



**AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 10, 2017
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM**

I. CALL TO ORDER

II. ROLL CALL

Recess REGULAR MEETING and call to order PUBLIC HEARING

III. PUBLIC HEARING

None

IV. INVOCATION

V. PLEDGE OF ALLEGIANCE

Close PUBLIC HEARING and Reconvene REGULAR MEETING

VI. PUBLIC COMMENT

Individuals may request to speak on items on the agenda, and items not on the agenda, by requesting to speak during the meeting and under "PUBLIC COMMENT" and will be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts or information for Council, to the City Secretary prior to commencement of the Council meeting. Speaker comments are limited to three (3) minutes.

No formal action can be taken by the City Council on items not posted on the agenda. Items requiring a Public Hearing will allow a member of the public an opportunity to speak during the Public Hearing and does not require submission of a "PUBLIC COMMENT FORM". Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or member of Staff. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from personal attacks or derogatory comments directed at any Council Member, member of Staff, other individual or group.

VII. PRESENTATIONS

1. A Proclamation recognizing October 26-28th as Hogeye Festival Weekend in the City of Elgin, Texas

VIII. CITY MANAGER'S REPORT

1. Consideration of possible rescheduling of the November 7, 2017 Regular City Council Meeting due to a scheduling conflict with Election Day
2. Monthly Departmental Activity Reports - August

IX. CONSENT AGENDA

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

1. Appointment of Katy Gassaway to the Elgin Main Street Board for an existing unexpired term.
2. Appoint Sonya Rangel to serve an unexpired term on the Historic Review Board.
3. Consideration of a Letter of Agreement with Elgin Independent School District regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project
4. Consideration of a Letter of Agreement with Brian and Cynthia Henson regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project
5. Consideration of request for street closures in support of the Holiday Concert on Depot Street provided by Elgin ISD Elementary Schools in cooperation with the Elgin Main Street program.
6. Consideration of request for street closures for the Annual Safe Trick Or Treat Trail sponsored by the City of Elgin Parks & Recreation Department.
7. Consideration of request for street closures in support of the Veterans Appreciation Parade on Saturday, November 4, 2017 from 8 a.m. to noon.
8. Consideration of request for street closures in support of the Volunteer Fire Department Lighted Parade on Saturday, December 2, 2017 from 5 p.m. to 7 p.m.
9. City Council Special Meeting Minutes - August 14, 2017
10. City Council Regular Meeting Minutes - September 5, 2017

X. UNFINISHED BUSINESS

1. AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES, INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

XI. NEW BUSINESS

1. REVIEW AND CONSIDER THE REQUEST RECEIVED FROM POINT RIDER FOUNDATION TO EITHER SELL OR DONATE TWO SMALL PARCELS OF LAND ADJACENT TO A PROPERTY THE POINT RIDER FOUNDATION IS PURCHASING AT 104 SOUTH AVENUE A AND 403 CENTRAL AVENUE.
2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING UP TO FIVE PEOPLE TO SERVE ON THE BOARD OF THE BASTROP CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR RELATED MATTERS.
3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING A PERSON TO SERVE ON THE BOARD OF THE TRAVIS CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR RELATED MATTERS
4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TRAVIS COUNTY ELECTIONS ADMINISTRATOR FOR ELECTION SERVICES FOR THE NOVEMBER 7, 2017 SPECIAL ELECTION AND MAKING CERTAIN FINDINGS RELATED THERETO

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.

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

None

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

RECONVENE

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

XIV. ANNOUNCEMENTS

XV. ADJOURNMENT

NOTICE

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 281-5724. Please provide forty-eight hours notice when feasible.

I, Amelia Sanchez, 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 in accordance with Chapter 551 of the Texas Government Code.

Amelia Sanchez
Amelia Sanchez, City Secretary



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

A Proclamation recognizing October 26-28th as Hogeye Festival Weekend in the City of Elgin, Texas

DEPARTMENT: Administration

PROPOSED ACTION:

Present application and have photo.

BACKGROUND:

The Hogeye Festival is an annual street festival celebration recognizing our history, sausage industry, downtown development program, and the unique flavors that make Elgin a great place to live. This is the 30th Anniversary of the Hogeye Festival! Hogeye activities will be held October 26 - 28. The Hogeye Festival will be Saturday, October 28 from 10-6 downtown with live music on three stages, Gordon Swenson Memorial BBQ Pork cook-off, the Road Hog Car Show, Handmade arts and crafts, Cow Patty Bingo, Kids activities, Lindsay Kay Wing Memorial Children's Costume Pet parade, In a Pig's Eye Cornhole Tournament, Acme Brick throw, Old Iron Farm Equipment Display, delicious food, and more! Advance activities include Think Pink Thursdays, the Coloring Contest for Pre-K through 2nd grades, The gala opening reception for the Pearls Before Swine Art Show, the Hogalicious Dessert contest, and carnival on Thursday night, the Free Friday night Street Dance on Depot street, and the carnival Friday night from 6 to 10.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Present proclamation to hogunteers and have a photo with them.

ATTACHMENTS:

Proclamation Hogeye Festival
Hogeye Festival map

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☐ Staff will provide brief comments and answer questions on this item at the meeting.
- ☒ 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.

Proclamation

Whereas, the Annual Hogeye Festival was named for a small hamlet and stage stop called Hogeye which disappeared after the railroad came and Elgin was formed; and

Whereas, the hog theme is the centerpiece of this downtown community celebration; and

Whereas, Elgin has been recognized as a National Main Street Community since 1999, and

Whereas, the State Legislature has declared Elgin the Sausage Capital of Texas for its prodigious supply of outstanding sausage – over 3 million pounds annually; and

Whereas, this is the 30th year for Elgin to host The Best Little Pig Gig in Texas; and

Whereas, more than 20,000 people join in this celebration of "A Time for Warm Hearts and Hot Guts" from across the Great State of Texas and all over the world, and

Whereas, community volunteers, business sponsors, the Elgin Main Street Board and the City of Elgin produce this hometown celebration including the Free Friday Night Street Dance, Gordon Swenson Memorial BBQ Pork Cook-off, Cow Patty Bingo, live music, Lindsay Kay Wing Memorial Children's Costume Pet Parade, Pearls Before Swine Art Show, handmade arts and crafts, Road Hog Car Show, a carnival, activities for children, In a Pig's Eye Cornhole Contest, Hogalicious Dessert Contest, Old Iron Farm Equipment Exhibit, and many more fun activities;

Now, Therefore, in official recognition whereof, this the 10th day of October 2017, I declare **October 26 – 28th Hogeye Festival Weekend in Elgin, Texas** and encourage all citizens to share and enjoy this community celebration.

CHRIS CANNON, MAYOR
City of Elgin, Texas

Free Shuttle at
95N & Main Street

30th Annual Hogeye Festival



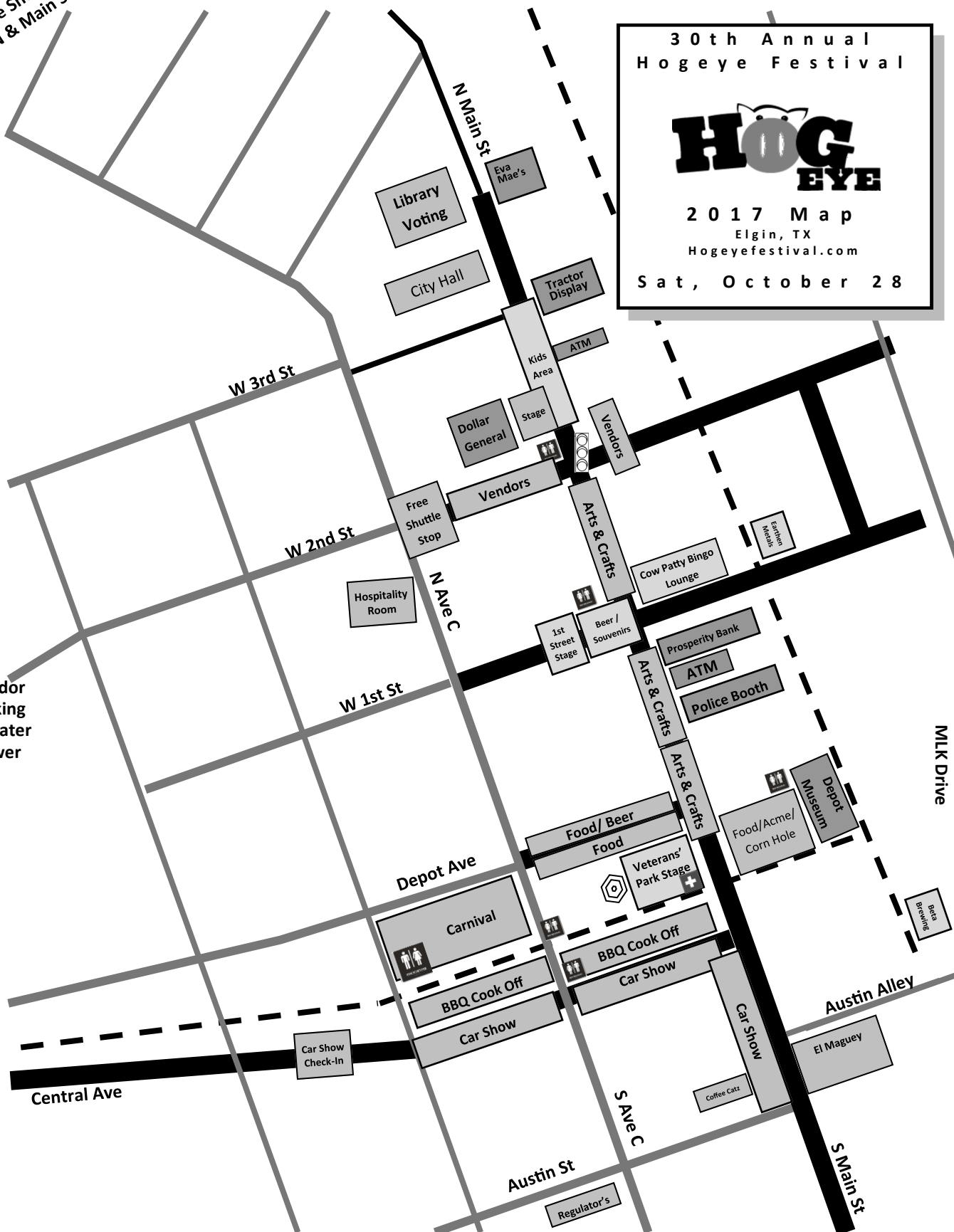
2017 Map

Elgin, TX

Hogeyefestival.com

Sat, October 28

Vendor
Parking
@ Water
Tower



Celebrating 27 years as a Texas Main Street City
30th Anniversary of the Hogeye Festival





ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of possible rescheduling of the November 7, 2017 Regular City Council Meeting due to a scheduling conflict with Election Day

DEPARTMENT: Administration

PROPOSED ACTION:

Discussion and possible action regarding a scheduling conflict with Election Day Regular City Council Meeting scheduled for November 7, 2017.

BACKGROUND:

This year, Election Day falls on the same date of the Regular City Council Meeting - Tuesday, November 7, 2017.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consider rescheduling November 7 Regular City Council Meeting and direction to staff, if any, regarding same.

ATTACHMENTS:

- ☐ 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.

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ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Monthly Departmental Activity Reports - August

DEPARTMENT: Administration

PROPOSED ACTION:

Departmental reports are informational only for City Council and no action is required.

BACKGROUND:

Routine monthly reports.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

No action is required.

ATTACHMENTS:

Library Report - August
Building Department Report - August
PD Summary Letter
Public Works Report - August
Utility Billing Report - August
Water Treatment Report - August
Municipal Court Report - August
Parks Report - August
Mainstreet Report- August
Main Street Activity Report August

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- ☐ Staff will provide brief comments and answer questions on this item at the meeting.
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**City of Elgin
310 N. Main St.
Elgin, TX 78621
August 2017 Report**

Library

Circulation increased 7% from the previous August with collection size 38,526 items.

Children's Librarian Melinda Torres will be finishing up a Ladd and Catherine Hancher grant that is administrated by the Friends of the Elgin Library this month. The funding is for children's books and computer carrels.

Our Old Fogeys Tea attendees enjoyed indoor croquet and giant scrabble games on August 5th.

The Texas Bluebonnet Bash was moved to August 31st because of Hurricane Harvey. The parents said they would rather get out on Thursday evening than going through the expected bad weather of Saturday, August 26. The Texas Bluebonnet Award reading list is for grades 3-6.

Citizenship Classes resumed August 8 with ESL classes holding an informational meeting on September 1 and resuming September 5.

We have 5 regular volunteers (2 retired librarians) and a new Senior Community Service Employment Program (SCSEP) employee, Cordia Novell.

Categories	Units	Aug. '16	Aug. '17	Fiscal YTD '16	Fiscal YTD '17
Total Circulation		8,469	9,090	81,781	78,715
+ or - Same month previous year	Percent		7%+		
Additions					
Interlibrary Loans	Each	5	24	19	236
New Patrons	Each	107	125	968	938
Collection					
Items Added	Each	183	125	4,030	2,633
Items Withdrawn	Each	314	679	2,598	3,656
Total Collection	Each	39,458	38,526	39,458	38,526
General Statistics					
Gate Count	Each	4,794	4,556	45,658	45,727
Hours Open	Hours	177	186	1,818	1,808
Library Tours	Each	0	0	2	4
Program Visitors	Each	413	197	5,673	4,472
Public Computer Use	Hours	782	540	10,307	5,043
Patrons using computers	Each	1,050	811	7,133	7,561
Volunteer Hours	Each	160	174	1,311	1,736
Receipts					
		\$1,544	\$1,612	\$26,022	\$19,223
Civic Center Use					
City	Each	2	9	31	66
Library	Each	43	15	163	226
Public Rental	Each	5	2	37	20
Other - not for profit	Each	2	4	101	56
Total Civic Center Use		52	30	332	368

Monthly Report to Administrative Manager
Building Department
For the Month of August 2017

Type of Inspections	Aug-16	Aug-17	Fiscal Yr. To Date	Calendar Yr. To Date
Building	45	35	374	207
Electrical	37	34	286	185
Plumbing	42	42	296	181
Gas	18	4	96	34
Mechanical	13	13	125	61
TOTAL	155	128	1177	668
Building				
Permits	20	21	221	171
Value	\$ 348,424.50	\$ 1,047,990.55	\$ 27,815,498.90	\$ 26,675,846.91
Fees	\$ 3,013.50	\$ 7,999.55	\$ 128,984.83	\$ 118,248.78
Electrical				
Permits	12	12	120	91
Fees	\$ 1,772.50	\$ 1,580.00	\$ 16,387.50	\$ 11,630.00
Plumbing				
Permits	7	8	88	63
Fees	\$ 1,130.00	\$ 1,340.00	\$ 14,157.50	\$ 10,140.00
Gas				
Permits	4	4	37	22
Fees	\$ 597.50	\$ 570.00	\$ 4,670.00	\$ 2,700.00
Mechanical				
Permits	10	5	70	38
Fees	\$ 1,430.00	\$ 840.00	\$ 10,335.00	\$ 5,110.00
Total All Fees	\$ 7,943.50	\$ 12,329.55	\$ 174,534.83	\$ 147,828.78

**August 2017
Building Permits**

Number of Permits		Type/Classification	Permit Fees		Valuation	
Aug-16	Aug-17		Aug-16	Aug-17	Aug-16	Aug-17
3	5	New Single Family	\$ 2,016.00	\$ 4,142.55	\$ 260,000.00	\$ 535,000.00
		New Duplex				
		New Manufactured				
		New Multi-Family				
		New Commercial				
		New Industrial				
		New Swimming Pools				
		Moving Permit				
6	4	New Signs	\$ 192.50	\$ -	\$ 11,458.00	\$ 1,551.82
6	7	Residential	\$ 741.75	\$ 1,165.12	\$ 75,166.50	\$ 99,198.73
2	3	Non-Residential	\$ 63.25	\$ 2,691.88	\$ 1,800.00	\$ 412,240.00
3	2	Demolitions	\$ -	\$ -	\$ -	\$ -
20	21		\$ 3,013.50	\$ 7,999.55	\$ 348,424.50	\$ 1,047,990.55
*BOA Request		None				
P & Z Request		Recommend zoning change from C-3 to I with special conditions for Dupy Brothers Elgin LLC				
Code Enforcement	Active Aug 2016	Active Aug 2017	Closed Aug 2016	Closed Aug 2017	Calendar YTD	
Abandoned/Junked	4		8	18	78	
Animal Control					1	
Beer Permits					0	
Environmental			3	2	16	
Fire Code					0	
Health and Sanitation			1	1	3	
Illegal Signs			102	67	435	
Property Maintenance			22	15	45	
Unsafe Structures		3			3	
Water/Sewer				1	1	
Zoning					3	
Total	4	3	136	104	585	

*Board of Adjustments

Submitted By: Carlos Navejas
Date: September 18, 2017



Elgin Police Department

Office of the Chief

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



Elgin Police Department

August 2017

August saw another busy month for the department with over 1000 calls for service again. We are currently on pace to exceed 14,000 calls for service for calendar year 2017. The preliminary Uniform Crime Reports for 2016 have come out and it shows a slight increase in serious crime in Elgin for 2016. This will mark the first year that we've seen an increase in Part I crimes which include Murder, Robbery, Rape, Aggravated Assault, Theft, Auto Theft, Arson, and Human Trafficking. We should have final this fall but only see an overall increase of about 8 reported crimes in the preliminary numbers. It also looks like our clearance rate again was 36% overall which will be second in the county behind Bastrop PD for 2016.

We were involved with numerous meetings and events in August and also finalized plans for our 8th Citizens Police Academy. The CPA is scheduled to kick off the end of September and so far we've received over 30 applications from citizens wanting to attend. We hope the class size continues to grow and look forward to a great conversation with our community during the class. Kuddos to Assistant Chief Phillip Taylor for working so hard to see that our CPA is one of the best in the area.

"Community First"

Public Works – August - 2017

Right of Way and Easement mowing and maintenance:

TX DOT Right of Way mowing/maintenance, and City of Elgin Right of Way shredding, mowing, weed eating and maintenance is ongoing

Sign replacement:

Repaired sign and pole on Lexington Road (no parking)
Replaced missing signs at Martin Luther King Boulevard East Brenham Street
Replaced missing signs North Avenue H and Louise Street

Permanent Street, utility cut repairs, pot hole repairs:

Level- ups on chip seal roads:

West 10th Street (from Lark Street to West 2nd Street)
West 10th Street (from North Ave C to North Main Street)
Robin Street (from West 11th Street to West 10th Street)
Lake Terrace Drive (from West 2nd Street to West 2nd Street)
East 8th Street (from North Main Street to Louise Street)
Louise Street (from East 10th Street to End)
Lloyd Lane (from Louise Street to Lexington Road)
North Avenue F (from Lexington Road to East 2nd Street)
Martin Luther King Boulevard (from East 2nd Street to US 290)
West Alamo Street (from US 290 to South Main Street)
East Alamo Street (from Old McDade Road to South Main Street)
Houston Street (from Martin Luther King Boulevard to City Limits)
Carver Street (from Houston Street to US 290)

Excavated and added base to utility cut on North Avenue C

Excavated and added base on East 1st Street

Spread rock on bleeding areas

Several pot holes were patched around town

East 1st Street

North Avenue C

Saw cut utility cuts

Curb, Gutters, Drains, and Ditch Cleaning

Cleaned the ditch on Irene Street

Curb repair two (2) locations Lake Terrace Drive

Cleaned curb and gutters:

Saratoga Farms

Louise Street

West Brenham Street from South Avenue C to Williams Street

Added RCP to driveway and added base on North Avenue F

Litter Control

Trash picked up on U. S. Highway 290

Trash picked up on State Highway 95 North

Trash picked up Historic Downtown

Trees and Brush:

Trimmed low limbs on all chip seal roads

Trimmed brush and debris on Martin Luther King Boulevard and Brown Street

Cleared alley between South Avenue A and South Avenue B near West Austin Street
Fallen limb Bill Street
Fallen limb on North Avenue F
Trimmed brush in alley beside Elgin Funeral Home
Trimmed limbs on Louise Street and East 8th Street
Trimmed low limbs on North Avenue F
Trimmed limbs on Martin Luther King Boulevard and East Brenham Street
Limbs – East 3rd Street and North Avenue E
Tree - alley off East 11th Street
Low limbs – Ochoa Street
Low limbs - Monterrey Street

Miscellaneous:

Added mosquito drops at Eagles Landing entrance
Filled wash-out in ROW on U. S. 95 N (across from Parkers Lumber)
Removed fallen utility pole in street on County Line Road
Cleaned paint from street on Gillespie Lane

Striped

Striped hashes by fire hydrant on West 11th Street
Re-striped Public Works and Planning and Zoning parking lot

Call-In

Hurricane Harvey: August 26 (Sat) & August 27 (Sun) – Minor Damage
Flooding – road closures
Fallen Trees

Storm Clean-up

Tree – El Paso Street
Tree – North Avenue A
Tree – Lexington Road
Limb - North Main Street
Tree – Farm to Market Road 1100
Limb – West Cleveland
Tree – Carters Ditch
Cleaned drainage on W Cleveland Street

2016-2017 Street Maintenance Project:

August 1, 2017 – Contract award
Construction to begin in September

2016-2017 Business District Re-Paint Striping:

August 1, 2017 – Contract award
Re-paint striping scheduled for September

Saratoga Farms Subdivision:

Subgrade, flex-base, asphalt paving, concrete paving, and sidewalk construction.
Section 3 – nearing completion
Section 4 – Asphalt paving scheduled for September

Lee Dildy Boulevard: (Portion in Saratoga Farms – Section 3)

Concrete paving and sidewalk construction – nearing completion

TxDOT US 290 West Project:

Work began this month.

Acknowledgments:

Karol Jarmon received employee of the 3rd quarter.

New Hire – Christopher Shane Watson joined the Public Works Team

Joe Parten

Director, Public Works

City of Elgin

UTILITY BILLING REPORT			August 2017
Billed out	\$426,489.28		
Past due notices	708	\$85,361.81	
Work orders-Cut offs	37		
Disconnected for non pmt	25		
Extension to pay 1st	41		
Extension due for disconnect	3		
Meter tamper fee	0		
After Hour turn on			
Accounts set to final		for non pmt	

METER REPORT		
WORK ORDERS	COMPLETED	INCOMPLETE
START READ	40	6
FINAL READ	36	1
TRANSFERS / IN AND OUT	6	0
CTO'S / DISCONNECT NON-PMT	37	0
SET METER	3	2
ERT REPLACEMENTS	5	17
METER REPLACEMENTS	88	25
VISUAL READS	17	0
FAILURE TO READ (MOBILE MISS)	84	0
RE READS	50	0
WL / CHECK FOR WATER LEAK	21	3
METERS DATA LOGGED	7	0
MISCELLANEOUS	23	0
TOTAL NUMBER OF WORK ORDERS	417	54
CURB STOPS		
BROKEN CURB STOPS	0	32
TOTAL NUMBER OF WORK ORDER	0	32
BULK WATER		
PURCHASES	18	
TRIPS/GALLONS	34/34,609	
TOTAL COLLECTED	\$175.92	

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

310 N. Main Street
512-229-3220 office

Monthly Reports August 2017

Department 023 Water Treatment

Well # 10	8,964,000 Gallons
Well # 11	0 Gallons
Well # 14	16,719,000 Gallons
Well # 15	1,801,000,000 Gallons
Water loss due to leaks or flushing	100,000 Gallons
Total Water Pumped	40,384,000 Gallons

Chemicals Used

Chlorine	974 Pounds
Sequest	150 Gallons

Distribution Samples

Bacteriological Samples Taken	11
Average Chlorine Residual	1.78 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	3
Service Line Breaks	5
Miscellaneous Repairs/Complaint Calls	30
New Connections/Taps	4
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	1
Service Lines	7
After Hours Call-Outs	15

Line Repairs/New Installations

Curb Side Cleanout Caps Replaced	2
Curb Side Cleanouts Installed	0
Main Line Repairs	0
New Main Line Installed	0
New Taps Installed	4
Lines TV'd	5
Manholes Installed/Repaired	0

Lift Station Maintenance/Repairs

Hour Meter Reads/Daily Site Checks	9 Daily
Pumps Pulled	4
Pumps Installed	3
Pumps De-raged	2
Motors Pulled	4
Motors Installed	3
Electrical Issues (Repair/Replace Parts)	5
Floats Cleaned/Replaced	2
Grass/Weed Maintenance	0
After Hours Call Outs	12

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	0
Pumps Installed	0
Motors Pulled	5
Motors Installed	4
Control System/Electrical Repairs	1
Cleaned Wet Well Floats	1
Miscellaneous Repairs	16
After Hours Call-Outs	5

Chemicals Used

Alum/Gallons	4,000
Bleach 10%/ Gallons	2,000
Polymer/ 55 gallon drums	2

Monthly Plant Flows and Test Results

Minimum Daily Flow	464,600 Gallons
Maximum Daily Flow	3,192,700 Gallons
Average Daily Flow	759,400 Gallons
Total Monthly Flow	23,542,800 Gallons

Effluent DO (Dissolved Oxygen) Average	6.6
Effluent Chlorine Residual Average	1.53 mg/l
Effluent pH Average	7.28
Total Phosphorus Average	0.474
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	2.17
TSS (Total Suspended Solids) Average	2
Ammonia/Nitrates Average	0.129

Remarks :

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month August

Year 2017

Municipal Court for the City CITY OF ELGIN

Presiding Judge Amanda Carter

If new, date assumed office

Court Mailing Address P.O. BOX 591

City ELGIN

, TX Zip 7-8621

Phone Number (512) 281-0318

Fax Number

Courts Public Email

Court's Website

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

Prepared by Yadira Duque

Date Sep 18, 2017

Phone Number (512) 281-0318

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

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

78711-2066

PHONE: (512) 463-1625

FAX: (512) 936-2423

CRIMINAL SECTION

City of CITY OF ELGIN

Month August Year 2017

	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	13,089	13	0	0	2,606	24
a. Active Cases	8,984	11	0	0	1,219	8
b. Inactive Cases	4,105	2	0	0	1,387	16
2. New Cases Filed	94	0	0	0	52	1
3. Cases Reactivated	32	0	0	0	16	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	9,110	11	0	0	1,287	9
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	96	0	0	0	29	0
b. Dismissed by Prosecution	13	0	0	0	13	4
7. Dispositions at Trial:						
a: Convictions						
1) Guilty Plea or Nolo Contendere	3	0	0	0	10	0
2) By the Court	1	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
b: Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	0	0
8. Compliance Dismissals:						
a: After Driver Safety Course	16					
b: After Deferred Disposition	6	0	0	0	2	0
c: After Teen Court	0	0	0	0	0	0
d: After Tobacco Awareness Course					0	
e: After Treatment for Chemical Dependency				0	0	
f: After Proof of Financial Responsibility	0					
g: All Other Transportation Code Dismissals	0	0	0	0	0	0
9. All Other Dispositions	14	0	0	0	1	0
10. Total Cases Disposed	149	0	0	0	55	4
11. Cases Placed On Inactive Status	28	0	0	0	16	0
12. Total Cases Pending End of Month:	13,034	13	0	0	2,603	21
a: Active Cases	8,933	11	0	0	1,216	5
b: Inactive Cases	4,101	2	0	0	1,387	16
13. Show Cause Hearings Held	2	0	0	0	3	0
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0
b: Without Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court CITY OF ELGIN	TOTAL
Month August Year 2017	
1. Transportation Code Cases Filed	3
2. Non-Driving Alcoholic Beverage Code Cases Filed	0
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed	6
5. Tobacco Cases Filed	5
6. Failure to Attend School Cases Filed	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed	5
9. All Other Non-Traffic Fine-Only Filed	0
10. Transfer to Juvenile Court:	0
a. Mandatory Transfer	0
b. Discretionary Transfer	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)	0
13. Juvenile Statement Magistrate Warning:	0
a. Warnings Administered	0
b. Statements Certified	0
14. Detention Hearings Held	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed	0

ADDITIONAL ACTIVITY

Court CITY OF ELGIN		Number Given	Number Requests For Counsel
Month August	Year 2017		
1. Magistrate Warnings:		16	
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			3
c. Felonies		11	4
			TOTAL
2. Arrest Warrants Issued:			44
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			3
c. Felonies			0
3. Capiases Pro Fine Issued			34
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Filed			0
6. Examining Trials Conducted			0
7. Emergency Mental Health Hearings Held			0
8. Magistrate's Orders for Emergency Protection Issued			1
9. Magistrate's Orders for Ignition Interlock Device Issued			0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond			0
11. Driver's License Denial, Revocation or Suspension Hearings Held			0
12. Disposition of Stolen Property Hearings Held			0
13. Peace Bond Hearings Held			0
14. Cases in Which Fine and Court Costs Satisfied by Community Service:			0
a. Partial Satisfaction			
b. Full Satisfaction			4
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			6
16. Cases in Which Fine and Court Costs Waived for Indigency			8
17. Amount of Fines and Court Costs Waived for Indigency			\$3,606.20
18. Fines, Court Costs and Other Amounts Collected:			\$23,831.60
a. Kept by City			
b. Remitted to State			\$14,302.87
c. Total			\$38,134.47

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



August 2017 Parks Report.

Park Programs – Patrick Nicks

With the summer winding down, the Parks and Rec department has a chance to take a short break before ramping up for the upcoming season. We plan to offer several different types of programs throughout the season to give the community an opportunity to enjoy the outdoors and fall festivities. Movies on the lawn, pumpkin carving, hiking trips, gingerbread man workshop, and much more will be offered for family fun!

Maintenance Report:

the Parks Crew cleaned nearly 120 cubic yards of material from downed trees in the park following the hurricane Harvey event. There were no areas that suffered major flooding in the parks, however the ground was very saturated and park crews needed to wait up to a week to get most of the park spaces mowed. In general, the parks fared well through the hurricane and we were able to recover with minimal problems.

Elgin Recreation Center update

Progress on the Recreation center continues with roof trusses up and installed as well as decking on most of the building. Structural CMU block is up and finished and the building now has a defined outline. The next few steps will be to finish the decking and start exterior and interior framing, before brick work goes on the exterior walls. The project is on schedule and we have not had any major problems with the Project so far.

Goals for September 2017

- Print Fall and Winter Program guide
- Music in the park
- Plan and coordinate for Hogeye Festival

Park Activity Summary		July 2017
Facility	Number of uses	
Park/ Pavilion Rental	4	
Ball Field Rental	8	
Fleming Community Center	39	
Pool Entries	1630	
Water Aerobics	530	
Pool Rentals	3	
Deposits	\$6,568.50	

September 10, 2017

August report

FM 1100 sidewalk project with TXDOT – Appraisals completed for required easements, began p[process of working with owners to notify and acquire easements. Historic Review board –

Community blood drive

Pedestrian safety options in downtown- met with TCDOT, Public Works and Planning & development to discuss options related to signage, crosswalks striping, railings to improve pedestrian safety and walk ability downtown.

Veterans Appreciation parade planning meetings with John Quigliani.

New teacher orientation presentation about the community.

Provided Regional Main Street board member training for Elgin surrounding areas, fifteen attendees.

public hearing for CDBG grant application.

Articles for Fall winter issue of Downtown 78621

Hogeye finalized sponsors at \$500 and above. Working on t-shirt and print materials. Recruiting children's activities, including a Rockwall. Developing a cornhole tournament.

Met with Property owners about façade projects including 110 South Main Street El Maguey.

Served on committee to review RFS for health plans and providers.

Design committee walking tour

Business development visits in East Austin, investigating options for cooperative space and work live space for businesses seeking to relocated due to increasing ease rates.

Solar eclipse viewing event at Veterans memorial park with Parks & Recreation department had approximately 50 attendees.



MONTHLY ACTIVITY REPORT

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

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

CITY: ELGIN

MONTH/YEAR: August 2017

DATE SUBMITTED: 9-10-2017

1. Updates on Projects, Activities for the month.

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

Meeting Dates:	Update on projects or activities
August 17, 2017	Regional board training for August 7 was very well attended. The walking tour included two loft apartments and The Owl. Sponsors for the festival were finalized, and print materials are to be finalized in September. Music is all booked. The school Supply Drive for Elgin ISD With the Chamber of Commerce generated enough donations for all three elementary campuses and the middle school. Continued working on Table on Main in partnership with the Chamber of Commerce.

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

Meeting Dates:	Update on projects or activities
August 29	Completed Editorial for Downtown 78621. Recruited new volunteers to the business retention committee and the promotion tourism committee. Continued distribution of flyers and brochures through the kiosks located around town, 14 locations total.

PROMOTION:

Meeting Dates:	
August , 2017	Dine Elgin First program ended August 17 and had outstanding participation. Restaurants reported increases in sales. More than 2,000 indiv. new entries were received. Co-hosted a Solar Eclipse viewing event with the parks Department. About 50 people came downtown and shared solar glasses, and devices to view the partial eclipse. Partnering with Parks department to help promote music in the Park at veterans park in September Sip shop and stroll on 2nd Thursday continues to have really good attendance. Continued planning for Shop Small Saturday, hot cocoa stroll, holiday by the tracks, the Art of Giving December 16, Holiday Concert with Elgin ISD elementary campuses, safe trick or treat.

Email to: mainstreet-reports@thc.state.tx.us

	Continuing the full page ad in Antiquing weekly with business advertising support.
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DESIGN:

August , 2017	Miller met with TXDOT about speed of traffic and options they have to increase pedestrian comfort / safety in the downtown area. East Austin tour offered some real insight to future development options for maker space and studio office options.

ECONOMIC RESTRUCTURING:

Meeting Dates: , 2017	Update on projects or activities 116 Depot Street leased to LML appliance s- this is more than double the space they currently occupy. Their old space at 112 Depot Street will be available in September. Space leased at 30 n main to a cosmetics boutique scheduled to open in September. 100 West First Street leased to a barber shop, 2 nd & Avenue C space leased to a massage therapist. Contract pending for 14 N Main. Other Properties for sale: 211 Central Avenue, 113 Central Avenue, 110 South Main Street. Working with owners on renovation plans, reviews, and lease recruitment.
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2. Program Commentary *(list critical issues, problems, and successes/ completed projects of the past month):*
The Dine Elgin First program is a really successful one – especially good timing for the dog days of summer.
3. Outlook. *Goals and challenges; plans for upcoming major projects such as public improvements etc.:*
4. Suggestions for Texas Main Street Center *(list suggestions on services or training topics; new resources; questions):*
5. Main Street in the News. *If your programs or its activities have been spotlighted in press coverage during the month, please provide a link here. If there is a newsworthy event or announcement that would be appropriate for the Main Street Matters e-newsletter, please email mainstreet-reports@thc.state.tx.us with the information. Please provide event information as many months in advance as possible.*

30th Annual Hogeye Festival is October 26 – 28

September 14 Sip, Shop & Stroll

October 12 Sip, Shop & Stroll

Email to: mainstreet-reports@thc.state.tx.us



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Appointment of Katy Gassaway to the Elgin Main Street Board for an existing unexpired term.

DEPARTMENT: Administration

PROPOSED ACTION:

Appoint Katy Gassaway to an unexpired term that expires on 12-31-2018.

BACKGROUND:

Katy Gassaway owner and yoga instructor at Body and Shine Wellness located at 28 N, 28 North Main Street. Katy volunteers with the Design committee for Main Street Board and has provided business training classes in social media for the Main Street Board & Chamber of Commerce. Katy lives in the city of Elgin and is a business owner. This appointment fulfills the requirements of the board and is consistent with the eligibility for board service currently under consideration by council. Board member, service, and affiliation information is provided as an attachment.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Appoint Katy Gassaway to to the Elgin Main Street Board for a term to expire on 12-31-2018.

ATTACHMENTS:

Main Street Board member terms & affiliation information

- ☐ 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.

MAIN STREET BOARD	3rd Thurs 7
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Ed	Rivers	Downtown Property owner	P O Box 1124	Elgin
Dorothy	McCarther	City of Elgin resident & Business owner	104 Depot Street	Elgin
Joe	Mallon		FM 1704	Elgin
Theresa	McShan	City resident	501 S. Main St.	Elgin
Allan	Tolbert	Downtown Property owner	1363 A. Red Town Road	Elgin
Jamie	Hausladen			McDade
Stacey	Greutzner-Wilhite		5738 W FM 696	McDade
Renee	Girling	Business owner	650 CR 468	Elgin
VACANT				

9 member board

***Ordinance / bylaws require** At least two (2) owners of property within the downtown business district, or b
the downtown business district, or employees of a business within the downtown business district

7:30 am			Term for 2 years
Tx	78621	512-281-2463	Expire 12/31/17
Tx	78621	512-281-3645	Expire 12/31/17
TX	78621		Expire 12/31/17 appointed September 2016
Tx	78621	512-636-9669	12/31/2018 reappointed Jan 2017
TX	78621	512-699-4869	Expire 12/31/17
TX	78650	512-229-8929	12/31/2018 reappointed Jan 2017
TX	78650	512-731-7872	12/31/2018 reappointed Jan 2017
TX	78621	512-415-5218	12/31/2018 reappointed Jan 2017
			Expire 12/31/18

business owners within



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Appoint Sonya Rangel to serve an unexpired term on the Historic Review Board.

DEPARTMENT: Administration

PROPOSED ACTION:

Appoint Sonya Rangel to serve an unexpired term for the Historic Review Board that expires 12-31-2019.

BACKGROUND:

Sonya Rangel is a resident of the city of Elgin and works for the Austin Community College Elgin Campus. She volunteers with the Main Street program and has chaired the Hogeye Festival. Sonya is interested in serving her community and supporting downtown revitalization. This appointment fulfills the requirements of the board and is consistent with the eligibility for board service currently under consideration by council. Board member, service, and affiliation information is provided as an attachment.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Appoint Sonya Rangel to serve on the Historic Review Board for a term to expire on 12-31-2019.

ATTACHMENTS:

[HRB board information](#)

☐ 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.

HISTORIC REVIEW BOARD			4th Tues 7:30 am					Term for 3 Years
Molly	Alexander	City Resident, property & business owner	18 N. Main Street	Elgin	Tx	78621	512-281-5865	Expire 12/31/2018
Allan	Tolbert	property owner & Main Street Board	1363 A. Red Town Road	Elgin	TX	78621	512-699-4869	Expire 12-31-2018
Ed	Rivers	property owner & Main Street Board, member Elgin Historical Assoc.	P O Box 1124	Elgin	Tx	78621	512 281-2463	Expire 12-31-2018
Emily	Koller	City resident	405 N Ave. F	Elgin	Tx	78621	512-281-3034	Expire 12/31/2017
Melissa	Cole	property owner, member Elgin Historical Assoc.	PO Box 391	Elgin	Tx	78621	512-281-0243	Expire 12/31/2017
Melissa	Ladd	city resident, property owner	28 North Main Street	Elgin	Tx	78621	512-589-0188	Expire 12/31/2018
Phillip	Kost	Camp Swift	403 McArthur Drive	Leander	Tx	78641	512-259-1231	Expire 12/31/2017
Vacant		City resident		Elgin	Tx	78621		Expire 12/31/2019
Vacant		City resident		Elgin	Tx	78621		Expire 12/31/2019

9 members *Five Citizens of City of Elgin, Two Members of Main St Board, Two Property Owners in Historic District,

Two Members of Elgin Historical Assoc.

Building Official or his designee shall serve as Secretary



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of a Letter of Agreement with Elgin Independent School District regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project

DEPARTMENT: Community Development

PROPOSED ACTION:

Consider the Letter of Agreement with Elgin Independent School District regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project as proposed by staff.

BACKGROUND:

The City of Elgin, in cooperation with the Texas Department of Transportation (TXDOT), is proceeding with the acquisition of pedestrian easements or drainage easement for sidewalks on FM 1100 (Avenue C) from Vicksburg Loop to State Highway 95 North. This easement provides access to 0.044 acres out of a parent tract containing 27.89 acres out of Thomas Christian Survey Abstract 20, Elgin, Bastrop County Texas, (Bastrop Central Appraisal District property ID R15318). 1907 sq.ft. of land, rectangular in shape and includes 78 linear feet along FM 1100 and is approximately 24 feet deep.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approve the proposed Letter of Agreement as presented and/or further direction to staff, if any, from Council.

ATTACHMENTS:

Letter of agreement

- ☐ 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.

Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

September 25, 2017

Elgin Independent School District
Byron Mitchell
President of the Board of Trustees
P.O. Drawer 579
Elgin, Texas 78621

Via e-mail to: rainey.lann@elginisd.net

RE: City of Elgin Sidewalk Easement
FM 1100

Dear Mr. Mitchell:

I am writing on behalf of the City of Elgin, Texas regarding the sidewalk project along FM 1100. I am glad that we have been able to reach an agreement for the acquisition of the easement on school district property along FM 1100 (the "Easement"). Please allow this letter to set out our agreement for the City's purchase of the Easement.

In return for granting the Easement, the City will pay Elgin Independent School District the total sum of \$711.00.

If this meets with your understanding, please execute this letter where indicated and return it to me.

In order to process the payment, the City also needs a completed W-9 tax form. Please complete the enclosed W-9 and return it to me.

Upon receipt of this signed letter, we will have the letter executed by the City and processed for payment as quickly as possible. I will return a copy of the fully executed letter to you. The Easement will not be recorded until I have delivered the payment to you.

Please feel free to contact me at any time if you have any questions or concerns. It has been a pleasure working with you to resolve these issues.

Sincerely,

Tad Cleaves

AGREED:

ELGIN INDEPENDENT SCHOOL DISTRICT:

By: _____
Byron Mitchell, President of the Board of Trustees

Date: _____

CITY OF ELGIN, TEXAS

By: _____

Title: _____

Date: _____

Enclosures



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of a Letter of Agreement with Brian and Cynthia Henson regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project

DEPARTMENT: Community Development

PROPOSED ACTION:

Consider the Letter of Agreement with Brian and Cynthia Henson regarding the acquisition of additional ROW easement in support of the FM1100 Sidewalk Project as proposed by staff.

BACKGROUND:

The City of Elgin, Texas in cooperation with the Texas Department of Transportation (TXDOT), is presently proceeding with the acquisition of pedestrian easements or drainage easement for sidewalks on FM 1100 (Avenue C) from Vicksburg Loop to State Highway 95 North. This easement will be \$6,080 for 0.046 acres out of a parent tract containing 0.2830 acres out of Lot 29 Elgin Meadows Subdivision, Elgin, Bastrop County Texas, (Bastrop Central Appraisal District property ID R15724). 1,984 sq.ft. of land, rectangular in shape and includes 110 linear feet along FM 1100 and is approximately 17.74 feet deep.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approve the proposed Letter of Agreement as presented and/or further direction to staff, if any, from Council.

ATTACHMENTS:

Letter of agreement.

- ☐ 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.

Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

September 25, 2017

Brian and Cynthia Henson
200 Loesch Drive
Elgin, Texas 78621

RE: City of Elgin Sidewalk Easement
FM 1100

Dear Mr. and Ms. Henson:

I am writing on behalf of the City of Elgin, Texas regarding the sidewalk project along FM 1100. I am glad that we have been able to reach an agreement for the acquisition of the enclosed easement on your property at 200 Loesch Drive (the "Easement"). Please allow this letter to set out our agreement for the City's purchase of the Easement.

In return for granting the Easement, the City will pay you the total sum of \$6,080.00.

If this meets with your understanding, please execute this letter where indicated and return it to me. Please also execute the Easement with a notarized signature and return them to me.

In order to process your payment, the City also needs a completed W-9 tax form. Please complete the enclosed W-9 and return it to me.

Upon receipt of this letter and the Easement signed by you, we will have the letter executed by the City and processed for payment as quickly as possible. I will return a copy of the fully executed letter to you. The Easements will not be recorded until I have delivered the payment to you.

Please feel free to contact me at any time if you have any questions or concerns. It has been a pleasure working with you to resolve these issues.

Sincerely,



Tad Cleaves

AGREED:

OWNER:

By: _____
Brian Henson

Date: _____

By: _____
Cynthia Henson

Date: _____

CITY OF ELGIN, TEXAS

By: _____

Title: _____

Date: _____

Enclosures

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification; check only one of the following seven boxes: ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. ☐ Other (see instructions) ▶ _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	6 City, state, and ZIP code	
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number									
				-			-		
or									
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

• Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)

• Form 1099-C (canceled debt)

• Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

Note. If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States:

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 28% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the Part II instructions on page 3 for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code* on page 3 and the separate instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships* above.

What is FATCA reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code* on page 3 and the instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account, list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note. ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C Corporation, or S Corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box in line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box in line 3.

Limited Liability Company (LLC). If the name on line 1 is an LLC treated as a partnership for U.S. federal tax purposes, check the "Limited Liability Company" box and enter "P" in the space provided. If the LLC has filed Form 8832 or 2553 to be taxed as a corporation, check the "Limited Liability Company" box and in the space provided enter "C" for C corporation or "S" for S corporation. If it is a single-member LLC that is a disregarded entity, do not check the "Limited Liability Company" box; instead check the first box in line 3 "Individual/sole proprietor or single-member LLC."

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space in line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

- 1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2—The United States or any of its agencies or instrumentalities
- 3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
- 4—A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5—A corporation
- 6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession
- 7—A futures commission merchant registered with the Commodity Futures Trading Commission
- 8—A real estate investment trust
- 9—An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10—A common trust fund operated by a bank under section 584(a)
- 11—A financial institution
- 12—A middleman known in the investment community as a nominee or custodian
- 13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹ See Form 1099-MISC, Miscellaneous Income, and its instructions.

² However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note. You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-member LLC that is disregarded as an entity separate from its owner (see *Limited Liability Company (LLC)* on this page), enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note. See the chart on page 4 for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Forms W-7 and SS-4 from the IRS by visiting IRS.gov or by calling 1-800-TAX-FORM (1-800-829-3676).

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note. Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 4, or 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account ¹
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor ²
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee ¹
b. So-called trust account that is not a legal or valid trust under state law	The actual owner ¹
5. Sole proprietorship or disregarded entity owned by an individual	The owner ³
6. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor ⁴
For this type of account:	Give name and EIN of:
7. Disregarded entity not owned by an individual	The owner
8. A valid trust, estate, or pension trust	Legal entity ⁴
9. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
10. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
11. Partnership or multi-member LLC	The partnership
12. A broker or registered nominee	The broker or nominee
13. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
14. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

² Circle the minor's name and furnish the minor's SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships* on page 2.

***Note.** Grantor also must provide a Form W-9 to trustee of trust.

Note. If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records from Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Publication 4535, Identity Theft Prevention and Victim Assistance.

Victims of identity theft who are experiencing economic harm or a system problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at: spam@uce.gov or contact them at www.ftc.gov/idtheft or 1-877-IDTHEFT (1-877-438-4338).

Visit IRS.gov to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.

SIDEWALK EASEMENT

THE STATE OF TEXAS

§

KNOW ALL BY THESE PRESENTS:

COUNTY OF BASTROP

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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

That the BRIAN HENSON and CYNTHIA HENSON, whose current address is 200 Loesch Drive, Elgin, Texas 78621 and its successors and assigns, ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the CITY OF ELGIN, TEXAS, a municipal corporation situated in the Counties of Bastrop and Travis and the State of Texas ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, SELL and CONVEY unto Grantee certain rights and interests in the nature of a perpetual sidewalk easement and right-of-way in, upon, over, under, above and across the following described property, to-wit:

Being a 0.046 acre tract of land located in the City of Elgin, Bastrop County, Texas, being a portion of Lot 29, Elgin Meadows Subdivision, a subdivision of record in Cabinet 1, Page 120B of the Plat Records of Bastrop County, Texas; said 0.046 acre tract being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes.

The perpetual easement, right-of-way, rights and privileges herein granted shall be used for the purposes of location, placement, relocation, construction, operation, enlargement, maintenance, alteration, repair, rebuilding, removal and patrol of a sidewalk (the "Facilities").

This conveyance is made and accepted subject to any and all conditions and restrictions, if any, relating to the hereinabove described property to the extent, and only to the extent, that the same may still be in force and effect and shown of record in the office of the County Clerk of Bastrop County, Texas.

Except as otherwise noted, the easement, rights and privileges herein granted shall be perpetual.

The perpetual easement, right-of-way, rights and privileges granted herein are exclusive, and Grantor covenants not to convey any other easement or conflicting rights within the premises covered by this grant, without the express written consent of Grantee, which consent shall not be

unreasonably withheld. Grantee shall have the right to review any proposed easement or conflicting use to determine the effect, if any, on the sidewalk contemplated herein. Prior to granting its consent for other easements, Grantee may require reasonable safeguards to protect the integrity of the improvements thereon.

Grantor also retains, reserves, and shall continue to enjoy the surface of such easement for any and all purposes which do not interfere with and prevent the use by Grantee of the easement, including the right to build and use the surface of the easement for private streets, roads, driveways, alleys, walks, gardens, lawns, parking areas and other like uses; provided Grantor shall not erect or construct on the easement any building or other structure, or diminish or substantially add to the ground cover over the easement. Grantee shall not be responsible or liable for the removal, repair or damage to any property, structure, building, or other use inconsistent with the rights conveyed to Grantee by the easement; provided, however, before constructing any improvements, at least ten (10) days' written notice shall be provided to Grantee of the general plans of the improvement to be constructed on the easement, and Grantor must first obtain the consent and approval from Grantee of the construction and location of any improvements within the easement.

Grantee hereby covenants and agrees:

- (a) Grantee shall not fence the easement;
- (b) Grantee shall promptly repair the surface of the easement outside of the Facilities and repair any damage it shall do to Grantor's adjoining property outside the easement;

It is understood and agreed that any and all equipment and facilities placed upon said property by Grantee shall remain the property of Grantee.

Grantor hereby dedicates the easement as a sidewalk easement for the purposes stated herein.

TO HAVE AND TO HOLD the rights and interests described unto Grantee and its successors and assigns, forever, together with all and singular all usual and customary rights thereto in anywise belonging, and together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing or maintaining said sidewalk, and Grantor does hereby bind itself, its successors and assigns and legal representatives, to WARRANT AND FOREVER DEFEND, all and singular, the said easement and rights and interests unto the City of Elgin, Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this the _____ day of the month of _____, 2017.

GRANTOR:

By: _____
Brian Henson

By: _____
Cynthia Henson

[Acknowledgments Next Page]

ACKNOWLEDGMENT

THE STATE OF TEXAS

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COUNTY OF BASTROP

§

This instrument was acknowledged before me on this the ____ day of the month of _____, 2017, by BRIAN HENSON, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity and for the purposes and consideration therein expressed.

Signature

Printed Name

Notary Public, State of _____

THE STATE OF TEXAS

§

§

COUNTY OF BASTROP

§

This instrument was acknowledged before me on this the ____ day of the month of _____, 2017, by CYNTHIA HENSON, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in the capacity and for the purposes and consideration therein expressed.

Signature

Printed Name

Notary Public, State of _____

After recording please return to:

Sheets & Crossfield, P.C.
309 E. Main Street
Round Rock, Texas 78664



6477 FM 311 | PO BOX 992
SPRING BRANCH, TX 78070
830.228.5788 P | 830.885.2170 F
WWW.MSENGR.COM | TBPLS #10044200

0.046 ACRE TRACT
17TRC001 EXH.DWG

FN NO. 17TRC001
APRIL 6, 2017

FIELDNOTE DESCRIPTION

BEING 0.046 ACRE TRACT OF LAND LOCATED IN THE CITY OF ELGIN, BASTROP COUNTY, TEXAS, BEING A PORTION OF LOT 29, ELGIN MEADOWS SUBDIVISION, A SUBDIVISION OF RECORD IN CABINET 1, PAGE 120B OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, SAID 0.046 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND $\frac{1}{2}$ INCH IRON ROD IN THE COMMON LINE OF F.M. ROAD 1100 AND SAID LOT 29, MARKING A SOUTHWESTERLY CORNER OF A CURVE RETURN AT THE INTERSECTION OF LOESCH DRIVE AND F.M. ROAD 1100, MARKING THE SOUTHWESTERLY CORNER OF SAID LOT 29 AND HEREOF;

THENCE, N $63^{\circ} 03' 16''$ W, ALONG THE COMMON LINE OF SAID LOT 29 AND F.M. ROAD 1100, A DISTANCE OF 110.42 FEET TO A FOUND $\frac{1}{2}$ INCH IRON ROD IN THE COMMON LINE OF LOT 15 OF SAID SUBDIVISION AND LOT 29, SAME POINT MARKING THE SOUTHERLY CORNER OF LOT 15, THE NORTHWESTERLY CORNER OF LOT 29 AND HEREOF;

THENCE, N $33^{\circ} 43' 30''$ E, ALONG SAID COMMON LINE, A DISTANCE OF 17.74 FEET TO POINT, MARKING THE NORTHEASTERLY CORNER HEREOF;

THENCE, S $61^{\circ} 43' 52''$ E, INTO AND ACROSS SAID LOT 29, A DISTANCE OF 125.23 FEET TO A FOUND $\frac{3}{8}$ INCH IRON ROD IN THE COMMON LINE OF SAID LOT 29 AND LOESCH DRIVE, MARKING THE NORTHEASTERLY CORNER HEREOF, FROM WHICH A FOUND $\frac{3}{8}$ INCH IRON ROD AT THE EASTERLY CORNER OF LOT 29 AND THE SOUTHERLY CORNER OF LOT 30 OF SAID SUBDIVISION BEARS N $33^{\circ} 51' 13''$ E, A DISTANCE OF 76.87 FEET;

THENCE, SOUTHWESTERLY, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF LOESCH DRIVE, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 16.82 FEET, A CENTRAL ANGLE OF $83^{\circ} 27' 59''$, AN ARC LENGTH OF 24.50 FEET AND A CHORD BEARING S $75^{\circ} 50' 05''$ W, A DISTANCE OF 22.39 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 0.046 ACRES OF LAND, MORE OR LESS.

I, MELISSA T. HINTON, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

A SURVEY EXHIBIT WAS PREPARED ON THIS SAME DATE. BASIS OF BEARING IS
NAD 83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE.

SHERWOOD SURVEYING & SUE, LLC
P.O. BOX 992
SPRING BRANCH, TEXAS 78070
TBPLS FIRM #10044200

Melissa T. Hinton 4/6/17
MELISSA T. HINTON DATE
R.P.L.S. #6521 STATE OF TEXAS



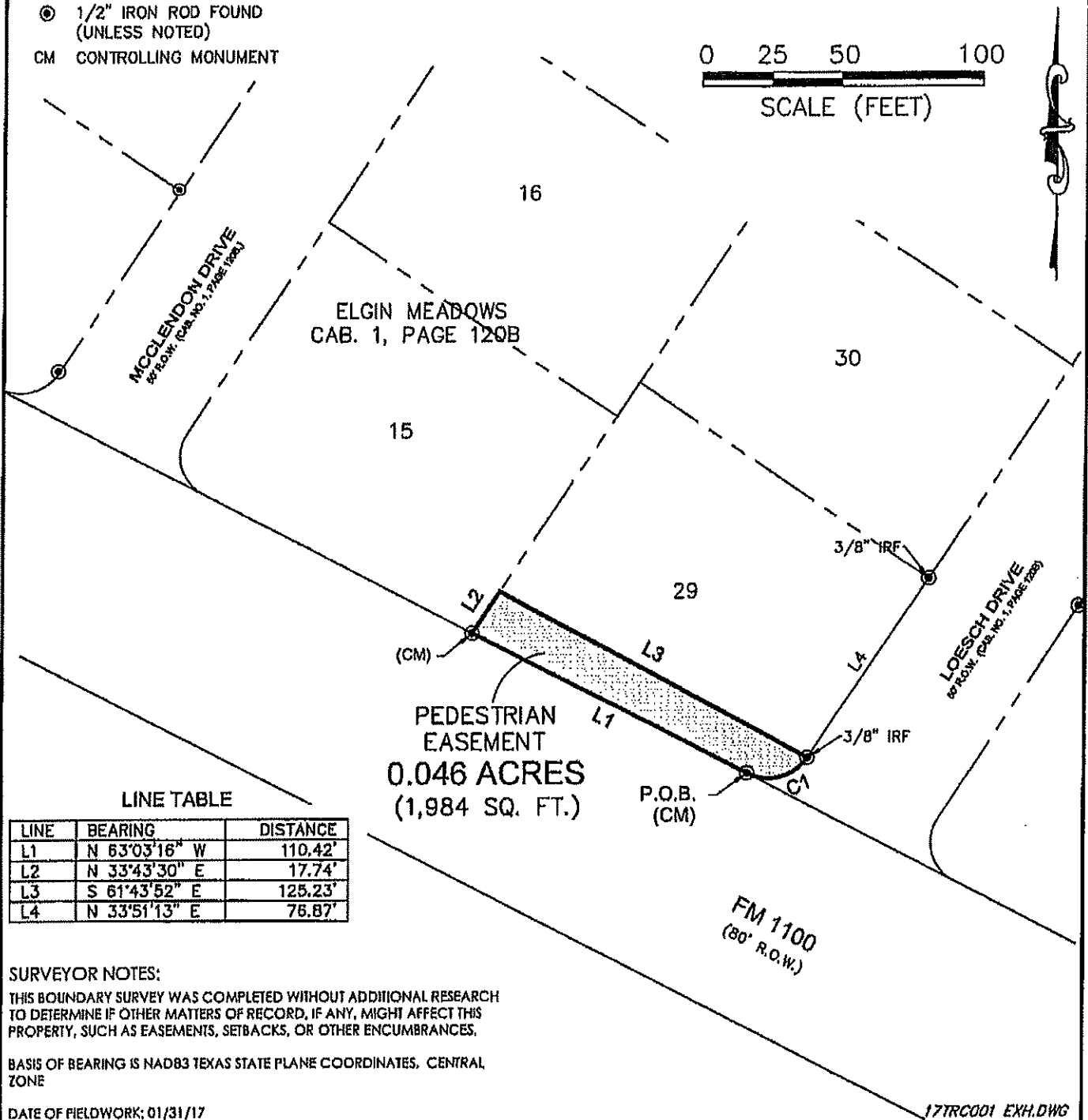
LEGEND

P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCING
⊙ 1/2" IRON ROD FOUND
(UNLESS NOTED)
CM CONTROLLING MONUMENT

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	16.82'	24.50'	22.39'	S 75°50'05" W	83°27'59"

0 25 50 100
SCALE (FEET)



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 63°03'16" W	110.42'
L2	N 33°43'30" E	17.74'
L3	S 61°43'52" E	125.23'
L4	N 33°51'13" E	76.87'

SURVEYOR NOTES:

THIS BOUNDARY SURVEY WAS COMPLETED WITHOUT ADDITIONAL RESEARCH TO DETERMINE IF OTHER MATTERS OF RECORD, IF ANY, MIGHT AFFECT THIS PROPERTY, SUCH AS EASEMENTS, SETBACKS, OR OTHER ENCUMBRANCES.

BASIS OF BEARING IS NAD83 TEXAS STATE PLANE COORDINATES, CENTRAL ZONE

DATE OF FIELDWORK: 01/31/17

Melissa T. Hinton 4/6/17
DATE
MELISSA T. HINTON
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 8521
6477 FM 311
P.O. BOX 992
SPRING BRANCH, TEXAS 78070
PHONE • (830) 228-5448
FAX • (830) 655-2170
TBPLS FIRM #100-14200
SHERWOOD
★
SURVEYING & S.U.E.



TRC ENGINEERS, INC.
505 E. HUNTLAND DRIVE, STE. 250 AUSTIN, TX 78752
T.B.P.E. FIRM REGISTRATION # F-8632
(512) 454 - 8716



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of request for street closures in support of the Holiday Concert on Depot Street provided by Elgin ISD Elementary Schools in cooperation with the Elgin Main Street program.

DEPARTMENT: Community Development

PROPOSED ACTION:

Consider street closure request for Holiday concert.

BACKGROUND:

Elgin ISD Choir teachers work together to produce a combined choirs holiday concert from the elementary schools on Friday, December 1 at Veterans Memorial park.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approve requested street closures.

ATTACHMENTS:

- ☐ 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:

Consideration of request for street closures for the Annual Safe Trick Or Treat Trail sponsored by the City of Elgin Parks & Recreation Department.

DEPARTMENT: Parks & Recreation

PROPOSED ACTION:

Approve street closures for Safe Trick or Treat Trail October 31, 2017.

BACKGROUND:

Parks & Recreation Department organizes the Safe Trick or Treat trail to provide a fun safe venue for trick or treating in the community. Street closures include Depot Street from Main Street to Avenue C, Avenue C from Central Avenue to 2nd Street, First Street from Avenue C to Main Street. Businesses and organizations give out treats on Depot Street, in Veterans Park and at various business locations along Avenue C and Main Street.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approve street closures for Safe Trick or Treat Trail on October 31, 2017

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ATTACHMENTS:

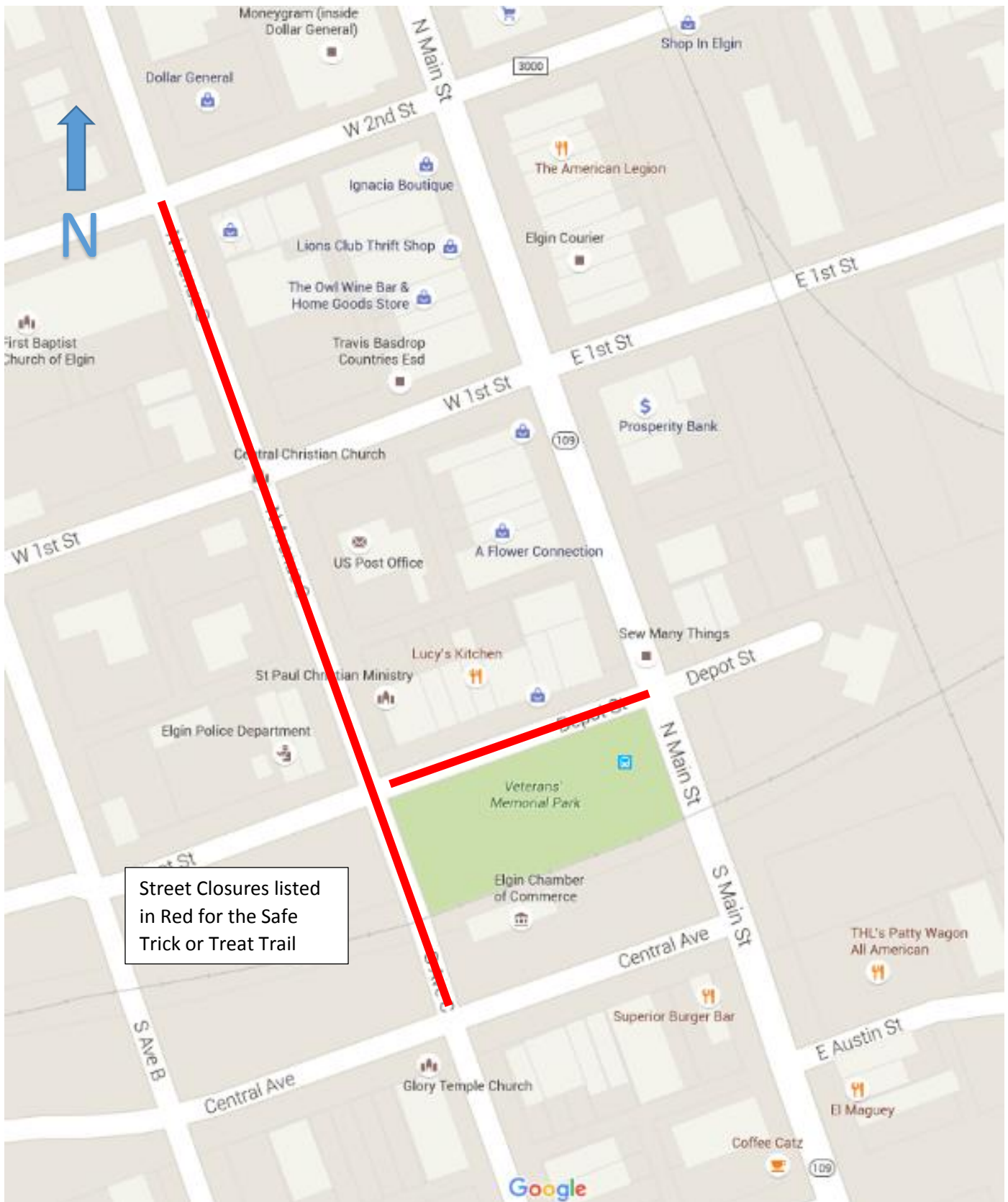
Safe Trick or Treat street closures

☐ 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.

2016 Safe Trick or Treat Trail Street Closures





ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of request for street closures in support of the Veterans Appreciation Parade on Saturday, November 4, 2017 from 8 a.m. to noon.

DEPARTMENT: Community Development

PROPOSED ACTION:

Consideration of certain street closures in support of Veterans Appreciation Parade as requested.

BACKGROUND:

The Veterans Appreciation Parade will be held on Saturday, November 4, 2017. The Elgin Police Department provides the traffic control plan and the City of Elgin implements the street closures for the parade on Saturday. The parade line up occurs on 11th Street from Main Street to 2nd Street. The parade commences at 11th and Main Street (Loop 109) it travels south through downtown to Brenham Street and disperses from that point.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the street closures on Saturday, November 4 from 8am to noon as presented.

ATTACHMENTS:

Veterans Appreciation Parade request letter
Veterans parade route map

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☐ Staff will provide brief comments and answer questions on this item at the meeting.
- ☒ 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 14, 2017

Mr. Michael Gonzales
Director of facilities
City of Elgin
P.O. Box 591
310 N. Main Street
Elgin, Texas 78621

Good day MR. CANNON:

The purpose of this brief letter is to mention that the American Legion and V.F.W. are planning a Veterans Appreciation Event for Saturday November 4th, 2017. Fort Hood will provide assets for the parade, Fort Hood Honor guard, parade horses and the Fort Hood marching band. Along with Fort Hood Elgin High School will also be involved. The High School marching band along with many of the school's clubs and organizations. In addition to Fort Hood and Elgin High School we will also have other groups. After the parade, we will have an open to all static display on V.F.W. grounds.

We are hoping to make this a fun filled day for everyone in the area.

The parade will start at 10 a.m. with set up starting at 8:30 a.m. and will be based on 11th street. The parade route will follow 11th Street to Main Street, turn right on Main and continue down Main Street to Brenham where it will turn right and disperse.

Understanding our request, we look forward to your approval for us to proceed and schedule a daylong event for Elgin.

Much thanks

John Quagliani
American Legion
Commander Post 295
Elgin, Texas 78621

CC Ms. Amy Miller & Mr. Chris Cannon

The map displays a proposed road route in Elgin, Texas. The route is highlighted with a red line and arrows, indicating a path from the intersection of N Avenue C and W 12th St, proceeding north to N Avenue F, then east to E 8th St, and finally south to E 1st St. The map includes labels for various streets, landmarks like Memorial Park and Sacred Heart Catholic Church, and businesses like Elgin Elementary School and Elgin Depot Museum.



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

Consideration of request for street closures in support of the Volunteer Fire Department Lighted Parade on Saturday, December 2, 2017 from 5 p.m. to 7 p.m.

DEPARTMENT: Community Development

PROPOSED ACTION:

Approve requested street closures.

BACKGROUND:

The Annual Volunteer Fire Department Lighted Holiday Parade will be held on Saturday, Saturday December 2, 2017. The Elgin police department provides the traffic control plan and the City of Elgin implements the street closure for the parade on Saturday. The parade line up occurs in Elgin Memorial Park. The parade commences at 11th and Main Street (Loop 109) it travels south to Brenham Street through downtown and disperses from that point.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Recommend approval for the parade street closures on Saturday, December 2 from 5pm to 7pm for the VFD Lighted holiday parade.

ATTACHMENTS:

[VFD parade route](#)

☐ 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:

City Council Special Meeting Minutes - August 14, 2017

DEPARTMENT: Administration

PROPOSED ACTION:

Review and Approval of the minutes of the August 14, 2017 City Council Special meeting.

BACKGROUND:

Minutes prepared as recorded at the August 14, 2017 City Council Special Meeting.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the minutes of the August 14, 2017 City Council Special meeting.

ATTACHMENTS:

City Council Special Meeting minutes 5-14-17

- ☐ 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.

**MINUTES
ELGIN CITY COUNCIL
SPECIAL MEETING
MONDAY, AUGUST 14, 2017
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET**

CALL TO ORDER

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

ROLL CALL

Present: Chris Cannon, Mayor

Juan Gonzalez, Mayor Pro Tem

Jessica Bega, Council Member

Mary Penson, Council Member

Daniel Lopez, Council Member

Phillip Thomas, Council Member

Sue Brashar, Council Member

Neil Beyer, Council Member

Mayor Cannon asked that the record show that Council Members Beyer, Penson and Arreaga were not present at roll call. Mayor Cannon acknowledged Council Member Penson and Council Member Beyer's arrival.

Mayor Canon stated that Council Member Arreaga was absent but had informed the Council at the last meeting she would not be able to attend.

Mayor Cannon stated that Council Member Thomas was absent at the last meeting and he tried to email the Council but was unsuccessful due to not having service at the location where he was. Council Member Brashar moved to excuse Council Member Thomas's absence on the August 1st regular council meeting. Council Member Bega seconds the motion. Motion carried by unanimous vote 8-0.

Council Member Penson moved to excuse Council Member Arreaga's absence. Council Member Bega seconds the motion. Motion carried by unanimous vote 8-0.

Staff: Thomas L. Mattis, City Manager

Chris Bratton, Police Chief

Buck LaQuey, Finance Director

Barbara Wilson, Director

Owen Rock, EDC Director

Michael Gonzalez, Parks Director

Sandy Ott, Library Director

CITY COUNCIL MEETING MINUTES

August 14, 2017 – Page 2

City Annex Council Chambers

Doug Prinz, Utilities Director

Joe Parten, Public Works Director

Amy Miller, Community Development Director

Yadira Duque, Supervisory Court Clerk

INVOCATION

Council Member Thomas gave the invocation.

PUBLIC COMMENT

None.

CONSENT AGENDA

1. Discussion and possible action regarding a request waiving the noise ordinance for the Sacred Heart Catholic Church annual fiesta, to be held at the Elgin Memorial Park at 1127 N Main Street on Saturday, September 2nd, from 12:00 p.m. to Monday, September 4th, 2017, 10:00 p.m.
2. Discussion and possible action regarding a request from Sacred Heart Catholic Church to waive the Open Container Ordinance at the Elgin Memorial Park, 1127 N Main Street, for the annual fiesta to be held on Saturday, September 2nd, from 12:00 p.m. to Monday, September 4th, 2017, 10:00 p.m.

Council Member Brashar asked to pull item #1 on the Consent Agenda for discussion.

Council Member Brashar moved to approve the Consent Agenda as presented. Mayor Pro Tem Gonzalez seconds the motion. Motion carried by unanimous vote 8-0.

PRESENTATIONS

Presentation by the City Manager of the Proposed FY2017-18 City of Elgin Annual Budget for all city funds and programs.

City Manager Thomas Mattis thanked the Council for the extra time to prepare the budget given the situation and that this was his first budget here. He stated that it was a challenging budget this year with some issues to deal with that carried over from prior years. He stated the circumstances were somewhat unique for a town like Elgin that is experiencing prosperity with growth and development, and that it was reasonable to anticipate better financial shape than we are in, but that the numbers are what they are and he would share that information with Council tonight.

CITY COUNCIL MEETING MINUTES

August 14, 2017 – Page 3

City Annex Council Chambers

Mr. Mattis stated this was just for presentation tonight and he would be glad to answer any questions they might have, although he knew they were seeing the document for the first time. Mr. Mattis presented the FY 2017-18 Proposed Annual Budget (Attached).

Mr. Mattis stated that the goal is balancing the budget but also this document was put together with the specific plan not to reduce services, or cutting back on personnel, and that he was satisfied that for one year this plan would do that. He stated no new positions or new spending were in the plan.

Mr. Mattis stated there was a new format that included two documents, with the bound document considered the official proposed document that will be shared with the public, and once it was finalized then a copy had to be sent to the Secretary of State's office. He stated that the addendum were working papers, with a lot more detail and information but the same numbers. He stated they could use the addendum to find prior and current year expenditures, including a personnel section with a listing of all positions and associated costs for each position. He stated that another thing he had done in the budget this year was reorganizing the budget within the department, by condensing some and expanding some. He stated in the past we had a separate budget for the City Manager, City Secretary, and Human Resources which have now been combined into the Executive Administration budget, as well as the Mayor and Council now having their own budget to track expenditures the Council specifically approved or authorized throughout the year including their small salary. He stated that this reorganization within the departments was to assign true costs and expenditures.

Mr. Mattis stated that because it took a while to get the correct numbers and prepare the books for the budget the time to finalize and adopt the budget had put the city in a tight time frame, and wanted to see what Council's thoughts were assuming they would want a couple of budget workshops. He stated he hope to adopt the budget at the September 5th meeting but had time if they needed to go beyond that date.

Mr. Mattis asked if anyone had any questions.

Mayor Pro Tem Gonzales asked how many years Mr. Mattis felt like the city would be in this situation. Mr. Mattis replied that he believed that by biting the bullet this year, next year would be much better. He stated that if the Council said to adopt the same budget as last year for this year the city literally could not afford it and would not have enough cash, but he also felt that great things were happening and it's going to be a building year. He stated it would still be a year before the city starts seeing revenue, but that next year would be better and in two years even better.

Council Member Penson asked what he had said about the two police officers that we haven't received yet. Mr. Mattis replied that the city had two police officer positions, and what was in the

CITY COUNCIL MEETING MINUTES

August 14, 2017 – Page 4

City Annex Council Chambers

budget would allow one of those positions to be filled at the midyear point or both of the positions filled in the third quarter.

Council Member Beyer asked about his comments about raising the utility rate and if there were any other options in addition to the rate increase. Mr. Mattis stated that due to the gap is so big, to make up the difference there were not too many choices. The water and sewer bills include a garbage fee so increasing the garbage fee would increase the bill that much more, and property taxes would be the other one, but the tax rate would be increased by eight or ten cents, but in his opinion there were not many options to generate the kind of money that was needed.

Council Member Thomas asked if he anticipated another increase next year on the water rates. Mr. Mattis replied that this increase should have been done all along, but by doing it now he did not see an increase next year.

Mayor Cannon stated that everyone used water but not everyone paid property taxes, so the water rate increase would be the best and asked what the rate increase was last year. He stated that everyone knew that increases were needed all along but not done and did not plan on such a big bump that is now needed. Mayor Cannon commented on the financial situation and that the Council assumed they could afford the debt due to the information they received otherwise that might not have approved some of the spending.

Council Member Bega had the same concerns as the Mayor about the financial situation. She stated that in future they needed to be kept informed before they issued debt and would have to prioritize projects.

Mayor Cannon stated that the City Manager's job is to take a budget to present to Council for approval and that was what Mr. Mattis had done and if anyone disagreed with anything as far as implementation wise, the City Manager's job was to make the numbers work in the best way he sees possible.

Council Member Penson asked what the \$35,000 that was to be incurred was for. Mr. Mattis replied that the amount has been there for a number of years, the ESD sent a check for \$34,000 to the city for a dispatcher to offset costs and provide them dispatching services they need.

Mayor Canon stated that this year they were a little behind in the budget discussions but that they had more budget meetings coming up and suggested everyone read and study the budget that the City Manager provided and bring back questions, suggestions or cuts to the budget for discussion.

Mayor Cannon asked about scheduling the next meeting and everyone agreed to have the next budget meeting on August 22, 2017.

ADJOURNMENT

Mayor Cannon adjourned the City Council meeting at 8:41 p.m.

CITY COUNCIL MEETING MINUTES

APPROVED

CHRIS CANNON, MAYOR

ATTEST:

AMELIA SANCHEZ
City Secretary



City of Elgin Office of the City Manager

City Hall · 310 North Main Street · P.O. Box 591
Elgin, Texas 78621

August 14, 2017

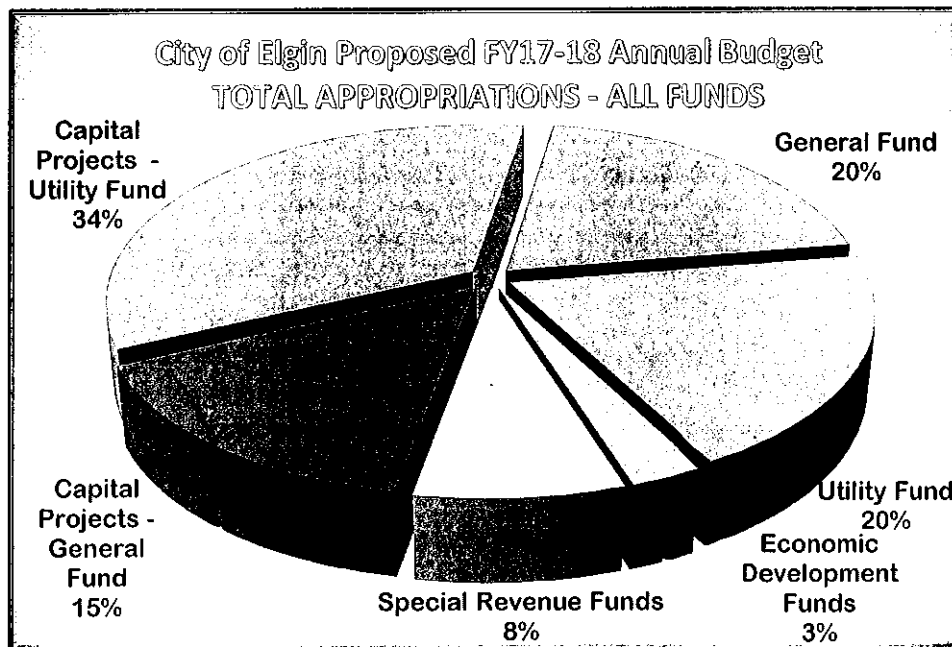
Mayor and City Council
City of Elgin
310 North Main Street
Elgin, Texas 78621

Re: FY2017-18 Proposed Annual Budget Message

Dear Mayor Cannon and City Councilmembers,

In accordance with the provisions of Article VII, Section 2 of the Elgin City Charter, the proposed *Annual Operating Budget* for the City of Elgin for the Fiscal Year of October 1, 2017 through September 30, 2018, is hereby presented for your consideration.

The grand total of all appropriations for all departments, operations, and functions proposed for the *FY2017-18 Annual Budget* is **\$31,894,705**; to be generally distributed as described below:



The proposed *FY17-18 Annual Budget* is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are primarily supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services.

While the primary goal of the proposed budget is to maintain existing service levels, the staff remains focused on enhancing service levels wherever possible. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

The *FY17-18 Annual Budget* as proposed is delineated into six (6) basic funding categories:

- **General Fund (\$6.46M)** - revenues and expenditures related to the provision of primary or traditional city services whose main financial support comes from tax dollars.
- **Utility Fund (\$6.2M)** - an enterprise fund monitoring all financial transactions relating to the provision of potable water and sanitary sewer services through the city's systems.
- **Economic Development Funds (\$.89M)** - revenues and expenditures specifically earmarked for activities and programs to support business development and retention
- **Special Revenue Funds (\$2.5M)** revenues and expenditures related to various projects and programs that are supported by a dedicated revenue stream, including grant funds
- **General Fund-Capital Projects (\$4.9M)** all financial transactions related to General Fund capital improvements projects supported primarily by debt proceeds
- **Utility Fund-Capital Projects (\$10.9M)** all financial transactions related to General Fund capital improvements projects supported primarily by debt proceeds

FY2017-18 ANNUAL BUDGET - Budget Highlights and Issues

While the Elgin community has experienced general prosperity in recent years that is anticipated to continue into the future, the City of Elgin (based on internal financial reports and information provided by the Finance Department) faces significant budgetary challenges as it enters the next fiscal year. While the City obviously continues to experience growth and development that has generally increased revenues (particularly from growing property and sales tax receipts), budgetary and/or spending practices in recent years has the City now facing major financial shortfalls in the development of the *FY17-18 Annual Budget*.

Annual Operating Deficits

The most significant issue to be addressed is reversing practices of recent years of deficit spending, the use of fund balance or cash reserves to fund operating expenditures, and the addition of new annual expenditures without a corresponding revenue increase. The following six items alone represent **\$4.2M** in new net costs that must be addressed in the *FY17-18 Annual Budget*:

- ✓ ***FY16-17 Budget Deficit*** – The most significant issue facing the FY17-18 Annual Budget is overcoming the deficit spending plan that was included as part of the current-year budget. In both the General Fund (\$1.5M) and the Utility Fund (\$1.0M), major deficit spending for operations were included in those plans that must be addressed for the City to move forward financially sustainable manner. Although the use of one-time funds is not illegal or extremely unusual, it is counterintuitive to a concept whereby spending should be maintained at a level consistent with revenues taken in. Given this situation, this year's budget development begins with a **\$2.5M or 20%** combined shortfall in the General and Utility Funds, just to maintain existing service levels.
- ✓ ***New Utility Fund Annual Debt Service*** – Late in the 2016 calendar year, the City approved the issuance of \$10M in bonds to provide funding for a variety of much-needed capital improvements, including initial funding for the upcoming expansion of the wastewater treatment plant. This issuance of new debt was approved without a plan for enhancing the revenue stream to provide for annual debt payments. As such, the *FY17-18 Budget* must also address **\$671,000** in new annual costs.

- ✓ *Annual Street Maintenance Programs* – As part of the current-year budget, the street resurfacing program - the annual maintenance program to resurfacing and repair public streets and alleys throughout the City – was funded through a one-time expenditure from eligible bond proceeds. While not an inappropriate use of such funds, this program is for annual, routine maintenance that must be performed on a yearly basis as part of normal maintenance operations – not as a one-time capital improvement costs. This situation serves to create another funding gap for the FY17-18 Budget in the amount of **\$400,000** - if the City to maintain a consistent street maintenance effort.
- ✓ *Utility Fund Utilities and IT Expenses* – In the recent past, the City has maintained a practice of isolating all building/operational costs related to Utilities (electricity, natural gas, telephones, etc.) and IT (information technology/computers) costs into a separate fund; and then making a transfer from the General Fund to pay for same. The proposed budget includes a restructuring that will now track all such expenditures to the appropriate departments – thereby providing a more accurate picture of the true costs for such services. While the majority of the reallocation has a budget-neutral effect, this practice resulted in Utility Fund costs being paid for with General Fund dollars. So, the reallocation and appropriate assignment costs will result in an additional increase in costs for increase of more than **\$400,000** in the Utility Fund.
- ✓ *New Recreation Center* – The currently under construction City of Elgin Recreation Center remains on schedule to open in the first quarter of 2018. While this is an exciting project for the community, its operation will also bring new additional annual costs, currently estimated to be **\$200,000** in FY17-18.
- ✓ *Funding Support for the Elgin Emergency Services District* - The Elgin Emergency Services District (EESD) has again requested a waiver of the previously-assessed payment for emergency dispatching services provided to the EESD by the Elgin Police Department. In prior years, the EESD paid **\$34,500** annually to the City, however, consistent with last year's Council discussion and the EESD request, that revenue has been removed from the proposed budget.

Staffing

The proposed budget includes full-year funding in FY17-18 for up to **one hundred twenty-one (121) total city employees**: eighty-six (86) full-time and thirty-five (35) part-time positions.

Employee Compensation

In order to provide the highest possible level of service for city residents, the City must strive to provide appropriate and market-competitive compensation for all city employees. This is especially during a year we will be asking all employees to maintain existing service levels with less resources. Accordingly, the proposed *FY17-18 Annual Budget* includes a Cost of Living Adjustment (COLA) of **2.0%** in base salaries for all full-time city employees – plus a potential **2.0%** Merit Pay increase for all non-salaried employees.

Ad Valorem Estate Taxes

Although the City's budget continues to be enhanced by Sales Tax revenue from our growing business community, Real Estate and/or Property (Ad Valorem) Taxes still provide the basic foundation for revenue in support of the General Fund. This stable source of income provides assured funding each year for essential city services- public safety, basic services, mobility, asset maintenance, etc.

The proposed FY17-18 Annual Budget is predicated maintaining the current property tax rate of \$6569/\$100 valuation.

Utility Rates

Despite our best efforts to reduce costs, the overall funding situation within the Utility Fund cannot be addressed through costs reductions alone without greatly impacting existing service levels in a negative way. As stated previously, the operating deficit, new debt service, and utility costs alone require nearly \$2M in new annual operating costs for the Utility Fund. As such, the proposed *FY17-18 Annual Budget* includes a significant increase for all water and sewer customers. Details of the rate increase are included in a memorandum from the Director of Finance found elsewhere in the budget document. **The proposed increase is projected to increase the average monthly utility customer bill by approximately \$20.00 (from the current average of \$72.72 per month to \$92.72).**

Cost-Cutting Measures

For reasons stated above, cost reductions have also been included in the proposed FY17-18 Annual Budget. The proposed budget was prepared with a goal of maintaining all existing staff, services, and programs; and to achieve a financially conservative operation in FY17-18 without a noticeable impact on city services. It is with that goal in mind that the proposed budget utilizes increased revenues gained from the Utility Rate increase. In addition, however, following is a partial list of cost cutting measures that were also utilized to achieve a balanced operating budget for FY17-18:

- The Annual Street Resurfacing and Cracksealing Programs have been eliminated for next year, creating a budgetary saving of over \$400,000. While certainly not preferred, this step will provide a major impact against the deficit situation; and recent efforts toward street maintenance should allow the City to “skip a year” without an extremely adverse impact on our commitment to maintaining a quality roadway system.
- No new positions or employees are included in the proposed budget for existing operations or programs (the new Recreation Center will obviously require new positions).
- Two (2) existing but vacant Patrol positions in the Police-Operations budget will be held open until later in the year.
- The “Payment in Lieu of Taxes” transfer from the Utility Fund to the General Fund has been eliminated for next year, reducing Utility fund cost by \$600,000.
- The pay increase proposed for existing full-time staff would be delayed until the second quarter.
- There are no expenditures for Operating Capital Outlay (furniture, fixtures, vehicles, equipment, etc.) included in the proposed budget.
- There are two one-time expenditures proposed from fund balance (Community Support funds and Lost Pines Groundwater fee), temporarily reducing impacts on operating revenue by over \$100,000.
- Nearly all “Temporary Labor” has also been eliminated, saving over \$100,000 next year.

In spite of the budgetary challenges, next year should be a very exciting and rewarding one for all city operations, employees, and residents. It will be a “building year” for the City, with the opening of the new Recreation Center, construction of the long-awaited Lee Dildy Boulevard, new homes in Saratoga Farms, and a variety of new commercial projects. Safety, livability, and economic development will continue to be the primary focus of city operations. On behalf of the city staff, we thank the Mayor and City Council for the opportunity to serve the citizens of Elgin.

Sincerely,



Thomas L. Mattis
City Manager



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

City Council Regular Meeting Minutes - September 5, 2017

DEPARTMENT: Administration

PROPOSED ACTION:

Review and Approval of the minutes of the September 5, 2017 City Council meeting.

BACKGROUND:

Minutes prepared as recorded at the September 5, 2017 City Council Meeting.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the minutes of the August 1, 2017 City Council meeting.

ATTACHMENTS:

City Council Regular Meeting Minutes 9-5-17

- ☐ 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.

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
TUESDAY, SEPTEMBER 5, 2017**

CALL TO ORDER

Mayor Chris Cannon certified there was a quorum and called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Chris Cannon, Mayor

Juan Gonzalez, Mayor Pro Tem
Mary Penson, Council Member
Susie Arreaga, Council Member
Jessica Bega, Council Member
Daniel Lopez, Council Member
Phillip Thomas, Council Member
Sue Brashar, Council Member
Neil Beyer, Council Member

Staff: Thomas L. Mattis, City Manager

Chris Bratton, Police Chief
Buck LaQuey, Finance Director
Gary Cooke, Planning Director
Barbara Wilson, HR Director
Joe Parten, Public Works Director
Michael Gonzalez, Parks Director
Doug Prinz, Utilities Director
Amy Miller, Community Development Director

INVOCATION

Council Member Thomas gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Chris Cannon led the Pledge of Allegiance to the United States and Texas Flags.

CITY COUNCIL MEETING MINUTES

September 5, 2017 – Page 2

City Annex Council Chambers

Mayor Cannon recessed the regular meeting at 7:02 p.m. and opened the Public Hearing.

PUBLIC HEARING

1. PUBLIC HEARING ON PROPOSED ZONING CHANGE REQUEST SUBMITTED BY DUPY BROTHERS ELGIN, LLC FOR THEIR PROPERTY LOCATED IN A59 ELIZABETH STANDIFER, ACRES 2.2010, AT 690 WEST HIGHWAY 290, CITY OF ELGIN, COUNTY OF BASTROP, TEXAS, TO CHANGE THE ZONING DESIGNATIONS FROM C-3 HIGHWAY COMMERCIAL DISTRICT TO I - GENERAL INDUSTRIAL DISTRICT WITH SPECIAL CONDITIONS.

2. A Public Hearing on the Proposed 2017-2018 City of Elgin Annual Budget for all city funds and programs.

3. A Public Hearing on the City of Elgin Ad Valorem (Property) Tax Rate proposed for FY2017- 18 of \$.656916 per \$100 valuation.

With no one wishing to speak, Mayor Cannon closed the Public Hearing at 7:03 p.m. and opened the regular meeting at 7:03 p.m.

PUBLIC COMMENT

With no one wishing to speak, Mayor Cannon closed the Public Comment period.

PRESENTATIONS

1. Introduction of New City Employee: Christopher “Shane” Watson, Public Works - Joe Parten. Joe Parten, Public Works Director introduced new employee, Christopher Shane Watson and stated the Mr. Watson had been a temporary employee for a while and had recently become full time.

2. A Proclamation recognizing National Hispanic Heritage Month in the City of Elgin - September 15 to October 15.

Mayor Cannon read the Proclamation recognizing National Hispanic Heritage Month in the City of Elgin.

CITY MANAGER’S REPORT

1. Monthly Departmental Activity Reports – July

Mr. Mattis stated that the monthly reports were attached and asked if anyone had any questions.

CITY COUNCIL MEETING MINUTES

September 5, 2017 – Page 3

City Annex Council Chambers

2. General Activity Report and/or Project Update

Mr. Mattis spoke about recent storm related issues and that the city had not had any of the flooding and destruction that some of our surrounding cities had. He stated that staff was prepared and ready but fortunately we did not have any major issues. He stated that Sacred Heart Church opened a shelter in the church and there were no problems. Mr. Mattis stated that Sue Beckwith had some information to share.

Sue Beckwith, Director of the Texas Center for Local Food spoke and stated that they had partnered with a national organization and seven statewide organizations in Texas for a national fund raising campaign to raise funds to help the sustainable and organic family farms in Southeast Texas who have suffered damage in the storm. She stated this is a thirty day emergency relief campaign with twenty six days left, working with farm aid statewide to look at a longer term and look at some of the other family farms.

Mr. Mattis stated that a building in downtown sustained some extensive damage due to the storm, but it was already a seriously deteriorated building and that staff were working with the owner to get that taken care of. He mentioned that today was the first day they would start reviewing applications for the Chief of Police position, but would continue to take applications and had received fifty two applications so far.

Mr. Mattis stated that the contract with Republic for the collection of household trash expires this month, and he had not finalized a recommendation whether to bid on that contract or to work on an extension to that agreement. He stated Republic had reached out to him and the Mayor and submitted a proposal that they were giving serious consideration to, but need more time. He stated that since there would be another Council meeting next week that he would probably include a short extension to the contract at that time.

Mr. Mattis also mentioned that the Veteran's Day Parade was still on as planned for November 4th, and reminded them that the meeting next month would be on October 10th. He stated that the TIRZ, Lee Dildy road project would be seeking Council's approval for the debt issuance that will provide the funding for that project.

CONSENT AGENDA

1. AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 3; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND CONFLICTING ORDINANCES OR RESOLUTIONS

2. Approval of a request to close Depot Street from Avenue C to Main Street Friday, October 27, for the Hogeye Festival Street Dance

CITY COUNCIL MEETING MINUTES

September 5, 2017 – Page 4

City Annex Council Chambers

3. A Resolution supporting the submission of the grant application by the Elgin Police Department for the Rifle-Resistant Body Armor Grant to the Office of the Governor

4. City Council Regular Meeting Minutes - August 1, 2017

Council Member Brashar moved to approve the items on the Consent Agenda with corrections to the minutes. Council Member Beyer seconds the motion. Motion carried unanimously 9-0.

UNFINISHED BUSINESS

1. Review and discussion of the proposed FY2017-18 City of Elgin Annual Budget as presented by the City Manager; including but not limited to the possible discussion of any and all city departments, staffing, services, programs, taxes, fees, utility rates, and funding related thereto

Mayor Cannon stated that this was the third time this item was being presented as it was publicized to discuss the budget, not voting on the budget, nor amending anything in the budget. He stated that was the last time Council Members could vote to add or change something in the budget. He asked the City Manager Thomas Mattis if he had any comments. Mr. Mattis stated that from a format standpoint, these items, once the budget is presented and Council deliberates and makes minor tweaks to different numbers, we will wait until the end to provide a document that reflects all of the changes, but there was nothing significant. He stated there was the discussion on the ESD contribution, and also the discussion on the water rated increase and history on water rates. It was discovered some customers were designated to receive a little lower rate than they should have and in some kind of grandfathering clause but found no record on why that was occurring. He stated that they would be reapplying the rate uniformly as it should be and anticipate it should have a positive effect on the increase and hoped it would reduce the approximate \$20 a month increase being projected, but it would not be by much. Mr. Mattis stated that another item in the future for next year, he had a meeting with the representatives of the Elgin Historic Association and that they were very appreciative of the funding they received in this year's budget, but shared some concern about the future and being able to operate the Depot due to having problems getting volunteers. Mr. Mattis stated that he agreed that if they could not operate without volunteers, and to keep the facility as the asset to the community that it is, the city should absorb the costs, but that would be a discussion for next year's budget.

2. AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES, INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

CITY COUNCIL MEETING MINUTES

September 5, 2017 – Page 5

City Annex Council Chambers

Council Member Thomas moved to accept the ordinance as written except striking out Section 9 regarding term limits. Council Member Penson seconds the motion. Mayor Cannon clarified that the motion was to strike out section 9 regarding term limits and the residency would be on a case by case basis. Council Member Thomas agreed that it would be on a case by case as necessary and the amendment he is adding is striking Section 9 term limits, and then bring back the ordinance for an official vote. Mayor Cannon stated a reference of parliamentary procedure, Robert's Rules that there could be two motions made at one time and was at the Chair's discretion on which one to vote on first. He stated that he would always vote on the first one and if anyone had another motion on Council Member Thomas's motion after the discussion he would entertain one at that time. Mayor Cannon stated there was a motion and a second for the passage of the ordinance as presented striking the section regarding term limits for Board and Commission members. City Manager Thomas Mattis asked for clarification asking if

the ordinance would be brought back with the changes for final approval. Mayor Cannon said that was correct. Motion carried by unanimous vote 9-0.

NEW BUSINESS

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELGIN PARK TERMS OF USE AGREEMENT WITH THE FRIENDS OF ELGIN PARKS; AND PROVIDING FOR RELATED MATTERS.

Council Member Brashar moved to approve the Resolution to execute an Elgin Park Terms of Use Agreement with the Friends of Elgin Parks, and Providing for Related Matters. Council Member Thomas seconds the motion. Motion carried by unanimous vote 9-0.

2. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO ZONE AS I GENERAL INDUSTRIAL DISTRICT, WITH SPECIAL CONDITIONS, THE PROPERTY BEING APPROXIMATELY 2.201 ACRES OUT OF THE ELIZABETH STANDIFER ABSTRACT NO. A59, CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Council Member Penson moved to approve an Ordinance amending the Official Zoning map of the City of Elgin as presented. Council Member Brashar seconds the motion. Motion carried by unanimous vote 9-0.

3. Discussion and action to authorize the City Manager to enter into a Broker of Record Agreement for Employee Benefits with Frost Bank.

CITY COUNCIL MEETING MINUTES

September 5, 2017 – Page 6

City Annex Council Chambers

Council Member Brashar to authorize the City Manager to enter into a Broker of Record Agreement for Employee Benefits with Frost Bank. Council Member Beyer seconds the motion. Motion carried by unanimous vote 9-0.

4. Discussion and action to authorize the City Manager to enter into a Broker of Record Agreement for Voluntary Employee Benefits with Colonial Life Insurance.

Council Member Thomas moved to authorize the City Manager to enter into a Broker of Record Agreement with Colonial Life Insurance. Council Member Lopez seconds the motion. Motion carried by unanimous vote 9-0

5. Discussion and action for approval of a contract for Election Services between the Elections Administrator of Bastrop County and the City of Elgin for the November 7, 2017 Election.

Council Member Penson moved to approve a contract for Election Services. Council Member Brashar seconds the motion. Motion carried by unanimous vote 9-0.

ANNOUNCEMENTS

Mayor Cannon mentioned the National Night Out on October 3rd and asked if anyone wanted to participate in the block parties to reach out to the City Manager or Chief of Police.

ADJOURNMENT

Mayor Cannon adjourned the City Council meeting at 9:04 p.m.

APPROVED

ATTEST:

Chris Cannon, Mayor

Amelia Sanchez, City Secretary



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES, INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

DEPARTMENT: Administration

PROPOSED ACTION:

This item is for consideration of an Ordinance to clarify and establish certain rules and procedures for all city boards and commissions as recently identified by the City Council

BACKGROUND:

Discuss at previous meetings; The City has a variety of standing boards and commissions advising the City Council on myriad of issues and projects. Over time, inconsistency and/or lack of clarity has developed regarding said boards and commissions, including appointment schedules and qualifications. In an effort to clarify and provide consistency in the administration of said boards and commissions, this first draft of an Ordinance is provided for Council's review, discussion, and feedback.

Included in the meeting packet is an amended Ordinance which reflects Council's decision to (a) Remove any term limits or term limit language (b) Restate the provision that Council retains the discretion to waive any and all requirements on a case-by-case basis for individual appointments, and (c) correction of typographical errors.

Also included with the meeting packet are two staff memorandums addressing some questions or requests for additional information that arose as part of Council's most recent discussion of this issue.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review, discussion, and consideration of the Ordinance as proposed; and further direction to staff regarding same.

ATTACHMENTS:

Ordinance

Staff memorandum

Staff memorandum - 2

- ☐ 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.

ORDINANCE NO. 2017-_____

**AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES,
INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS
FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS;
REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN
CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE**

WHEREAS, Article XI of the Home Rule Charter of the City of Elgin provide the City Council with exclusive authority to establish “boards and commissions as it may deem necessary conduct of city business and management of municipal affairs”; and,

WHEREAS, Article XI of the Home Rule Charter of the City of Elgin further provides the City Council with authority to establish “authority, functions, and responsibilities of such boards and commissions”; and,

WHEREAS, the City Council is now desirous of establishing, among other items, procedural consistency regarding the appointment schedules for all such boards and commissions as well as term limits regarding same.

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

I.

Sec. 1 - Purpose.

The purpose of this Ordinance is to establish clarity as to general rules and procedures for all City of Elgin Boards and Commissions.

Sec. 2 – City Charter Authority

Article XI of the Home Rule Charter of the City of Elgin, states “The city council shall have the authority to establish by ordinance for the such boards and commissions as it may deem necessary conduct of city business and management of municipal affairs. The authority, functions, and responsibilities of such boards and commissions shall be such as is spelled out in the ordinance establishing them. All existing boards and commissions

heretofore established shall be continued in accordance with the ordinance or other acts under which they have been created, or until the city council shall by ordinance abolish, modify, or alter the ordinances or acts under which they exist. Notwithstanding, any other provision of this Charter the elected city council shall have paramount authority over all matters affecting the budgets, appropriation of funds expenditures, purchases, and sale of properties and procedures for accounting therefore consistent with the express provisions of this Charter and applicable provisions of the State Constitution and law of this State.”

Sec. 3 – Boards and Commissions

(1) As of the date of this Ordinance, the following Boards and/or Commissions have been authorized and or duly recognized by the City Council:

- Planning & Zoning Commission
- Board of Adjustment
- Library Advisory Board
- Parks & Recreation Advisory Board
- Economic Development Corporation Board of Directors
- Tax Increment Reinvestment Zone Board of Directors
- Public Safety Advisory Committee
- Historic Review Board
- Main Street Board of Directors
- Building Standards Commission

- (2) Ad hoc boards may be temporarily appointed and terminate upon completion of a specific task or special purpose for which it was created, or when abolished by a majority vote of the City Council. No ad hoc board shall have powers other than advisory to the City Council.

Sec. 4 – Meeting Times and Agenda

Boards, commissions, and committees shall set their own meeting times. All boards, commissions, and committees shall be subject to these rules. Each board, commission, and committee shall set their own agenda, so long as it is in accordance with the Texas Open Meetings Act.

Sec. 5 – Regulatory Authority

The Board of Adjustments, Economic Development Corporation, and Planning and Zoning Commission, are the only such boards and commissions that have regulatory authority.

Sec. 6 – Appointments

The City Council will review applications and may, at their discretion, interview eligible applicants for open positions on boards and commissions. Applications are accepted year-round and will be kept on file in the City Secretary's Office until the next appointment process.

Sec. 7 – Board and/or Commission Members

Members appointed to boards or commissions serve at the will of the Council and may be removed, replaced, or not reappointed at the discretion of the Council, by majority vote, with or without cause. When conducting the business of the City, appointed

members of all boards or commissions shall follow the rules of procedure set forth by the City Council.

Sec. 8 – Qualifications of Board and/or Commission Appointees

- (1) Members appointed to boards and commissions, for at least twelve (12) months preceding their appointment, must be
 - a. registered voters of the city who have resided within the corporate limits of the City of Elgin, or within territory annexed prior to the appointment; or
 - b. an owner of real property within the corporate limits of the City; or,
 - c. an owner of a business located within the corporate limits of the City.
- (2) Members appointed to boards and commissions should not have any delinquent City taxes, City utilities, or other City assessments; and must not have any pending claim against the City.
- (3) Members appointed to boards and commissions serve without compensation and must not be employed by or hold any other position in city government.
- (4) No member of a board or commission may remain in his/her position after being elected or appointed to City Council.
- (5) In addition to any other requirements prescribed by the City Council, members must maintain the qualifications established while in office.
- (6) ~~Solely at its discretion, the City Council may consider the waiver of any and all such qualification requirements for appointments to any board or commission on a case-by-case basis and as may be warranted.~~

Sec. 9 – Uniform Appointment Schedule for Board and/or Commission Members

All board and/or commission appointments shall be made at the Regular Meeting of the City Council in January of each year. The City Secretary shall establish deadlines and procedures for providing all applications to the City Council relating to upcoming board and commission appointments at least thirty (30) days prior to the January Regular City Council Meeting each year.

Sec. ~~9 10~~ – Term Limits for Board and/or Commission Members

~~Members of a board or commission are limited to three (3) consecutive full terms in office. A person who has served three consecutive full terms as a board or commission member may not again hold the same office until at least one term out of office.~~

Sec. 10 – Open Government Training

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all board, commission, and or committee members shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the City Secretary.

Sec. 11 –Waiver of Qualifications Requirements

Solely at its discretion, the City Council may consider on a case-by-case basis the waiver of any and all such qualification requirements and/or rules for individual appointments to any board or commission as they may be deemed warranted in serving the best interest of the City.

II.

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

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

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

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2017.

CHRIS CANNON, Mayor
City of Elgin, Texas

ATTEST:

Amelia Sanchez, City Secretary

Memorandum

Date: October 2, 2017

To: Mayor and City Council

Subject: Proposed Boards and
Commissions Ordinance



As part of the on-going dialogue relating to the above-named Ordinance, staff has been asked to provide information that is responsive to the following questions:

- a) A list of names of all members on specific city boards who may be adversely affected by the qualification to live, own property, or have a business within the city limits
- b) The number of years those on such a list have been on their respective boards
 - *Planning & Zoning Commission* – None
 - *Board of Adjustment* – None
 - *Building Standards Commission* – None
 - *Library Advisory Board*
Kay Silkenson 110 Night Hawk Drive (14 years)
 - *Parks & Recreation Advisory Board*
Tara Minor, 119 Spanish Oak (4 years)
Brad Kilgore, 292 Spencer Lane (2 years)
James Sides, 12812 Wood Lily Trail (4 years)
 - *Historic Review Board*
Phillip Kost, Leander (1 year)
 - *Main Street Board*
Joe Mallon, FM 1704 (1 year)
Jamie Hausladen, McDade (3 years)
Stacey Gruetzner-Wilhite, McDade (2 years)
 - *Economic Development Corporation Board of Directors* – None
 - *Tax Increment Reinvestment Zone Board of Directors* – None
 - *Public Safety Advisory Board*
Mike Walterscheid, 242 Monkey Road (8 years)

Please let me know if you have any questions or require additional information in this regard.

Thomas L. Mattis
City Manager

Memorandum

Date: August 15, 2017

To: Mayor and City Council

Subject: Proposed Boards and
Commissions Ordinance



Responding to the discussion of same at our last Regular City Council meeting, following is additional information relating to the currently proposed Ordinance establishing general rules and procedures for appointment to City Boards and Commissions (in no particular order):

- a.) *The Ordinance as proposed has been amended to now include “Sec. 12–Waiver of Qualifications Requirements”. The original Ordinance basically included this same section, but as written, it could have been interpreted to apply to only one section of the Ordinance. This amendment now makes it clear that Council has complete discretion on final decisions regarding qualifications or requirements of appointees (“Solely at its discretion, the City Council may consider on a case-by-case basis the waiver of any and all such qualification requirements and/or rules for individual appointments . . .”).*
- b.) *Section 8(2) of the proposed Ordinance stipulates that all such appointees “should not have any delinquent City taxes, City utilities, or other City assessments; and must not have any pending claim against the City” Is there a similar requirement for City Councilmembers in the City Charter?*
- No; there does not appear to be any such requirements for Councilmembers in the City Charter. The two basic requirements for eligibility to run for or serve on City Council are (1) that one must be “a qualified voter of the city” and (2) candidates must “reside for at least twelve months immediately preceding the election”
- c.) *What would be the specific impact on the existing boards and commissions if the proposed Ordinance were adopted as currently written?*
- *Planning & Zoning Commission* – No immediate impact on current membership or structure
 - *Board of Adjustment* – No immediate impact on current membership or structure
 - *Library Advisory Board* - (Library Director) “Five of (the) seven board members would need to be replaced if term limits and being a property or business owner requirements are put into effect. Two of (the) board members are not residents of the city, one of those being the president of the board. (Four of the seven current) board members have served three or more consecutive full terms of office or more. One person is both ‘out of town’ and has served on more than 3 consecutive full terms of office.”
 - *Parks & Recreation Advisory Board* – (Director of Parks) “Three of the current board members would be affected, as they live outside the city limits (but inside our ETJ and inside the school district). The Parks Board’s by-laws do not include a residency requirement.”

- *Economic Development Corporation Board of Directors* – No immediate impact on current membership or structure
- *Tax Increment Reinvestment Zone Board of Directors* – No immediate impact on current membership or structure
- *Public Safety Advisory Board* – (Chief of Police) “The original ordinance that created the PSA Board required that two of the seven members live outside the city limits, but inside the EISD boundary. Since the death of Neal Stone, (the new ordinance as written would) only affect one board member and that is Mike Walterscheid. Mike is the owner/operator of the Evergreen Christmas Tree farm just outside the city. He and his wife, Beth, have both been involved in various boards and commissions since I have been here in Elgin and are viewed as valuable assets to those boards and commissions. We just reappointed Mike to another two-year term but that will loom on the horizon. I am still looking for a replacement for Neal but am limiting my search to someone who meets the criteria set forth in the ordinance as it was presented.”
- *Historic Review Board/Main Street Board of Directors* – (Director of Community Development) “The Ordinance (as currently proposed) would eliminate five individuals currently serving on Main Street Board or Historic Review Board due to residency – they do not live in the city limits nor do they own property or a business in the city limits. Three individuals would not be able to serve after their current term due to proposed term limits.”
- *Building Standards Commission* – No immediate impact on current membership or structure

Please let me know if you have any questions or require additional information regarding this matter.



Thomas L. Mattis
City Manager



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

REVIEW AND CONSIDER THE REQUEST RECEIVED FROM POINT RIDER FOUNDATION TO EITHER SELL OR DONATE TWO SMALL PARCELS OF LAND ADJACENT TO A PROPERTY THE POINT RIDER FOUNDATION IS PURCHASING AT 104 SOUTH AVENUE A AND 403 CENTRAL AVENUE.

DEPARTMENT: Administration

PROPOSED ACTION:

Consider the request and decide whether or not the City would like to sell or donate the Right of Way areas shown in yellow shading on the map and adjacent to property being purchased by the Point Rider Foundation. Area #1 is approximately 3,877 square feet and fronts Central Avenue. Area #2 is approximately 3,833 square feet and fronts the 80' right-of-way.

BACKGROUND:

The Point Rider Foundation is purchasing two tracts of land located at South Avenue A and Central near downtown Elgin and wish to build a combination multi-family residence and commercial development to be known as Plaza St. Thomas.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Provide direction to staff on whether or not the City would like to sell or donate the Right of Way areas adjacent to property being purchased by the Point Rider Foundation.

ATTACHMENTS:

Request from Point Rider Foundation

Plaza St. Thomas Renderings

Map

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ Staff will provide brief comments and answer questions on this item at the meeting.
- ☐ 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.

Point Rider FOUNDATION

Sept. 6, 2017

Gary Cooke, Director of Planning and Development
City of Elgin
1135 Swenson Blvd.
Elgin, Texas 78621

Dear Mr. Cooke,

By this letter I am asking the Elgin City Council to consider selling or donating two small parcels of land adjacent to a property the Point Rider Foundation is purchasing at 104 S Ave. C and 403 Central Ave., Elgin. I believe they are considered right of way (ROW) and probably of little use to the City.

The Point Rider Foundation is a nonprofit established in 2005 by the founders of Down Home Ranch, Jerry and Judy Horton. DHR is a working Texas ranch for adults with intellectual disabilities and a community that enjoys a very positive national reputation—and is proud to call Elgin home.

Point Riders wants to build the Hacienda San Tomás on the property at 403 Central Ave., to be a very attractive apartment for a small number of residents that will live, work and contribute in the city of Elgin. The Hacienda will be built with a Spanish colonial look and will include a coffee shop and bakery—creating jobs and an attractive commercial meeting place.

We plan the Hacienda to be a beautiful and dynamic addition to the Elgin landscape and, perhaps, serve as a model of development for others seeking to create attractive, affordable opportunities to an underserved population.

I respectfully ask that the City of Elgin consider finding a way to help the ROW property become a part of the Hacienda San Tomás.

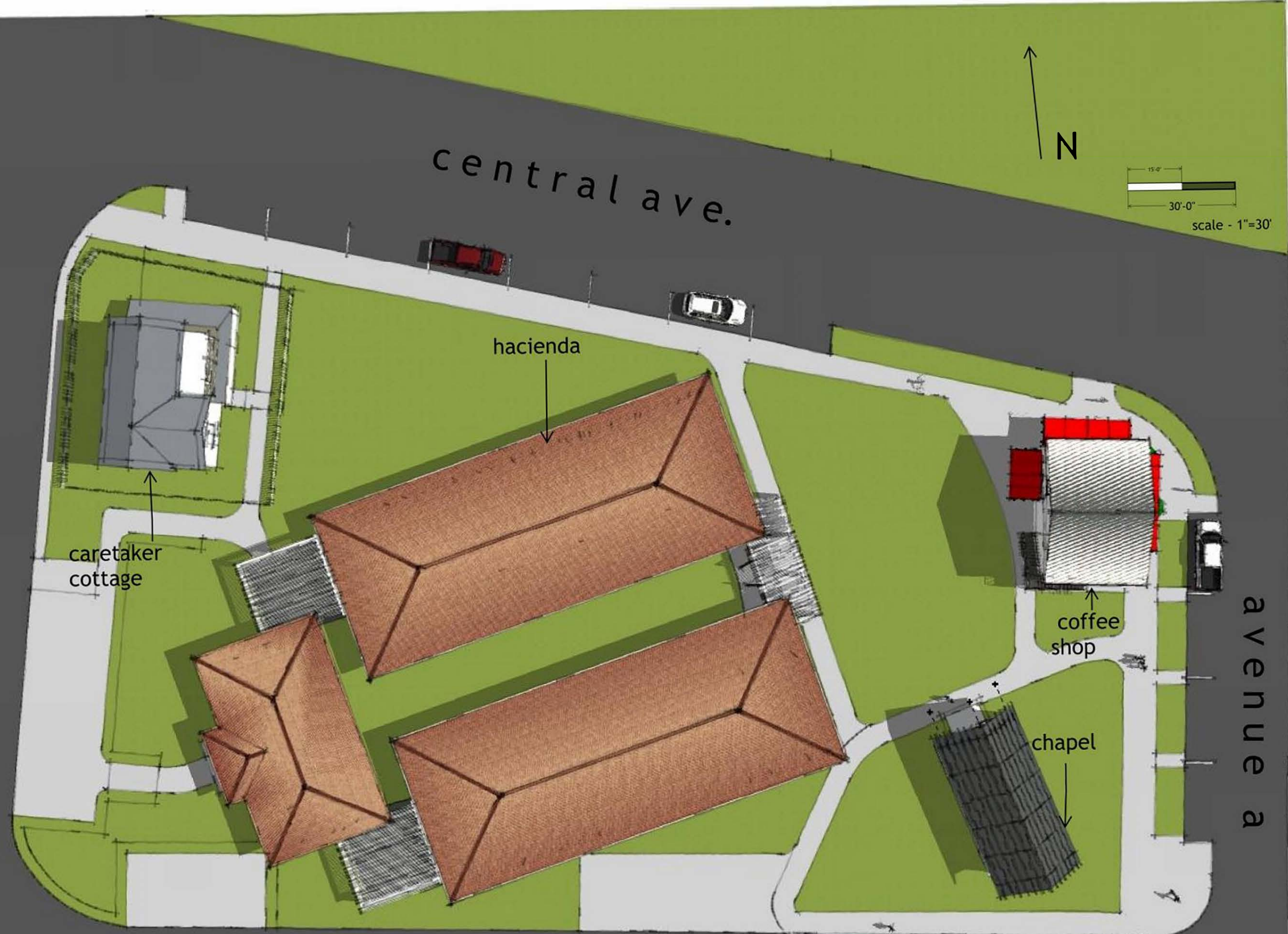
Sincerely,

A handwritten signature in blue ink that reads "Jerry Horton". The signature is fluid and cursive, with the first name "Jerry" and last name "Horton" clearly legible.

Jerry Horton, Executive Director

On point . . . for people with intellectual disabilities

14001 Ashton Woods Circle, Austin TX 78727 * 512-296-2586 * www.pointrider.org



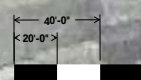
plaza st. thomas
rezoning submittal 08.28.17

plaza st. thomas



depot park
(planned)

scale = 1:20





plaza st. thomas
view from depot park

SCALE: 1" = 40'

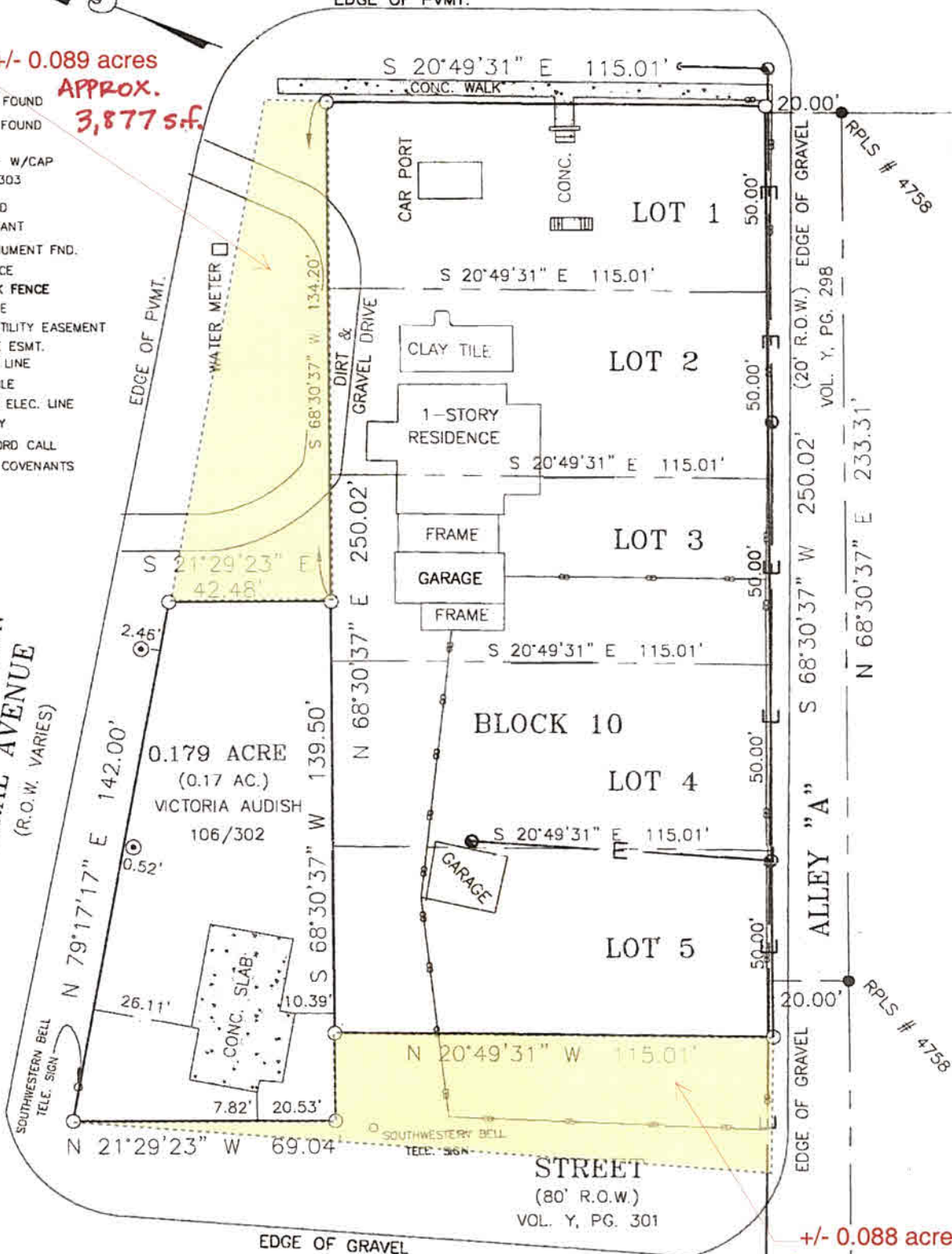
SOUTH AVENUE "A"
HARRIS STREET
(80' R.O.W.)

LEGEND

- IRON PIPE FOUND
- IRON ROD FOUND
- IRON ROD SET W/CAP
R.P.L.S. 4303
- ▲ NAIL FOUND
- ⊕ FIRE HYDRANT
- CONC. MONUMENT FND.
- //— WOOD FENCE
- x— CHAIN LINK FENCE
- x— WIRE FENCE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE ESMT.
- B.L. BUILDING LINE
- POWER POLE
- E— OVERHEAD ELEC. LINE
- DOWN GUY
- (BRG.-DIST.) RECORD CALL
- (R.C.) RESTRICTIVE COVENANTS

+/- 0.089 acres
APPROX.
3,877 s.f.

RAIL ROAD RESERVATION
CENTRAL AVENUE
(R.O.W. VARIES)



NOTE:

THIS PROPERTY MAY BE SUBJECT TO ELECT. TRANS. & DISTRIBUTION ESMT. TO TEXAS POWER & LIGHT COMPANY IN 119/501 D.R.B.C.

TO THE OWNERS, LIENHOLDERS AND

BASTROP ABSTRACT COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING UP TO FIVE PEOPLE TO SERVE ON THE BOARD OF THE BASTROP CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR RELATED MATTERS.

DEPARTMENT: Administration

PROPOSED ACTION:

The City of Elgin's possible nomination of a person or persons to serve on the Board of Directors of the Bastrop Central Appraisal District

BACKGROUND:

In compliance with state law, formal notification is required of the upcoming elections process for the Board of Directors of the Bastrop CAD; and to provide an opportunity for each entity to submit nominations for said Board. As you know, Bryan Bracewell of Southside Market is a current member of the Board and is desirous of continuing to serve another two-year term. This action is strictly to allow for nominations to the Board; Council will be casting the City's actual votes for the Board at our next Regular Meeting. The process will be conducted over the next three months and begins by this notice informing the City of Elgin of the votes to which the tax unit is entitled.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consider nominations, if any, of up to five persons to serve on the Board of the Bastrop Central Appraisal District

ATTACHMENTS:

BCAD 2018-2019 BOD Vote Allocation Letter
BCAD Votes Allowed Per Entity
Resolution

- ☐ 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.



BASTROP CENTRAL APPRAISAL DISTRICT

P.O. DRAWER 578 • BASTROP, TEXAS 78602-0578
PHONE (512) 303-1930 • FAX (512) 303-4805

BOARD OF DIRECTORS

September 5, 2017

DAVID REDD
Chairman

BECKY BUNTE
Secretary

BRYAN BRACEWELL
RODERICK EMANUEL

BILL HECTOR
LINDA HARMON

The Honorable Chris Cannon, Mayor
City of Elgin
P. O. Box 591
Elgin TX 78621

Dear Mr. Cannon:

As required by state law, I am notifying you of the elections process for the Board of Directors of the Bastrop Central Appraisal District that will be conducted over the next three months. The process begins by this notice letting you know the votes to which your tax unit is entitled. A copy of all the tax units and their vote allocations which are based on the 2016 tax levies is enclosed.

Your tax unit may nominate up to five members to the Board but no nomination is required. For the past two years the following members have served on the Board:

- Mr. David Redd, Chairman of the Board
- Ms. Becky Bunte, Secretary
- Mr. Bryan Bracewell
- Mr. Roderick Emanuel
- Mr. Bill Hector

All of the Board members are willing to stand for re-election. You may nominate one or all of them or others that your tax unit wishes to nominate. The requirements for service are that the nominee must have been a resident of Bastrop County for at least two years and may not be an employee of a tax unit unless they are an elected official.

After we receive the nominations from all tax units, we will assemble a ballot around November 1 and your tax unit will have the opportunity to cast your votes for a single individual or you may disburse your votes in any way you wish. The voting is done by resolution of your board in regular session. The resolutions are to be returned to the District before December 15. The results will be announced immediately following that deadline.

If you have any questions about the procedures for the elections of the Board, please feel free to contact me or Gayle Junker at 512-303-1930, and we will be happy to answer your questions.

Sincerely yours,

Richard Petree, RPA/RTA/CCA
Chief Appraiser

Enclosure

cc: Mr. Tom Mattis, City Manager
Mr. Buck Laquey, Finance Director

BASTROP CENTRAL APPRAISAL DISTRICT

2018-2019 BOARD OF DIRECTORS

CALCULATIONS for VOTING ENTITLEMENT

<u>ENTITY</u>	<u>2016 LEVY</u>		<u>TOTAL LEVY</u>								<u>VOTES</u>
Bastrop County	\$ 31,854,778.00	/	\$112,165,510.00	X	1,000	=	284	X	5	=	1,420
Bastrop ISD	\$ 48,330,475.00	/	\$112,165,510.00	X	1,000	=	431	X	5	=	2,154
Bastrop City	\$ 4,809,279.00	/	\$112,165,510.00	X	1,000	=	43	X	5	=	214
Elgin ISD	\$ 12,836,048.00	/	\$112,165,510.00	X	1,000	=	114	X	5	=	572
Elgin City	\$ 2,594,450.00	/	\$112,165,510.00	X	1,000	=	23	X	5	=	116
Lexington ISD	\$ 15,879.00	/	\$112,165,510.00	X	1,000	=	0	X	5	=	1
McDade ISD	\$ 917,872.00	/	\$112,165,510.00	X	1,000	=	8	X	5	=	41
Smithville ISD	\$ 8,807,013.00	/	\$112,165,510.00	X	1,000	=	79	X	5	=	393
Smithville City	\$ 1,164,944.00	/	\$112,165,510.00	X	1,000	=	10	X	5	=	52
ACC-Elgin	\$ 834,772.00	/	\$112,165,510.00	X	1,000	=	7	X	5	=	37
Total Levy	\$ 112,165,510.00						Total Number of Votes				5,000

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING UP TO FIVE PEOPLE TO SERVE ON THE BOARD OF THE BASTROP CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS the Texas Property Tax Code allows tax jurisdictions to nominate up to five people to serve on the Board of the Bastrop Central Appraisal District for a term of office of two years beginning January 1, 2018;

AND WHEREAS, the City of Elgin desires to nominate a person or persons to said Board;

AND WHEREAS, said tax unit recognizes the importance of cost-effective operations of the Appraisal District,

NOW THEREFORE, we hereby nominate the following person or persons for a position on the Board of Directors of the Bastrop County Appraisal District.

Approved on this the _____ day of _____, 2017.

Presiding Officer of Tax Unit,
Chris Cannon, Mayor

Attest, Secretary of the Tax Unit,
Amelia Sanchez, City Secretary



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING A PERSON TO SERVE ON THE BOARD OF THE TRAVIS CENTRAL APPRAISAL DISTRICT; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: Administration

PROPOSED ACTION:

The City of Elgin's possible nomination of a person or persons to serve on the Board of Directors of the Travis Central Appraisal District.

BACKGROUND:

In compliance with state law, formal notification is required of the upcoming elections process for the Board of Directors of the Travis CAD; and to provide an opportunity for each entity to submit nominations for said Board. This action is strictly to allow for nominations to the Board; Council will be casting the City's actual votes for the Board at our next Regular Meeting. The process will be conducted over the next three months and begins by this notice informing the City of Elgin of the votes to which the tax unit is entitled.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consider nomination(s), if any, of person to the Board of Directors of the Travis County Central Appraisal District.

ATTACHMENTS:

Travis County Central Appraisal District Letter
Resolution

- ☐ 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.

TRAVIS CENTRAL APPRAISAL DISTRICT

BOARD OFFICERS

RICHARD LAVINE
CHAIRPERSON
KRISTOFFER S. LANDS
VICE CHAIRPERSON
ED KELLER
SECRETARY/TREASURER



MARYA CRIGLER
CHIEF APPRAISER

BOARD MEMBERS

TOM BUCKLE
BRUCE ELFANT
BRUCE GRUBE
ELEANOR POWELL
RICO REYES
JAMES VALADEZ
BLANCA ZAMORA-GARCIA

CITY OF ELGIN
THOMAS MATTIS, CITY MANAGER
310 N MAIN ST
P O BOX 591
ELGIN, TX 78621

September 6, 2017

Courtesy Copy

Original mailed to presiding officer

Members of the Board of Directors of the Travis Central Appraisal District serve two year, staggered terms. The terms of five of the current Board will expire this year. Accordingly, the election of members to the Board must be conducted this fall to select those persons who will serve in that capacity for the term beginning January 1, 2018.

To be eligible to serve on the Board of Directors, an individual must be a resident of Travis County and must have resided in the District for at least two years immediately preceding the date he or she takes office. An elected official may be a member of the Board; however, an employee of a taxing jurisdiction may not be a member unless they are also an elected official.

Your jurisdiction is defined to be in the eastern part of the County. A complete list of those jurisdictions is enclosed. The Property Tax Code requires that, should you desire to make a nomination to the Board, you deliver the name of the nominee to the Chief Appraiser in the form of a resolution on or before October 13, 2017. Your current representative board member is:

Rico Reyes

On or before November 1, 2017, the Chief Appraiser will prepare a ballot listing all the candidates nominated and deliver a copy of such ballot to the presiding officer of the governing body of each city and school district in western Travis County. The ballot must be returned to the Chief Appraiser by December 1, 2017.

On or before December 15, 2017 the Chief Appraiser will count the votes by such cities and school districts, declare the results thereof, and submit the same to the governing bodies of each city and school district, and to each of the candidates nominated by such cities and school districts. In the event of a tie vote, according to the Property Tax Code, it will be resolved by a method of chance by the Chief Appraiser.

If you desire to submit a nomination, please do so by **October 13, 2017 in the form of a resolution to the following address:**

Marya Crigler
Travis Central Appraisal District
P.O. Box 149012
Austin, TX 78714-9012

If you have any questions, please feel free to call me at (512) 834-9317, ext. 337.

Sincerely,
Marya Crigler
Chief Appraiser
Travis Central Appraisal District

Representation	Jurisdiction	Presiding Officer
EAST	AUSTIN COMM COLL DIST	DR. BARBARA P. MINK, BOARD CHAIR
EAST	CITY OF CREEDMOOR	THE HONORABLE ROBERT WILHITE, MAYOR
EAST	CITY OF ELGIN	THE HONORABLE CHRIS CANNON, MAYOR
EAST	CITY OF MANOR	THE HONORABLE RITA G JONSE, MAYOR
EAST	CITY OF MUSTANG RIDGE	THE HONORABLE ALISANDRO FLORES, MAYOR
EAST	CITY OF PFLUGERVILLE	THE HONORABLE VICTOR GONZALES, MAYOR
EAST	CITY OF ROUND ROCK	THE HONORABLE CRAIG MORGAN, MAYOR
EAST	COUPLAND ISD	KANDICE SAMUELSON, PRESIDENT
EAST	DEL VALLE ISD	REBECCA BIRCH, PRESIDENT
EAST	ELGIN ISD	BYRON MITCHELL, PRESIDENT
EAST	MANOR ISD	MARLIN THOMAS, PRESIDENT
EAST	PFLUGERVILLE ISD	VERNAGENE MOTT, PRESIDENT
EAST	ROUND ROCK ISD	DIANE COX, PRESIDENT
EAST	VILLAGE OF SAN LEANNA	THE HONORABLE ELIZABETH A KORTS, MAYOR
EAST	VILLAGE OF WEBBERVILLE	THE HONORABLE HECTOR GONZALES, MAYOR

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS NOMINATING A PERSON
TO SERVE ON THE BOARD OF THE TRAVIS CENTRAL APPRAISAL
DISTRICT; AND PROVIDING FOR RELATED MATTERS.**

WHEREAS the Texas Property Tax Code allows tax jurisdictions to nominate a person to serve on the Board of the Bastrop Central Appraisal District for a term of office of two years beginning January 1, 2018;

AN WHEREAS to be able to serve on the Board of Directors, and individual must be a resident of Travis County for at least two years immediately preceding the date he or she takes office.

AND WHEREAS, the City of Elgin desires to nominate a person to said Board;

AND WHEREAS, said tax unit recognizes the importance of cost-effective operations of the Appraisal District,

NOW THEREFORE, we hereby nominate the following person or persons for a position on the Board of Directors of the Travis County Appraisal District.

Approved on this the _____ day of _____, 2017.

Presiding Officer of Tax Unit,
Chris Cannon, Mayor

Attest, Secretary of the Tax Unit,
Amelia Sanchez, City Secretary



ELGIN CITY COUNCIL MEETING AGENDA ITEM EXECUTIVE SUMMARY

ITEM:

A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE TRAVIS COUNTY ELECTIONS ADMINISTRATOR FOR ELECTION SERVICES FOR THE NOVEMBER 7, 2017 SPECIAL ELECTION AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: Administration

PROPOSED ACTION:

Consideration of an agreement with the Travis County Elections Administrator for services related to the upcoming election in November; and authorization to execute same. tion services.

BACKGROUND:

Travis County will be conducting general and special election for the Participating Entities, including the City of Elgin, on November 7, 2017. The Participating Entities require elections to be held on November 7, 2017 in those portions of Travis County as shown on the maps and metes and bounds descriptions in Exhibit B, attached to and incorporated into this agreement. Under Section 271.002, Texas Election Code, Texas's political subdivisions are authorized to hold elections jointly in voting precincts that common polling places can serve, if two or more political subdivisions' authorities order elections to be held on the same day in all or part of the same territory. And Texas Government Code Chapter 791 authorizes local governments to contract with one another and with state agencies for various governmental functions, including those in which the contracting parties are mutually interested

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of agreement and authorization for the City Manager to execute same with the Travis County Elections Administrator.

ATTACHMENTS:

Joint Election Agreement

Resolution

Updated Earl Voting Sites

Updated Election Day Sites

Updated Mobile Sites

- ☐ **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.

JOINT ELECTION AGREEMENT FOR NOVEMBER 7, 2017 ELECTIONS

Travis County (the “County”) will be conducting general and special election for the Participating Entities listed in Exhibit A, which is attached to and incorporated into this agreement, on November 7, 2017. The Participating Entities require elections to be held on November 7, 2017 in those portions of Travis County as shown on the maps and metes and bounds descriptions in Exhibit B, also attached to and incorporated into this agreement.

Under Section 271.002, Texas Election Code, Texas’s political subdivisions are authorized to hold elections jointly in voting precincts that common polling places can serve, if two or more political subdivisions’ authorities order elections to be held on the same day in all or part of the same territory. And Texas Government Code Chapter 791 authorizes local governments to contract with one another and with state agencies for various governmental functions, including those in which the contracting parties are mutually interested.

It would benefit the County, the Participating Entities, and their respective citizens and voters to hold the elections jointly in the election precincts that common polling places can serve. Thus, the County and the Participating Entities enter into this joint election agreement.

I. Scope of Joint Election Agreement

This agreement covers conducting the November 7, 2017 Joint General and Special Elections for the parties to this agreement to be held on November 7, 2017. The County and the Entities will hold these elections on November 7, 2017 (“Election Day”) jointly for the voters in those portions of Travis County identified on the maps and descriptions in Exhibit B.

II. Election Officer

The Participating Entities hereby appoint the Travis County Clerk, the election officer for Travis County, as the election officer to perform or supervise the County’s duties and responsibilities involved in conducting the joint election covered by this agreement.

III. Early Voting

Each of the Participating Entities agrees to conduct its early voting jointly. Each of the Participating Entities appoints the Travis County Clerk, the early voting clerk for Travis County, as the early voting clerk for the joint election. Early voting for the Participating Entities will be conducted at the dates, times, and locations to be mutually agreed upon by the election officer and authorized and ordered by the governing body of each Participating Entity.

A. County Responsibilities

1. The County will provide to the governing body of each Participating Entity a list of places, times, and dates of early voting suitable for consideration and adoption by the governing body, under Texas Election Code chapter 85.

2. The Travis County Clerk, as the early voting clerk, will be responsible for conducting early voting by mail and by personal appearance for all Travis County voters voting in the joint election. The Travis County Clerk will receive from each Participating Entity's regular early voting clerk applications for early voting ballots to be voted by mail, under Texas Election Code Title 7. The Travis County Clerk will send early voting ballots by mail and receive early voting ballots for early voting by mail. And the Travis County Clerk may appoint such deputy early voting clerks as necessary to assist the Travis County Clerk with voting to take place at the early voting locations.

3. The County will determine the number of election workers to hire to conduct early voting in the joint election. The Travis County Clerk will arrange or contract for training for all election workers and will assign all election workers employed for early voting in the joint election. The training of these election workers is mandatory; these individuals will be compensated for their time in training. The County will provide a training facility for election schools to train election workers employed in conducting early voting, including the mobile early voting program, early voting by personal appearance at main and temporary branch early voting polling places, early voting by mail, and other aspects of the early voting program for the joint election. The County will name early voting deputies and clerks employed to conduct early voting.

4. The County will provide and deliver all supplies and equipment necessary to conduct early voting for the joint election, including ballots, election forms, any necessary ramps, utility hook-ups, signs, registration lists and ballot boxes, to early voting polling places. The County will designate and confirm all early voting polling place locations.

5. The County will be responsible for preparing and transporting the electronic voting equipment necessary to conduct early voting. The County will perform all tests of voting equipment as required, including posting notice of equipment testing.

6. Under Election Code sections 66.058 and 271.010, the Participating Entities appoint the Travis County Clerk as the joint custodian of records for the sole purpose of preserving all voted ballots securely in a locked room in the locked ballot boxes for the preservation period that the Election Code requires.

7. The County will receive ballot language in both English and Spanish from each Participating Entity and format the ballots as needed to include these languages. The County will provide each Participating Entity with a final proof of ballot language for approval before printing the ballots. Upon final proof approval, ballots will be printed in an expedited timeframe so as to allow ballot allocations for the Early Voting by Personal Appearance Program, and the ballot mail outs for the Early Voting by Mail Program.

8. A single joint voter sign-in process consisting of a common list of registered voters, and common signature rosters will be used for early voting. A single, combined ballot and single ballot box will be used. The County will use an electronic voting system, as defined and described in Texas Election Code Title 8, and agrees to use ballots that are compatible with such equipment.

9. The County will be responsible for conducting the Early Voting Ballot Board. The County will designate a person to serve as the presiding judge for the Early Voting Ballot Board and will provide that information to the governing body of each Participating Entity for entry of an order by that authority appointing this official. The presiding judge for the Early Voting Ballot Board is eligible to serve in this capacity. The

presiding judge for the Early Voting Ballot Board will appoint two or more election clerks, and the judge and clerks will compose the Early Voting Ballot Board and will count and return early voting ballots, and perform other duties the Election Code requires of it.

B. Participating Entities' Responsibilities

1. Each Participating Entity will appoint a qualified person to serve as the regular early voting clerk for the Participating Entity. The regular early voting clerk for each respective Participating Entity will receive requests for applications for early voting ballots to be voted by mail and will forward in a timely manner, as prescribed by law, any and all applications for early voting ballots to be voted by mail, received in the Entity's office, to the Travis County Clerk.

2. Each Participating Entity will appoint a qualified person to act as custodian of records for the Participating Entity to perform the duties imposed by the Election Code on the custodian of records for its respective entity.

3. Each Participating Entity will provide ballot language for the respective portion of the official ballot to the County in both English and Spanish. The Entity must make any additions, modifications, deletions, or other changes to such ballot contents or language before the Entity's final proof approval. The County will provide the Participating Entity with a final proof of ballot language, as it is to appear on the ballot, for final proof approval. Upon final proof approval, the ballot will be programmed for the voting equipment in an expedited timeframe so as to allow ballot allocations for the Early Voting by Personal Appearance Program, and the printed ballot mail outs for the Early Voting by Mail Program.

IV. Election Day

A. County Responsibilities

1. The County will designate and confirm all Election Day polling place locations for the joint election, and will forward such information to the Participating Entities in a timely fashion to allow the governing body of the respective Participating Entities to enter orders designating such polling places and for the Entities to submit to the U.S. Department of Justice for review before Election Day.

2. The County will designate the presiding election judge and the alternate presiding election judge to administer the election in the precinct in which a common polling place is to be used and will forward such information to the Participating Entities to allow the governing bodies of the respective Participating Entities to enter appropriate orders designating such officials before the election. The presiding election judge and alternate presiding election judge must be qualified voters of the Travis County election precinct in which the joint election is held. The presiding election judge for the precinct in which a common polling place is used may appoint election clerks as necessary to assist the judge in conducting the election at the precinct polling place. The alternate presiding election judge may be appointed as a clerk. The alternate presiding election judge may serve as the presiding election judge for the precinct in the presiding election judge's absence. Election judges and clerks will be compensated at the rate established by the County. The Texas Election Code and other applicable laws will determine compensable hours.

3. One set of election officials will preside over the election in the precinct using a common polling place. There will be a single joint voter sign-in process consisting of a common list of registered voters and common

signature rosters in the precinct using a common polling place. A single, combined ballot and single ballot box will be used. The officer designated by law to be the custodian of the voted ballots for the County will be custodian of all materials used in common in the precinct using a common polling place. The County will use an electronic voting system, as defined and described by Texas Election Code Title 8, and agrees to use ballots that are compatible with such equipment.

4. The County will arrange for training and will provide the instructors, manuals and other training materials deemed necessary for training all judges and clerks. Training for election judges and alternate judges is mandatory, and these individuals will be compensated for their time in training.

5. The County will arrange for election-day voter registration precinct lists for the joint election. The County will determine the amount of election supplies needed for Election Day voting.

6. The County, by and through the County Clerk's Elections Division, and Administrative Operations, will be responsible for preparing and transporting voting equipment and election-day supplies for use on Election Day.

7. The County, by and through the County Voter Registrar, will provide the list of registered voters as needed in the overlapping jurisdictions identified in the attached exhibits, with designation of registered voters in each Participating Entity, for use at the joint election day polling place on Election Day.

8. The common polling place is designated as the polling place that the County uses. At the common polling place, a single ballot box will be used for depositing all ballots cast in the joint election. At this polling place, one voter registration list and one combination poll list and signature roster form will be kept for the joint election. The final returns for each Participating Entity and the County will be canvassed separately by each respective Participating Entity. The Travis County Clerk will maintain a return center on Election Day for the purpose of receiving returns from the County. The Travis County Clerk will provide unofficial election results to the qualified individual appointed by each Participating Entity.

9. On Election Day, the Travis County Clerk or the clerk's Elections Division will field all questions from election judges.

10. The County will make available translators capable of speaking English and Spanish to assist Spanish-speaking voters in understanding and participating in the election process in the territory covered by this agreement.

B. Participating Entities' Responsibilities

1. Before Election Day, each Participating Entity will answer questions from the public with respect to the Participating Entity's election during regular office hours of 8:00 a.m. – 5:00 p.m.

2. The custodian of records for each Participating Entity will receive returns from the Travis County Clerk on Election Day.

V. Election Night

A. County Responsibilities

1. The County will be responsible for all activities on election night, including setting up a central counting station, coordinating and supervising the results tabulation, coordinating and supervising the physical layout of the support stations that are the joint election's receiving substations, and coordinating and managing election media coverage.
2. The County is responsible for transporting voted ballot boxes to the central counting station.
3. The County will appoint the presiding judge and alternate presiding judge of the central counting station to maintain order at the central counting station, to administer oaths as necessary, to receive sealed ballot boxes, and to perform such other duties that the Texas Election Code requires, and will forward such information to each Participating Entity in a timely fashion to allow the governing body of each Participating Entity to enter appropriate orders designating such election officials before the election. The presiding judge of the central counting station may appoint clerks to serve at the central counting station. In addition, the County will appoint a tabulation supervisor to be in charge of operating the automatic tabulating equipment at the central counting station; an individual to serve as central counting station manager; and an assistant counting station manager to be in charge of administering the central counting station and generally supervising the personnel working at the central counting station. The County will forward such information to each Participating Entity in a timely fashion to allow the governing body of each Participating Entity to enter appropriate orders designating such election officials before the election.
4. The County will provide the Participating Entities with reasonable space in a public area adjacent to the central counting station at which each Participating Entity may have representatives or other interested persons present during the counting process.

B. Participating Entities' Responsibilities

1. Other than receiving returns from the Travis County Clerk, the Participating Entities have no role or responsibility on the night of the election.

VI. County Resources

- A. The County will provide the Elections Division permanent staff and offices to administer the joint election, under the Travis County Clerk's direction.
- B. For early voting, the County will provide a locked and secure area in which voted ballot boxes will be stored until the Early Voting Ballot Board convenes. The County, by and through Administrative Operations, will be responsible for transporting the ballot boxes to the central counting station for the Early Voting Ballot Board.
- C. The County will be responsible for providing and maintaining voting equipment and testing any voting equipment as required by the Texas Election Code.
- D. The County will process the payroll for all temporary staff hired to conduct the joint election. The payroll processing includes statutory reporting and providing W-2 forms where applicable.

E. The County will conduct early voting as indicated in this agreement.

VII. Joint Election Costs; Payment

A. Transmitted with this agreement is a check payable to Travis County from each Participating Entity, in the amount equal to the deposit identified for each Entity in the Cost Estimate attached as Exhibit C, which is also incorporated into this agreement. This deposit represents approximately 75% of the costs of each Participating Entity's share of the estimated election costs. The County will submit an invoice to each Participating Entity for the balance of the Participating Entity's actual joint election expenses upon the election's completion. Joint-election expenses include expenses for facilities, personnel, supplies, and training that the County actually incurs for establishing and operating all early voting and election-day activities at the polling place in the joint election territory as well as activities related to tabulating votes, all as reflected on the Cost Estimate. Each Participating Entity will pay the total amount of its invoice within thirty (30) days of receiving it.

B. In the event of a recount, the expense of the recount will be borne by the Participating Entity involved in the recount on a pro-rata basis.

C. In the event a Participating Entity cancels its respective election because of unopposed candidates under Texas Election Code Title I, subchapter C, the Participating Entity will be responsible for its respective share of election expenses incurred through the date that the election is canceled as allocated to the cancelling entity based on the formula in the Cost Estimate, adjusted for the actual expenses incurred by the County through the date of the cancellation. When the Participating Entity cancels its election, the County will recalculate the allocation percentages among the remaining Entities according to the formula used in the Cost Estimate.

D. In the event there are any expenses associated with processing a ballot arising from a write-in candidate, the Participating Entity that received the declaration will bear the expenses.

E. A Participating Entity that establishes an early voting polling place, other than one that was mutually agreed upon by all Participating Entities, will bear the expense of doing so. The Cost Estimate for each individual Participating Entity will include additional polling locations for each Participating Entity, as set forth in Exhibit C.

VIII. General Provisions

A. Legal Notices

Each of the Participating Entities will be individually responsible for preparing the election orders, resolutions, notices, and other pertinent documents for adoption or execution by its own respective governing board and for all related expenses. ***Each of the Participating Entities will be individually responsible for obtaining appropriate preclearance, if necessary, from the United States Department of Justice.*** The Travis County Clerk will provide each Participating Entity information on changes affecting the Participating Entity's election, such as polling place changes and changes in voting equipment, when such changes are confirmed, verified, or otherwise become known to the clerk's office. Each of the Participating Entities will be individually responsible for posting or publishing election notices and for all related expenses. Each of the Participating

Entities further will be individually responsible for election expenses incurred in relation to any polling place that is not a common polling place as designated in this agreement.

B. Communication

Throughout this agreement's term, the Travis County Clerk or the clerk's employee will meet as necessary with the designated representative of each Participating Entity to discuss and resolve any problems that might arise regarding the joint election.

C. Custodian

The Travis County Clerk will serve as the custodian of the keys to the ballot boxes for voted ballots in the joint election.

D. Effective Date

This agreement takes effect upon its complete execution by all Participating Entities and the County. The obligation of each Participating Entity to the County under this agreement will not end until the entity pays the County its share of the joint election costs.

IX. Miscellaneous Provisions

A. Amendment/Modification of Exhibits A, B, and C

1. The Participating Entities acknowledge and agree that Exhibits A, B, and C may be amended to add or remove entities wishing to participate or cease participating in the agreement. The Participating Entities agree to future amendments of Exhibits A, B, and C and authorize the County to enter into such amendments without the Entities' having to sign the future amendments. The County agrees to notify all Participating Entities of any amendments to Exhibits A, B, and C.

2. Except as otherwise provided, this Agreement may not be amended in any respect whatsoever except by a further agreement in writing, duly executed by the parties to this agreement. No official, representative, agent, or employee of the County has any authority to modify this Agreement except by express authorization from the Travis County Commissioners Court. No official, representative, agent, or employee of any Participating Entity has any authority to modify this agreement except by express authorization from the governing body of the respective Participating Entity. The Travis County Clerk may propose necessary amendments to this agreement in writing in order to conduct the joint election smoothly and efficiently. The Travis County Commissioners Court and the governing body of the respective Participating Entity, however, must approve any proposal.

B. Notice

Any notice to be given in this agreement, by any party to the other, must be in writing and delivered personally or by certified mail, return receipt requested, to the proper party at the addresses listed in Exhibit A.

Each party may change the address for notice to it by giving notice of the change under this section's terms.

C. Force Majeure

In the event that the County cannot perform any of its obligations in this agreement or is interrupted or delayed by any occurrence not occasioned by its own conduct, whether it be an act of God, the result of war, riot, civil commotion, sovereign conduct, or like reason, then the County will be excused from performing for such period of time as is reasonably necessary after such occurrence to remedy its effects.

D. Venue and Choice of Law

The Participating Entities agree that venue for any dispute arising under this agreement will lie in the appropriate courts of Austin, Travis County, Texas. This agreement is governed by and construed under the laws of Texas and the United States of America.

E. Entire Agreement

This agreement contains the parties' entire agreement relating to the rights granted and the obligations assumed in it, and it supersedes all prior agreements, including prior election services contracts relating to each Participating Entity's May 10, 2014 election. Any prior agreements, promises, negotiations, or representations not expressly contained in this agreement are of no force or effect. Any oral representations or modifications concerning this agreement have no force or effect, except a subsequent amendment in writing as this agreement provides.

F. Severability

If any provision of this agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability will not affect the agreement's remaining provisions; and its parties will perform their obligations under the agreement's surviving terms and provisions.

G. Breach

In the event that any Participating Entity or the County breaches any of its obligations under this agreement, the non-breaching party will be entitled to pursue any and all rights and remedies allowed by law.

H. Payments from Current Revenues

Payments made by the Participating Entities in meeting their obligations under this agreement will be made from current revenue funds available to the governing body of the respective Participating Entity. Payments made by the County in meeting its obligations under this agreement will be made from current revenue funds available to the County.

I. Other Instruments

The Participating Entities agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out this agreement's purposes.

J. Third Party Beneficiaries

Except as otherwise provided in this agreement, nothing in this agreement, expressed or implied, is intended to confer upon any person, other than the parties to it, any of its benefits, rights or remedies.

K. Other Joint Election Agreements

The County and the Participating Entities expressly understand and acknowledge that each may enter into other joint election agreements with other political subdivisions, to be held on Election Day and at common polling places covered by this agreement, and that the addition of other political subdivisions as parties to this agreement will require amending Exhibits A, B, and C.

L. Mediation

When mediation is acceptable to both parties in resolving a dispute arising under this agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Texas Civil Practice and Remedies Code section 154.023. Unless both parties are satisfied with the mediation's result, the mediation will not constitute a final and binding resolution to the dispute. All communications within the scope of the mediation will remain confidential as described in section 154.023, unless both parties agree, in writing, to waive the confidentiality. Despite this, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term "confidential" as used in this agreement has the same meanings as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

M. Counterparts

This Agreement may be executed in multiple counterparts, all of which will be deemed originals and with the same effect as if all parties to it had signed the same document. All of such counterparts will be construed together and will constitute one and the same agreement.

The parties to this agreement have executed it in multiple copies, each of equal dignity, on this ____ day of _____, 2017.

TRAVIS COUNTY

BY: _____
Sarah Eckhardt
County Judge

BY: 
Dana DeBeauvoir
County Clerk

PARTICIPATING ENTITIES

Name of Participating Entity _____

Address _____

Name of Authorized Signatory _____

Signature _____

Date signed _____

EXHIBIT A

Municipalities

City of Elgin
City of Jonestown
City of Lago Vista
City of Manor
City of Pflugerville
City of Rollingwood
City of Sunset Valley
Village of Point Venture
Village of The Hills
Village of Volente

School Districts

Austin ISD
Eanes ISD
Lago Vista ISD
Lake Travis ISD
Leander ISD

Library Districts

Westbank Library District

MUDs

Travis County MUD 19
Travis County MUD 20

EXHIBIT B

MAPS AND DESCRIPTIONS

EXHIBIT C

COST ESTIMATE

RESOLUTION NO.

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS
AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AGREEMENT WITH THE TRAVIS COUNTY ELECTIONS
ADMINISTRATOR FOR ELECTION SERVICES FOR THE
NOVEMBER 7, 2017 SPECIAL ELECTION AND MAKING
CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City of Elgin, Texas (the “City”) has called for a Special Election to fill a vacancy on the City Council Ward 3 seat on November 7, 2017; and

WHEREAS, Travis County and City of Elgin (“Participating Entity”) enter into this Agreement for the Travis County Clerk, as the County’s Election Officer, to conduct the Participating Entity’s elections, including runoffs, and for the Participating Entity’s use of the County’s current or future-acquired election equipment for any voting system that the County adopts, as authorized under Title 8 of the Election Code, for all Participating Entity elections; and

WHEREAS, the Participating Entity agrees to commit the funds necessary to pay for all election-related expenses for Participating Entity elections in accordance with this Agreement; and

WHEREAS, this Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed.

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

Section 1. 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. The City Manager is hereby authorized to execute an Agreement with the Travis County Elections Administrator for Election Services for the November 7, 2017 Special Election as described therein; copy of said agreement being attached hereto, marked Exhibit A, and made part of this Resolution as if copied verbatim herein.

Section 3. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Local Government Code.

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

PASSED AND ADOPTED on this 10th day of October 2017.

CITY OF ELGIN, TEXAS

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary

Exhibit “A”

ELECTION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF ELGIN, TX

Pursuant to Chapter 31, Subchapter D, Chapter 123, and Chapter 271 of the Texas Election Code (“Code”) and Chapter 791 of the Texas Government Code, Travis County and City of Elgin (“Participating Entity”) enter into this Agreement for the Travis County Clerk, as the County’s Election Officer, to conduct the Participating Entity’s elections, including runoffs, and for the Participating Entity’s use of the County’s current or future-acquired election equipment for any voting system that the County adopts, as authorized under Title 8 of the Election Code, for all Participating Entity elections. The purpose of this Agreement is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of the Participating Entity.

I. GENERAL PROVISIONS

- (A) Except as otherwise provided in this Agreement, the term “election” refers to any Participating Entity election, occurring on any uniform election date prescribed by the Texas Election Code or a primary election date, along with a resulting runoff, if necessary, within all Participating Entity’s territory located in Travis County. If a runoff is necessary, the Participating Entity shall work with the Election Officer to determine a mutually acceptable run-off date. In the event that the Participating Entity (and any other entity for which the County is providing election services or for which the County is conducting a joint election) do not agree on a run-off date, the Participating Entity agrees to whichever run-off date is selected by the Election Officer.
- (B) If the Participating Entity determines it is necessary to conduct an election during a time other than that specified in I. (A), the Election Officer and a representative designated by the Participating Entity will meet as soon as possible to determine the feasibility of the Election Officer conducting such an election. If both parties agree that the Election Officer will administer this election, the new election will be based on all other applicable provisions of this Agreement except provisions that are inconsistent and cannot be feasibly applied.
- (C) Except as otherwise provided in this Agreement, the term “Election Officer” refers to the Travis County Clerk.
- (D) Except as otherwise provided in this Agreement, the term “precinct” means all precincts in the territory of the Participating Entity located within Travis County.
- (E) Except as otherwise provided in this Agreement, the term “election services” refers to services used to perform or supervise any or all of the duties and functions that the Election Officer determines necessary for the conduct of an election. Except as

otherwise provided in this Agreement, the term “cost for election services” includes the costs for personnel, supplies, materials, or services needed for providing these services as permitted by the Texas Election Code. The term does not refer to costs relating to the use of the voting equipment.

- (F) Except as otherwise provided in this Agreement, the cost for “use of voting equipment” is the amount the Participating Entity agrees to pay the County for use of the County’s direct electronic recording equipment or any other voting equipment in use at the time of the election (hereinafter referred to as DRE).
- (G) The Participating Entity agrees to commit the funds necessary to pay for all election-related expenses for Participating Entity elections in accordance with this Agreement.
- (H) The Election Officer has the right to enter into Agreements with other entities at any time, including during the dates listed in I. (A).
- (I) As a condition for providing election services and equipment usage, the Election Officer may require authorities of political subdivisions holding elections on the same day in all or part of the same territory to enter into a joint election agreement as authorized in Chapter 271 of the Texas Election Code. The Participating Entity agrees to enter into any joint election agreement required by the County.

II. PARTICIPATING ENTITY’S USE OF VOTING EQUIPMENT; DUTIES OF THE ELECTION OFFICER AND OF THE PARTICIPATING ENTITY

The County shall make available to the Participating Entity the County’s current and future-acquired voting system as authorized under Title 8 of the Election Code, subject to reasonable restrictions and conditions imposed by the Election Officer to ensure availability of the equipment for County-ordered elections, primary elections, and subsequent runoff elections, if applicable. The Election Officer may impose reasonable restrictions and conditions to protect the equipment from misuse or damage.

III. APPOINTMENT OF ELECTION OFFICER

- (A) The Travis County Election Officer (“Election Officer”) is appointed to serve as the Participating Entity’s Election Officer and Early Voting Clerk to conduct the Participating Entity’s elections described in Section I.
- (B) As the Participating Entity’s Election Officer and Early Voting Clerk, the Election Officer shall coordinate, supervise, and conduct all aspects of administering voting in Participating Entity elections in compliance with all applicable laws, subject to Section III, (C) below.

- (C) The Participating Entity shall continue to perform those election duties listed in (1) through (8) below and any other election duties that may not be delegated to another governmental entity such as receipt of candidate applications:
- (1) Preparing, adopting, and publishing all required election orders, resolutions, notices and other documents, including bilingual materials, evidencing action by the governing authority of the Participating Entity necessary to the conduct of an election. This includes required newspaper notices unless the Election Officer has agreed in writing, along with the costs to be assessed, to provide this service on behalf of the Participating Entity. However, in any debt obligation election, the Election Officer shall post the notice required by and in accordance with Section 4.003(f) (1) on each Election Day and in a prominent location at each early voting polling place. The Election Officer shall provide written confirmation that early voting and election day personnel posted the debt obligation election order as required by Section 4.003(f)(1). The Participating Entity shall pay any applicable expenses incurred directly related to the posting required by Section 4.003(f) (1).
 - (2) Preparing the federal Voting Rights Act election preclearance submissions, if any, to the U.S. Department of Justice, excluding changes in a joint election conducted under this Agreement that directly affect the County;
 - (3) Preparing the text for the Participating Entity's official ballot in English and Spanish and any other languages as required by law;
 - (4) Providing the Election Officer with a list of candidates or propositions showing the order and the exact manner in which the candidates' names and the propositions are to appear on the official ballot;
 - (5) Conducting the official canvass of a Participating Entity election;
 - (6) Administering the Participating Entity's duties under state and local campaign finance laws;
 - (7) Having a Participating Entity representative serve as the custodian of its election records; and
 - (8) Filing the Participating Entity's annual voting system report to the Secretary of State as required under Chapter 123 et seq. of the Texas Election Code.
- (D) The Participating Entity shall also be responsible for proofing and attesting to the accuracy of all ballot language and format information programmed by the County. This includes any information programmed for use with the audio or tactile button features of the equipment. The Participating Entity will also monitor and review all logic and accuracy testing and mandatory tabulations. The Participating Entity will complete its

duties within timeframes as prescribed by the County. If the Participating Entity finds any discrepancies or concerns, it will immediately report them to the Election Officer and work with her to resolve any issues so that final approval can be reached. The Participating Entity shall be responsible for any and all actual costs associated with correcting the ballot and ballot programming if the error is discovered after the Participating Entity has signed off on its final proof containing the error.

- (E) The City Secretary will assist the County whenever possible when the conduct of the election requires assistance from Participating Entity departments and staff. The City Secretary will serve as the Regular Early Voting Clerk for the Participating Entity to receive requests for applications for early voting ballots and forward these applications to the Joint Early Voting Clerk. Dana DeBeauvoir will serve as the Custodian of Records for the Participating Entity to complete those tasks in the Election Code that the Election Officer will not perform.

IV. ELECTION WORKERS AND POLLING PLACES

- (A) For presentation to the governing body of the Participating Entity, the County shall provide a list containing the locations, times, and dates of early voting polling places suitable for consideration and adoption by the governing body in accordance with Texas Election Code Chapter 85. The Election Officer will designate and confirm all Election Day polling place locations.
- (B) The Election Officer will assume the responsibility for recruiting election personnel; however, if by the 5th day before the Election, the Election Officer reports vacancies in positions for election judges, alternate judges, election day clerks, early voting ballot board, receiving substation clerks, or any other key election personnel, the Participating Entity shall provide emergency personnel in these positions.
- (C) The Election Officer shall notify each of the election judges and alternates of their appointment and the eligibility requirements that pertain to them and to the selection of Election Day clerks. Included in this notification will be the number of clerks that each precinct should have in addition to the election judge and alternate judge. The election judges and/or the alternates are responsible for recruiting and supervising their clerks.
- (D) All election workers must agree to attend training sessions as determined by the Election Officer. Costs for these training sessions and compensation for attendees, if authorized, will be included as part of the election services costs.
- (E) During any election and any subsequent runoff election that involve entities in addition to the Participating Entity, the Election Officer will work with all parties to find a plan that can be agreed upon regarding the designation of polling places. If agreement cannot be reached, the Election Officer will resolve the differences. In all cases, emergency polling place changes will be made by the Election Officer.

V. PAYMENTS FOR ELECTION SERVICES

- (A) Payments for the use of voting equipment are addressed separately in Section VI of this Agreement.
- (B) At the time a Participating Entity executes this Agreement, its representative must tender \$100 towards the costs associated with administering the election including, but not limited to, polling place searches and preparation for poll worker training. If the election is ultimately held by the Election Officer, the \$100 fee will be applied towards the Participating Entity's total costs due to the Election Officer. Not later than the 45th day before an election, the Participating Entity will make a payment equal to 75% of the total of the Participating Entity's projected share of election costs according to the most recent calculation presented by the Election Officer.
- (C) In case of a cancellation of an election by the Participating Entity, the Participating Entity shall notify the Election Officer on or before 11:59 p.m. on the 68th day before the election whether it expects to be able to cancel its election and on or before 11:59 p.m. on the 60th day before the election if that election will or will not be cancelled. If the Participating Entity cancels its election, the \$100 fee will not be refunded.
- (D) Notwithstanding the provisions in IX. (B), the County and the Participating Entity agree that notice under V. (C) can be provided via e-mail to the County at election@traviscountytx.gov , with a copy to michael.winn@traviscountytx.gov. Email notification shall be sent by (City Secretary). No further costs (except for the \$100 fee) will be due if the Election Officer receives final written notice on or before 11:59 p.m. of the 60th day before the election that an election will be cancelled. Within thirty days after receipt of an election cost schedule or bill setting forth the Election Officer's actual contract expenses and charges incurred in the conduct of the election, the Participating Entity shall pay the Election Officer the remaining balance due. If there is a runoff election, the Participating Entity will make a payment equal to 75% of the projected costs for the runoff election immediately after receiving that projected cost from the Election Officer. The projected share of election costs will include the 10% fee for election services as discussed in V. (E).
- (E) The Election Officer will charge a fee for election services, as described in Section V, equal to 10% of the total costs of each election, excluding the costs of voting equipment. Costs for use of voting equipment are described in Section VI. In the event of a joint election, the election costs will be divided on a pro rata basis among all entities involved in the election in the following manner referred to hereafter as the "pro rata methodology:" the number of precincts each participating entity has involved in an election will be added together. The proportional cost of each participating entity for election services will be calculated by multiplying the proportional percentage of each participating entity by the total cost of the election. The product of these numbers is the pro rata cost of each participating entity. Additionally, the Participating Entity

acknowledges and understands that if any other Participating Entity should cancel its election, each remaining Participating Entity's pro rata cost will result in a proportionate cost increase.

- (F) For elections that do not have a runoff election, the County will send the Participating Entity a final invoice of election expenses not later than the 90th day after an election. For elections that do have a runoff, the County may send the Participating Entity a final invoice of election expenses not later than the 90th day after the runoff election. The total amount due according to these invoices shall be offset by payments made for costs made in accordance with Subsection (B) of this section and offset by any payments made otherwise. The County shall prepare the invoice to include the total payment due from the Participating Entity for any portion of the Participating Entity's costs.
- (G) The Participating Entity shall promptly review an election invoice and any supporting documentation when received from the County. The Participating Entity may audit, during normal business hours, relevant County election or accounting records upon reasonable notice to the County. The Participating Entity shall pay the entire final invoice or the undisputed portion of the final invoice not later than the 30th day after receiving the invoice. Failure to timely pay invoice in full may impact Election Officer's participation in future elections with Participating Entity.

VI. PAYMENTS FOR USE OF VOTING EQUIPMENT

- (A) The Election Officer shall conduct elections using a voting system certified by the Secretary of State in accordance with the Texas Election Code and that has been approved for use by the Travis County Commissioners Court unless otherwise agreed upon by both parties.
- (B) The Participating Entity shall make payments to Travis County as consideration for the use of the County's DRE equipment. The Participating Entity shall pay \$5 for each unit of electronic voting system equipment installed at a polling place; and \$5 for each unit of other electronic equipment used to conduct the election or provide election services.
- (C) If the Participating Entity holds an election on a date when the County is holding its own election, the Participating Entity is not charged any cost for equipment usage. However, if a runoff election is necessary after such an election, the Participating Entity will be responsible for payment of equipment usage.
- (D) If the Participating Entity holds an election on a date other than as listed in Section I.(A), the Participating Entity will pay \$5 for each unit of electronic voting system equipment installed at a polling place; and \$5 for each unit of other electronic equipment used to conduct the election or provide election services.

- (E) Payment by the Participating Entity to the County for DRE equipment is due 30 days after receipt of billing as part of the final payment for election costs as discussed in Section V. (G).
- (F) If the County acquires additional equipment, different voting equipment, or upgrades to existing equipment during the term of this Agreement, the charge for the use of the equipment may be renegotiated.

VII. ADDITIONAL EARLY VOTING LOCATIONS

- (A) All of the Participating Entity's voters within Travis County will have access to all of the Travis County Early Voting sites in each election at no additional cost. If Travis County does not run a permanent or mobile site in a Participating Entity's area, the Participating Entity may request a mobile unit for one to five days. This would include Travis County staff setting up and breaking down the equipment daily, training staff for each location, and providing Travis County law enforcement to secure the equipment in the Travis County Elections Division's safe at 5501 Airport Blvd., Austin, Texas 78751 on a daily basis.
- (B) Any Participating Entity requesting additional, early voting sites for service for only their voters shall be responsible for the additional cost of \$1,560 per location, with said costs to be included in the overall election costs for that Participating Entity.

VIII. COMMUNICATIONS

- (A) The Participating Entity and the Election Officer shall each designate a member of their staff to serve as the primary contact for the respective offices under this Agreement and provide the name and contact information for that individual to each entity.
- (B) Throughout the term of this Agreement, the Participating Entity and the County will engage in ongoing communications on issues related to Participating Entity elections, the use of County's voting equipment, and the delivery of services under this Agreement and, when necessary, the County Clerk, elections division staff members, and other election workers shall meet with the Participating Entity to discuss and resolve any problems which might arise under this Agreement.
- (C) The Election Officer shall be the main point of media contact for election information related to election administration. The Participating Entity shall designate a contact to be the main point of contact for matters related to the content of the Participating Entity's ballot or candidates.

IX. MISCELLANEOUS PROVISIONS

- (A) Amendment/Modification

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing and duly executed by the parties hereto. No official, representative, agent, or employee of the County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Travis County, Texas. No official, representative, agent, or employee of the Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the Participating Entity. Dana DeBeauvoir, Travis County Clerk, may propose necessary amendments or modifications to this Agreement in writing in order to conduct a Joint Election smoothly and efficiently, except that any such proposals must be approved by the Commissioners Court of the County and the governing body of the Participating Entity.

(B) Notice

Unless otherwise provided herein, any notice to be given hereunder by any party to the other shall be in writing and may be affected by personal delivery, by certified mail, or by common carrier. Notice to a party shall be addressed as follows:

Amelia Sanchez, City Secretary
310 N Main Street
Elgin, Texas 78621

TRAVIS COUNTY
Honorable Dana DeBeauvoir, Travis County Clerk
1000 Guadalupe Street, Room 222
Austin, Texas 78701

Cc: Honorable David Escamilla, Travis County Attorney
314 West 11th Street, 5th Floor
Austin, Texas 78701

Notice by hand-delivery is deemed effective immediately, notice by certified mail is deemed effective three days after deposit with a U.S. Postal Office or in a U.S. Mail Box, and notice by a common carrier, is deemed effective upon receipt. Each party may change the address for notice to it by giving notice of such change in accordance with the provisions of this Section.

(C) Force Majeure

In the event that the performance by the County of any of its obligations or undertakings hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or the result of war, riot, civil commotion, sovereign conduct, or the act or condition of any persons not a party hereto

or in privity thereof, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(D) Venue and Choice of Law

The Participating Entity agrees that venue for any dispute arising under this Agreement will lie in the appropriate courts of Austin, Travis County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.

(E) Entire Agreement

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and also supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force or effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

(F) Severability

If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement. Parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

(G) Breach

In the event that Participating Entity or County breaches any of its obligations under this Agreement, the non-breaching party shall be entitled to pursue any and all rights and remedies allowed by law.

(H) Payments from Current Revenues

Payments made by the Participating Entity in meeting its obligations under this Agreement shall be made from current revenue funds available to the governing body of the Participating Entity. Payments made by the County in meeting its obligations under this Agreement shall be made from current revenue funds available to the County.

(I) Other Instruments

The County and the Participating Entity agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out the purposes of this Agreement.

(J) Third Party Beneficiaries

Except as otherwise provided herein, nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto, any benefits, rights or remedies under or by reason of this Agreement.

(K) Other Joint Election Agreements

The County and the Participating Entity expressly understand and acknowledge that each may enter into other joint election agreements with other jurisdictions, to be held on Election Day and at common polling places covered by this Agreement.

(L) Mediation

When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.053 of the Texas Civil Practice and Remedies Code unless both parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term “confidential” as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

(M) Addresses for Payments

Payments made to the County or the Participating Entity under this Agreement shall be addressed to following respective addresses:

Elections Division
Travis County Clerk
P.O. Box 149325
Austin, Texas 78751

City of Elgin
City Secretary
310 N Main St.
Elgin, Texas 78621

(N) This Agreement is effective upon execution by both parties and remains in effect until either party terminates this agreement for any reason upon providing 60 days written notice to the other party.

(O) The individuals below have been authorized to sign this Agreement.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement in multiple copies, each of equal dignity, on this 25th day of September, 2017.

CITY OF ELGIN, TX

BY: _____
Name: Amelia Sanchez
Title: City Secretary

TRAVIS COUNTY

BY: _____
Sarah Eckhardt
County Judge

BY: _____
Dana DeBeauvoir
County Clerk

Travis County Early Voting for the November 7, 2017 Election



Early Voting begins Monday, October 23 and ends Friday, November 3

Monday—Saturday (7am-7pm), Sunday (Noon—6pm)

lunes—sábado (7am—7pm), domingo (mediodía—6pm)

DANA DEBEAUVOIR,
COUNTY CLERK

Sitios de Votación Adelantada del Condado de Travis, para la Elección, del 7 de Noviembre

La Votación Adelantada empieza el lunes, 23 de Octubre y termina el viernes, 3 de Noviembre

EARLY VOTING LOCATIONS

Austin Area Urban League	8011 A Cameron Rd	Austin
Carver Branch Library	1161 Angelina St	Austin
Dan Ruiz Branch Library	5803 Nuckols Crossing Rd	Austin
Disability Rights Texas	2222 W Braker Ln	Austin
Fiesta Central - Delwood Shopping Center	3909 North IH-35	Austin
Fiesta Mart Stassney	5510 South IH-35	Austin
Gardner Betts Annex	2501 S Congress at Long Bow Ln.	Austin
Howson Branch Library	2500 Exposition Blvd	Austin
Old Quarry Library	7051 Village Ctr	Austin
Randalls Ben White and Manchaca	2025 W. Ben White Blvd.	Austin
Randalls Brodie and Slaughter	9911 Brodie Ln	Austin
Randalls Lakeway	2301 RR 620 S at Lohmans Crossing	Austin
Randalls Research and Braker	10900 D Research Blvd	Austin
Randalls Steiner Ranch	5145 N FM 620 at N. Quinlan Park Rd.	Austin
Randalls Flagship - West Lake Hills	3300 Bee Caves Rd	Austin
Travis Co Airport Blvd	5501 Airport Blvd	Austin
Travis Co Granger Bldg	314 W 11th St	Austin
UT Flawn Academic Center	2400 Inner Campus Dr	Austin
Bee Cave City Hall	4000 Galleria Pkwy	Bee Cave
Del Valle ISD Administration Bldg	5301 Ross Rd	Del Valle
Manor ISD Administration Bldg	10335 Hwy 290	Manor
County Tax Office, Pflugerville	15822 Foothill Farms Loop	Pflugerville
Hartfield Performing Arts Center	5800 McNeil Dr	Round Rock



DANA DEBEAUVOIR,
COUNTY CLERK

Travis County Election Day Polling Locations Tuesday, November 7, 2017 (by precinct)

Sitios de Votación para el Día de Elección, martes 7 de Noviembre, 2017 (por precinto)

Polls are open 7 am - 7 pm; Horas de Servicio 7 am - 7 pm

VOTE CENTER ELECTION *Centros de Votación del Condado de Travis* On Election Day, eligible Travis County VOTERS MAY VOTE AT ANY of the locations listed on this page. Voters are NOT limited to only voting in the precinct where they are registered to vote; El día de elección votantes elegibles del Condado de Travis podrán votar en cualquier sitio indicado en esta página. Votantes tienen más opciones en dónde votar, sin limitarse al precinto en donde están registrados para votar.

Pct.	Polling Station	Address	Combined Precincts
101	Dailey Middle School	14000 Westall St	114; 115; 116; 117; 119; 120; 138
102	Copperfield Elementary	12135 Thompkins Dr	108
103	Graham Elementary	11211 Tom Adams Dr	104
105	Manor ISD Admin Bldg	10335 Hwy 290	
106	Elgin High School	14000 County Line Rd	
107	New Sweden Lutheran	12809 New Sweden Church Rd	
109	Parmer Lane Elementary	1806 Parmer Ln	
112	Dessau Elementary	1501 Dessau Ridge Ln	111
113	Wieland Elementary	900 Tudor House Rd	
121	LBJ High School	7309 Lazy Creek Dr	128 ; 131 ; 134
122	YMCA East Communities Y	5315 Ed Bluestein Blvd	
124	Carver Library	1161 Angelina St	
129	Sims Elementary	1203 Springdale Rd	
130	Memorial United Methodist	6100 Berkman Dr	118 ; 151
133	Blanton Elementary	5408 Westminster Dr	
135	Messiah Lutheran	5701 Cameron Rd	
137	Blackhawk Amenities	3111 Speidel Dr	123 ; 161 ; 163
139	Austin Area Urban League	8011 A Cameron Rd STE 100	141
140	Dobie Middle School	1200 E Rundberg Ln	
142	Travis Co Airport Blvd	5501 Airport Blvd	149 ; 156
148	Co. Tax Office, Pflugerville	15822 Foothill Farms Loop	110 ; 136 ; 145 ; 146 ; 150 ; 160
152	Fiesta Mart Central	3909 N I 35	126 ; 132
153	Pioneer Crossing Elementary	11300 Samsung Blvd	
154	Bluebonnet Trail Elementary	11316 Farmhaven Rd	125 ; 127
164	Barrington Elementary	400 Cooper Dr	
200	Winters Bldg	701 W 51st St	
202	Red River Church	4425 Red River St	
203	Boulder Ridge Clubhouse	3300 Killingsworth Ln	227
205	River Oaks Elementary	12401 Scofield Farms Dr	
207	Hartfield Performing Arts Ctr	5800 McNeil Dr	
208	UT Flawn Academic	2400 Inner Campus Dr	277
210	O Henry Middle School	2610 W 10th St	251

Pct.	Polling Station	Address	Combined Precincts
211	Walnut Creek Elementary	401 W Braker Ln	226
214	Bryker Woods Elementary	3309 Kerbey Ln	
216	Northwest Elementary	14014 Thermal Dr	215
217	Lanier High School	1201 Payton Gin Rd	223 ; 224
218	Disability Rights Texas	2222 W Braker Ln	
219	Caldwell Elementary	1718 Picadilly Dr	
221	Bridge Point Elementary	6401 Cedar St	212 ; 220
222	Cook Elementary	1511 Cripple Creek Dr	209
225	Wells Branch MUD Rec Ctr	3000 Shoreline Dr	
229	Wells Branch Community Ctr	2106 Klattenhoff Dr	
231	Cat Mountain HOA	6007 Mount Bonnell Rd	
232	Canyon Ridge Middle School	12601 Country Trails Ln	
234	River Place Elementary	6500 Sitio Del Rio Blvd	233
235	McCallum High School	5600 Sunshine Dr	
236	Rosedale School	2117 W 49th St	
237	Highland Park Baptist	5206 Balcones Dr	213
238	Murchison Middle School	3700 N Hills Dr	
238	Old Quarry Library	7051 Village Ctr	
239	Gullett Elementary	6310 Treadwell Blvd	241
240	Highland Park Elementary	4900 Fairview Dr	
242	Brentwood Bible Church	6301 Woodrow Ave	
243	Ben Hur Shrine Ctr	7811 Rockwood Ln	
244	Randalls Steiner Ranch	5145 N FM 620	
245	Grandview Hills Elementary	12024 Vista Parke Dr	
246	Hill Elementary	8601 Tallwood Dr	
247	Doss Elementary	7005 Northledge Dr	
248	Burnet Middle School	8401 Hathaway Dr	
249	St Matthew's Episcopal	8134 Mesa Dr	
252	North Village Library	2505 Steck Ave	
254	Brookdale N Austin	5310 Duval Rd	259 ; 267
256	Howson Library	2500 Exposition Blvd	250 ; 266
258	McBee Elementary	1001 W Braker Ln	

Pct.	Polling Station	Address	Combined Precincts
260	Padron Elementary	2011 W Rundberg Ln	228
262	Anderson High School	8403 Mesa Dr	253
263	United Christian	3500 W Parmer Ln	
268	Grant AME Worship Center	1701 Kramer Ln	
273	Congregation Beth Israel	3901 Shoal Creek Blvd	
275	Baker Center	3908 Ave B	206 ; 274
301	Sunset Valley City Hall	3205 Jones Rd	
302	Bailey Middle School	4020 Lost Oasis Holw	304
303	Oak Hill Primitive Baptist	11408 FM 1826	349
307	Rollingwood Municipal Bldg	403 Nixon Dr	356
310	Manchaca United Methodist	1011 FM 1626	315
312	Travis Co Sheriff West Command	3800 Hudson Bend Rd	
313	Senior Activity Ctr Lamar	2874 Shoal Crest Ave	
314	Oak Hill Fire Dept #302	4111 Barton Creek Blvd	
316	Travis Co Parks Office	14624 Hamilton Pool Rd	308
317	Lost Creek Limited Dist	1305 Quaker Ridge Dr	
319	Lakeway Heritage Center	963 Lohmans Crossing Rd	306
320	Randalls Lakeway	2301 Ranch Rd 620 S	
323	Randalls Research & Braker	10900 D Research Blvd	305 ; 321 ; 345
324	Bee Cave City Hall	4000 Galleria Pkwy	368
326	Laurel Mountain Elementary	10111 DK Ranch Rd	
327	Austin Fire Station #33	9409 Bluegrass Dr	
328	Renaissance Retirement Ctr	11279 Taylor Draper Ln	
329	Travis Co Granger Building	314 W 11th St	311 ; 325
330	Laura Bush Community Library	9411 Bee Cave Rd	318 ; 357
331	Kathy Caraway Elementary	11104 Oak View Dr	
332	Zilker Elementary	1900 Bluebonnet Lane	340 ; 341
333	Canyon Creek Elementary	10210 Ember Glen Dr	
335	Canyon Vista Middle School	8455 Spicewood Springs Rd	
336	Hallmark Baptist	9023 Old Lampasas Trl	
337	Lakewood HOA	7317 Lakewood Dr	334 ; 343
338	Travis Co WCID #18	1502 San Juan Dr	
339	Western Hills Church of Christ	6211 Parkwood Dr	
342	Barton Hills Elementary	2108 Barton Hills Dr	
346	Serene Hills Elementary	3301 Serene Hills Dr	
347	Hill Country Middle School	1300 Walsh Tarlton Ln	
350	Randalls Brodie & Slaughter	9911 Brodie Ln	309
351	Small Middle School	4801 Monterey Oaks Blvd	
352	Jubilee Christian Ctr	2909 W William Cannon Dr	344
354	Travis Country HOA	4504 Travis Country Cir	
358	Covington Middle School	3700 Convict Hill Rd	
359	Lake Travis ISD Educ Devel Ctr	607 Ranch Rd 620 N	
360	Bowie High School	4103 W Slaughter Ln	
361	Oak Hill Fire Dept #301	9211 Circle Dr	

Pct.	Polling Station	Address	Combined Precincts
362	Will Hampton Library	5125 Convict Hill Rd	
363	Shepherd of the Hills Presbyterian	5226 W William Cannon Dr	
364	Randalls Flagship - West Lake Hills	3300 Bee Caves Rd	
365	Community Center at Oak Hill	8656 W Hwy 71	
366	Mills Elementary	6201 Davis Ln	
367	Clayton Elementary	7525 La Crosse Ave	
370	Round Mountain Center	14340 Round Mountain Rd	
371	Lago Vista Middle School	8039 Bar-K Ranch Rd	
372	Community Ctr at Jonestown	18649 FM 1431 STE 6A	369
373	Lago Vista City Hall	5803 Thunderbird St	
374	Deer Creek Elementary	2420 Zeppelin Dr	
375	Volente Fire Dept	15406 FM 2769	
401	Del Valle ISD Admin Bldg	5301 Ross Rd	
402	Elroy Community Library	13512 FM 812	
403	Creedmoor Elementary	5604 FM1327	
404	Blazier Elementary	8601 Vertex Blvd	418
405	Ojeda Middle School	4900 McKinney Falls Pkwy	
406	St Alban's Episcopal	11819 I 35 S	417
407	Community Ctr at Del Valle	3518 S FM 973	423 ; 427
409	Galindo Elementary	3800 S 2nd St	
410	Science & Health Resource Ctr	305 N Bluff Dr	
414	Texas Oaks Baptist	9910 Bilbrook Pl	
415	Casey Elementary	9400 Texas Oaks Dr	
416	Akins High School	10701 S 1st St	411
420	Parker Lane United Methodist	2105 Parker Ln	
421	Church on Congress Ave	1511 S Congress Ave	
422	Fulmore Middle School	201 E Mary St	437
426	Parque Zaragoza Rec Ctr	2608 Gonzales St	436 ; 444
429	Dan Ruiz Library	1600 Grove Blvd	439
431	Baty Elementary	2101 Faro Dr	440
433	Gardner Betts Annex	2501 S Congress Ave	424; 442
435	Southwest Church of Christ	8900 Manchaca Rd	408
438	Sanchez Elementary	73 San Marcos St	428; 432 ; 434
441	Fiesta Mart Stassney	5510 I 35 S	425 ; 446
447	Odom Elementary	1010 Turtle Creek Blvd	419
448	Langford Elementary	2206 Blue Meadow Dr	413
450	Dove Springs Rec Center	5803 Nuckols Crossing Rd	443
451	Bedichek Middle School	6800 Bill Hughes Rd	
452	Houston Elementary	5409 Ponciana Dr	
454	Randalls Ben White & Manchaca	2025 W Ben White Blvd	412 ; 458 ; 460
461	Wheatsville Co-op S Lamar	4001 S Lamar Bvd	430
463	Williams Elementary	500 Mairo St	



DANA DEBEAUVOIR
COUNTY CLERK

TRAVIS COUNTY MOBILE VOTING LOCATIONS

for the November 7, 2017 Election
Monday October 23 through Friday November 3

Guía de los Sitios Móviles para Votación Adelantada de la Elección del 7 de noviembre 2017, lunes, 23 de octubre – viernes, 3 de noviembre

MONDAY, OCTOBER 23 (Lunes, 23 de octubre)

MT Supermarket	10901 N. Lamar Blvd	Austin	9am - 6pm
West Cypress Hills Elementary	6112 Cypress Ranch Blvd.	Spicewood	7am - 6pm
LBJ Building	111 E 17th St	Austin	8am - 5pm
Town Lake Center	721 Barton Springs Rd.	Austin	8am - 5pm

TUESDAY, OCTOBER 24 (Martes, 24 de octubre)

Longhorn Village	12501 Longhorn Pkwy	Austin	10am - 4pm
Lake Travis Elementary	15303 Kollmeyer Drive	Austin	7am - 6pm
Central Services Bldg	1711 San Jacinto Blvd	Austin	8am - 5pm
Community Center at Del Valle	3518 S FM 973	Del Valle	8am - 5pm

WEDNESDAY, OCTOBER 25 (Miércoles, 25 de octubre)

Lago Vista City Hall	5803 Thunderbird St.	Lago Vista	8am - 5pm
Hudson Bend Middle School	15600 Lariat Trail	Austin	8am - 6pm
Travis Building	1701 N Congress Ave	Austin	8am - 5pm
Stephen F Austin Buiding	1700 N Congress Ave	Austin	8am - 5pm

THURSDAY, OCTOBER 26 (Jueves, 26 de octubre)

North Austin Muslim Center	11900 N. Lamar Blvd.	Austin	8am - 5pm
Bee Cave Elementary	14300 Hamilton Pool Rd	Bee Cave	7am - 6pm
GAMA	8801 Research Blvd.	Austin	8am - 5pm
Englewood Estates	2603 Jones Rd	Austin	8am - 11am
Continental Retirement Cmty	4604 S Lamar Blvd	Austin	1pm - 5pm

FRIDAY, OCTOBER 27 (Viernes, 27 de octubre)

Lago Vista High School	5185 Lohman Ford Rd	Lago Vista	12noon - 7pm
Lake Pointe Elementary	11801 Sonoma Drive	Austin	7am - 6pm
Winters Bldg	701 W 51st St	Austin	8am - 5pm
Heritage Pointe	1950 Webberville Rd.	Austin	8am - 10am
Lakeside Senior	85 Trinity St.	Austin	12noon - 2pm
RBJ Residential	21 Waller St.	Austin	4pm - 6pm

SATURDAY, OCTOBER 28 (Sábado, 28 de octubre)

Deer Creek Elementary	2420 Zeppelin Dr	Cedar Park	10am - 5pm
Briarcliff POA Community Center	22801 Briarcliff Dr	Briarcliff	10am - 6pm
Parque Zaragoza	2608 Gonzales St.	Austin	10 am - 5pm
Wheatsville Co-op S Lamar	4001 S Lamar Bvd	Austin	10 am - 7pm

SUNDAY, OCTOBER 29 (Domingo, 29 de octubre)

Volente Fire Dept	15406 FM 2769	Leander	12noon - 6pm
Ce-Bar Fire Dept	353 S Commons Ford Rd	Austin	12noon - 6pm
Austin Fire Station #33	9409 Bluegrass Dr	Austin	12noon - 6pm
Oak Hill Fire Dept #301	9211 Circle Dr	Austin	12noon - 6pm

MONDAY, OCTOBER 30 (Lunes, 30 de octubre)

Asian American Resource Ctr	8401 Cameron Rd.	Austin	9am - 1pm
National American University	13801 Burnet Rd, Ste 300	Austin	3pm - 7pm
Lakeway Elementary	1701 Lohman's Crossing Road	Austin	7am - 6pm
Sam Houston Bldg	201 E 14th St	Austin	8am - 5pm
Parsons House	1130 Camino La Costa	Austin	8am - 10am
Heritage Park Ctr	2806 Real St	Austin	12noon - 2pm
Cantu/Pan Am Rec. Center	2100 E. 3rd St.	Austin	4pm - 6pm

TUESDAY, OCTOBER 31 (Martes, 31 de octubre)

Community Ctr at Jonestown	18649 FM 1431 STE 6A	Jonestown	10am - 4pm
Serene Hills Elementary	3301 Serene Hills Drive	Austin	7am - 6pm
Westminster Manor	4100 Jackson Ave	Austin	10am - 4pm
Travis Co Commissioners Ct.	700 Lavaca St.	Austin	8am - 5pm

continued on other side

WEDNESDAY, NOVEMBER 1 (*Miércoles 1 de noviembre*)

Heatherwilde Assisted Living	401 S Heatherwilde Blvd	Pflugerville	10am - 4pm
Brookdale West Lake Hills	1034 Liberty Park Dr.	Austin	8am - 11am
Brookdale Beckett Meadows	7709 Beckett Rd.	Austin	1pm - 4pm
Huston-Tillotson University	900 Chicon St.	Austin	10am - 5pm
Brodie Ranch Rehab Center	2010 Frate Barker	Austin	8am - 10am
St. Edwards University	3001 South Congress	Austin	12noon - 2pm
Southwest Key Program	6002 Jain Ln	Austin	4pm - 6pm

THURSDAY, NOVEMBER 2 (*Jueves, 2 de noviembre*)

Ben Hur Shrine Center	7811 Rockwood Lane	Austin	8am - 6pm
Lake Travis Middle School	4932 Bee Creek Road	Spicewood	8am - 6pm
Austin City Hall	301 W. 2nd St.	Austin	7am - 7pm
Randalls So. Mopac	6600 S. MoPac Expy	Austin	8am - 6pm

FRIDAY, NOVEMBER 3 (*Viernes, 3 de noviembre*)

Ben Hur Shrine Center	7811 Rockwood Lane	Austin	8am - 6pm
Lake Travis High School	3324 Ranch Road 620 South	Austin	7am - 7pm
Austin City Hall	301 W. 2nd St.	Austin	7am - 7pm
Randalls So. Mopac	6600 S. MoPac Expy	Austin	8am - 6pm