Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:

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- (1) The danger to life and property due to flooding or erosion damage;
 - (2) The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the individual owner;
 - (3) The danger that materials may be swept onto other lands to the injury of others;
 - (4) The compatibility of the proposed use with existing and anticipated development;
 - (5) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (6) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges and public utilities and facilities such as sewer, gas, electrical and water systems;
 - (7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - (8) The necessity to the facility of a waterfront location, where applicable;
 - (9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (10) The relationship of the proposed use to the comprehensive plan for that area.

[\(11\) The floodplain administrator may deny a permit based on historical high-water rescues, repetitive losses, or other factors affecting public or life safety.](#)

(Code 1990, ch. 3, § 8(G)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-53. Variance Procedures.

- (a) The appeal board as established by the community shall hear and render judgment on requests for variances from the requirements of this article.
- (b) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this article.
- (c) Any person aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (d) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (e) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this article.
- (f) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 20-52(b) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (g) Upon consideration of the factors noted in this article and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of section 20-21.

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- (h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (i) Prerequisites for granting variances.
- (1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - (2) Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
 - (3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (j) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
- (1) The criteria outlined in subsections (a) through (i) of this section are met; and
 - (2) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(Code 1990, ch. 3, § 8(G)(4); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Secs. 20-54—20-79. Reserved.

DIVISION 3. PROVISIONS FOR FLOOD HAZARD REDUCTION

Sec. 20-80. General standards.

In all areas of special flood hazard^s, the following provisions are required for all new construction and substantial improvements:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)
- (3) All new construction or substantial improvements shall be constructed with materials [and utility equipment](#) resistant to flood damage [\(see the FEMA and/or U.S. Corps of Engineers Flood Proofing Regulations\).](#)

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- (4) All new construction ~~and or~~ substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or floodproofed located so as to prevent water from entering or accumulating within the components during conditions of flooding; to a minimum of one (1) foot above the regulatory floodplain elevation.
 - (5) All new and ~~replacement~~ improved portions of water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters;
 - (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharges from the systems into floodwaters; and
 - (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. Waste disposal systems shall be located one (1) foot above the regulatory floodplain surface elevation.

(Code 1990, ch. 3, § 8(H)(1); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-81. Specific ~~S~~standards.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in sections 20-25, 20-50(8), and 20-82(d), the following provisions are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated ~~to or above~~ one (1) foot above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the floodplain administrator that these standards as proposed in section 20-52(b)(9), are satisfied.
- (2) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated ~~to or above~~ one (1) foot above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction, and shall certify that the design and method of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
- (3) *Manufactured homes.* Require that all manufactured homes to be placed within zone A, shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. All manufactured homes shall be in compliance with subsection (1) of this section.

(Code 1990, ch. 3, § 8(H)(2); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

Sec. 20-82. Standards for Subdivision Proposals.

- (a) All subdivision proposals including manufactured home parks and subdivisions shall be consistent with sections 20-20 through 20-22.
- (b) All proposals for the development of subdivisions including manufactured home parks and subdivisions shall meet development permit requirements of sections 20-51, 20-52 and this division.
- (c) Base flood elevation data shall be generated for subdivision proposals and other proposed development including manufactured home parks which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to section 20-25 or 20-50(8).
- (d) All subdivision proposals including manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (e) All subdivision proposals including manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (f) All subdivision proposals including manufactured home parks and subdivisions traversed by an area of special flood hazard where the "buildable" portion of the subdivision is severed by the floodplain shall be provided with adequate access. Adequate access shall be a structure that will pass the control flood (ultimate development 100-year) without overtopping the structure. Upstream property must not be affected by backwater, and velocities of the structure must be controlled to prevent scour, erosion or structural damage. Proposed subdivisions that involve the platting of streets shall have at least one (1) access to an unflooded portion of existing dedicated street or roadway unless otherwise approved by the City Engineer.
- (g) All subdivision proposals including manufactured home parks and subdivisions that do not involve the platting of streets shall have access to an existing dedicated street that is not subject to flood depths of over one (1) foot.

(Code 1990, ch. 3, § 8(H)(3); Ord. of 9-1-1987; Ord. No. 92-16, § III, 11-3-1992; Ord. No. 2002-02-05-07, 2-5-2002)

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