



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 5, 2019
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. **Public Hearing - A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - PUBLIC HEARING BRICKSTON SPA.PDF](#)
[RESOBRICKSTONSPA1019.PDF](#)
[BRICKSTON - STRATEGIC PARTNERSHIP AGREEMENT1019.PDF](#)

2. **Public Hearing - An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas, To Wit: 68.992 Acres Of Land, Lying In And Being Situated Out Of The Henry Martin Survey, Abstract 518 In Travis County, Texas And Being Fully Described In Exhibit "A", Attached Hereto; Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

3. **Public Hearing - 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 Rezone As R-3 Single Family, Two Family, And Industrialized Housing District, The Property Being Approximately 68.992 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

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. PRESENTATION

1. **Employee Of The Fourth Quarter 2019**

The Employee Recognition Committee requests nominations for Employee of the Quarter from the City of Elgin employees four times a year. An Employee of the Year is nominated from the four Employee of the Quarter recipients and awarded at the city Christmas party. The Employee of the Quarter receives one day of leave with pay or \$100 to be included in payroll less payroll taxes, recognition at a City Council meeting, recognition in the Elgin Courier, and a certificate.

Documents:

[EXECUTIVE SUMMARY EQQ 4TH 2019.PDF](#)
[CONGRATS LETTER EQQ 4TH 2019 RODNEY JARMON.PDF](#)

VIII. CITY MANAGERS REPORT

1. **Discussion And Possible Direction To Staff Regarding The Highway Marker Currently Located Within The Texas Department Of Transportation (TxDOT) Right-Of-Way At The Intersection Of Main Street And Taylor Road**

Documents:

EX SUMMARY - HIGHWAY MARKER.PDF
TXDOT MARKER_ELGIN CHAPTER MINUTES 1937.PDF
TXDOT MARKER_ELGIN CLIPPING.PDF
TXDOT MARKER_ELGIN GRANITE MARKER.PDF
TXDOT MARKER_ELGIN CHAPTER ARTICLE.PDF
TXDOT MARKER_FACTS ABOUT WILLIAM OWENS CHAPTER IN ELGIN TEXAS.PDF
TXDOT MARKER_JD HIGHWAY MARKER NEWS CLIPPING 2.PDF
MARTHAHERZOG HIGHWAY MARKER1119.PDF
JWHITE LETTER102919.PDF

2. Update On The City Of Elgin Police Department/Code Enforcement Junk Vehicle Initiative

Documents:

EXSUMMARY - JUNK VEHICLES UPDATE.PDF

3. Quarterly Financial Report – Fourth Quarter 2018-19

Documents:

EXEC SUMMARY4Q INVEST REPORT.PDF
4TH QUARTER INVESTMENT REPORT 9-30-2019.PDF

4. Departmental Monthly Reports - September

Documents:

EXSUMMARY COVER SHEET DEPARTMENTAL REPORTS.PDF
MONTHLY REPORTS (LEGAL).PDF
MONTHLY REPORT - SEPT 2019 PLANNING.PDF
MONTHLY REPORT SEPT 2019 COMMUNITY SERVICE DEPT.PDF
MONTHLY REPORT SEPT. 2019 DEPARTMENT OF PUBLIC SAFETY.PDF
MONTHLY REPORT SEPT. 2019 DEPT OF PUBLIC WORKS.PDF

5. Review And Discussion Of City Council Meeting Schedule

Documents:

EXSUMMARY - MEETING SCHEDULE.PDF

6. General Activity Report And/Or Project Update

Documents:

EXSUMMARY - GENERAL ACTIVITY REPORT.PDF

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. Consideration Of A Request By The Elgin Volunteer Fire Department For Street Closures In Support Of The Annual Elgin Lighted Christmas Parade

Documents:

EXECUTIVE SUMMARY EVFD LIGHTED PARADE STREET CLOSURES.PDF
VFD CHRISTMAS PARADE REQUEST PACKET.PDF

2. Consideration Of A Request By The Elgin Volunteer Fire Department To Waive Fees Associated With The Annual Elgin Lighted Christmas Parade

Documents:

EXECUTIVE SUMMARY EVFD LIGHTED PARADE FEE WAIVER REQUEST.PDF
EVFD CHRISTMAS PARADE DECEMBER 7TH 2019.PDF

3. City Council Regular Meeting Minutes - October 15, 2019

Documents:

EXSUMMARY SHEET MINUTES.PDF
CITY COUNCIL MINUTES 10-15-19.PDF

X. NEW BUSINESS

1. An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas, To Wit: 68.992 Acres Of Land, Lying In And Being Situated Out Of The Henry Martin Survey, Abstract 518 In Travis County, Texas And Being Fully Described In Exhibit "A", Attached Hereto; Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Documents:

COUNCIL COVERSHEET.PDF
ANNEXATION PACKET.PDF

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 Rezone As R-3 Single Family, Two Family, And Industrialized Housing District, The Property Being Approximately 68.992 Acres Of Land And Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[COUNCIL COVERSHEET.PDF](#)
[PACKET FOR REZONING.PDF](#)

3. **An Ordinance Assigning Newly Annexed Property To City Council Ward Area No. 3; Providing For A Severability Clause And Providing An Effective Date; Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[COUNCIL COVERSHEET.PDF](#)
[WARD ASSIGNMENT ORDINANCE.PDF](#)
[EXHIBIT A OF ORDINANCE.PDF](#)

4. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, PROVIDING SUPPORT AND COMMENTS FOR EXTENDING US HIGHWAY 290 EAST TOLLWAY – PHASE IV; AND RECOGNIZING THE RECENT POPULATION INCREASES IN THE AREA, THE NUMBER OF MOTORISTS NOW UTILIZING US HIGHWAY 290 EAST AND THE EFFECTS ON LOCAL TRAFFIC AND CITIZENS OF THE CITY; AND PROVIDING FOR RELATED MATTERS**

Documents:

[EX SUMMARY - US290 TOLL ROAD EXTENSION.PDF](#)
[KW LETTER TO CITY OF ELGIN MAYOR AND COUNCIL.PDF](#)
[RESTOLL RD SUPPORT1119.PDF](#)

5. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - BRICKSTON SPA.PDF](#)
[RESOBRICKSTONSPA1019.PDF](#)
[BRICKSTON - STRATEGIC PARTNERSHIP AGREEMENT1019.PDF](#)

6. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES ENGINEERS TO UPDATE THE CITY'S GIS WEBMAP FOR THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT AND THE UTILITIES AND STREET DIVISIONS OF THE PUBLIC WORKS DEPARTMENT AND MAKING CERTAIN FINDINGS RELATED THERETO.**

Documents:

[EXSUMMARY TRC UPDATE GIS WEBMAP 11-5-19_.PDF](#)
[RESOTRCWEBMAP UPDATE.PDF](#)
[ELGIN - WEBMAP UPDATE PROPOSAL.PDF](#)

7. **A RESOLUTION TO ADOPT A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS NOVEMBER 5, 2019**

Documents:

[EXSUMMARY RENEWAL OF INVESTMENT POLICY 10-1-2018.PDF](#)
[RESOLUTION NO. - INVESTMENT POLICY ADOPTION 11-05-2019.PDF](#)
[INVESTMENT POLICY 2019-20 11-5-2019.PDF](#)

8. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING AND APPROVING THE ELGIN PUBLIC SAFETY ADVISORY COMMITTEE AMENDED BYLAWS AND STRATEGIC PLAN 2019-20; AND REPEALING RESOLUTION NO. 2004-10-05-16.**

Documents:

[EXSUMMARY COVER SHEET PSCA BYLAW CHANGE.PDF](#)
[PSAC RESOLUTION AND BYLAWS.PDF](#)

9. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS**

Documents:

[EXSUMMARY - BCAD BOARD.PDF](#)
[RESBCADBOARD1119.PDF](#)

XI. EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting at any time during the meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.

XII. RECONVENE

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

XIII. ANNOUNCEMENTS

XIV. ADJOURNMENT

XV. APPEAL HEARING

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512)229-3222. 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 Friday, November 1, 2019, in accordance with Chapter 551 of the Texas Government Code.

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing - A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Council

PROPOSED ACTION:

No Council action related to this specific agenda item; This item is to allow for public comments on a proposed Resolution authorizing a Strategic Partnership Agreement (SPA) with the Brickston Municipal Utility District

BACKGROUND:

Discussed at previous meetings; Texas Bridle Trails (“TBT”) intends to develop 650 +/- acres of land within City’s ETJ as "Brickston", a master-planned, mixed-use community with park and recreational facilities to serve the community. Brickston will include commercial sites; as well as land sites for public safety and public-school facilities.

The Council previously approved a Development and Consent Agreement, that is binding upon TBT and the associated Brickston MUD. Said Agreement included a commitment on the part of the City to consent to the creation of the MUD in exchange for various commitments made by the developers.

As part of said agreement, the developers also agreed to somewhat of an “annexation” of that area of the MUD that is planned for commercial development, strictly to allow the City to collect sales tax revenues generated by whatever future businesses locate there. This SPA only involves the collection of sales taxes; and said property will not be otherwise located within the City of Elgin nor fall under the City’s jurisdiction – nor will the City provide any services to said property (other than that specially delineated within the Development and Consent Agreement).

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: N/A

ATTACHMENTS: (a) Resolution, (b) Strategic Partnership Agreement

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING
A STRATEGIC PARTNERSHIP AGREEMENT WITH THE
BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING
CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City Council has approved and authorized a Development and Consent Agreement with Texas Bridle Trails LLC and Brickston Municipal Utility District (MUD) to construct a master-planned, mixed-use residential project that will also include commercial uses, parks, and recreational facilities to serve the community; and,

WHEREAS, the Texas Local Government Code, Section 43.0751 authorizes the City and certain utility districts, such as the Brickston MUD, to negotiate and enter into a strategic partnership agreement by mutual consent; and,

WHEREAS, the proposed Strategic Partnership Agreement provides for the annexation by the City, for limited purposes, of certain tracts of land in the District that have been designated for commercial purposes, with the current approximate location of such tracts being identified in Exhibit "A", attached hereto and made a part hereof; and,

WHEREAS, the Mayor and City Council have found and determined that the proposed Strategic Partnership Agreement with the Brickston Municipal Utility District will further the public interest and welfare.

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

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

Section 2. Authorization. The Mayor is hereby authorized to execute the *Strategic Partnership Agreement between the City of Elgin, Texas and the Brickston Municipal Utility District*, a copy of said agreement being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

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

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

PASSED AND ADOPTED this ____ day of _____, 2019.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary

**STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF ELGIN, TEXAS,
AND BRICKSTON MUNICIPAL UTILITY DISTRICT**

**THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §**

This **STRATEGIC PARTNERSHIP AGREEMENT** (“Agreement”) is entered into as of the Effective Date between the **CITY OF ELGIN, TEXAS**, a home-rule principally situated in Bastrop County, Texas, acting by and through its duly authorized City Manager (the “City”), and **BRICKSTON MUNICIPAL UTILITY DISTRICT** (the “District”), acting by and through its duly authorized Board of Directors, both acting under the authority of Section 43.0751 of the Texas Local Government Code (the “Act”).

RECITALS

1. Section 43.0751 of the Act authorizes the City and certain utility districts, such as the Districts\, to negotiate and enter into a strategic partnership agreement by mutual consent.

2. The District is authorized to contract with the City pursuant to authority granted under Section 49.213 of the Water Code.

3. This Agreement provides for the annexation by the City, for limited purposes, of certain tracts of land in the District that have been designated for commercial purposes. The current approximate location of such tracts is identified in Exhibit “A”, attached hereto and made a part hereof (the “Tracts”), but is subject to change.

4. As required by the Act, the City held public hearings on _____ at _____ and _____ at _____, and the District held public hearings on _____ at _____ and _____ at _____, at which members of the public were given the opportunity to present testimony or evidence regarding the proposed Agreement, and the City and the District made copies of the proposed Agreement available, and gave notice of the hearings prior to the public hearings in accordance with the terms of the Act and the Texas Open Meetings Act.

5. The District has, by formal action after the public hearings, adopted this Agreement on _____, in open session at a meeting held in accordance with the Texas Open Meetings Act.

6. The City has, by formal action after the public hearings and after adoption by the District, adopted this Agreement on _____, in open session at a meeting held in accordance with the Texas Open Meetings Act.

7. The City and the District wish to enter into a strategic partnership agreement to provide the terms under which the District will continue to exist for an extended period of time after the Tracts are annexed for limited purposes. The District further agrees to authorize the City to impose a Sales and Use Tax on the area within the Tracts in exchange for the service provided under the Agreement.

8. All procedural requirements imposed by state law for adoption of this Agreement have been met.

9. Pursuant to Section 43.0751(c) of the Local Government Code, this Agreement shall become effective on _____ (the "Effective Date"), the date of adoption of this Agreement by the City. Upon adoption, this Agreement shall be filed by the District in the real property records of Travis County, Texas.

THE PARTIES AGREE AS FOLLOWS:

ARTICLE I

FINDINGS

The City and the District find and declare:

1. The Act authorizes the City and the District to enter into a strategic partnership agreement to provide the terms under which services will be provided by the District to the City and by the City to the District and under which the District will continue to exist for an extended period of time after the Tracts are annexed for limited purposes. The Act also authorizes the Districts to give permission to the City to impose a Sales and Use Tax on the area within the Tracts.

2. This Agreement does not require the District to provide revenue to the City solely for the purpose of an agreement with the City to forgo annexation of the District;

3. This Agreement provides benefits to both the City and the District, including revenue, services, or regulations, which are reasonable and equitable with regard to the benefits provided to the other party.

4. All the terms contained in this Agreement are lawful and appropriate to provide for the provision of municipal services; and

5. The City and the District negotiated this Agreement by mutual consent; the terms of which are not a result of the City's Annexation Plan or any arbitration between the City and the District.

ARTICLE II

DEFINITIONS

Unless the context requires otherwise, and in addition to the terms defined above, the following terms used in this Agreement will have the meanings set out below:

“Act” means Texas Local Government Code §43.0751 and any amendments thereto.

“Agreement” means this strategic partnership agreement between the City and the District.

“Board” means the Board of Directors of the District.

“City” means the City of Elgin, Texas, a home-rule city principally situated in Bastrop County, Texas.

“City Charter” means the Charter of the City and any amendments thereto.

“City Code” means the Code of Ordinances of the City and any amendments thereto.

“City Council” means the City Council of the City or any successor governing body.

“City Manager” means the City Manager of the City or his or her successor or designee.

“District” means the Brickston Municipal Utility District of the State of Texas, operating pursuant to Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution; Chapters 49 and 54 of the Water Code; and Chapter ____, Texas Special District Local Laws Code.

“Effective Date” means the date the City adopts this Agreement.

“ETJ” means the extraterritorial jurisdiction of the City.

“Government Code” means the Texas Government Code and any amendments thereto.

“Implementation Date” means the date the limited-purpose annexation ordinance is passed by the City Council, pursuant to Section 3.01 of this Agreement.

“Local Government Code” means the Texas Local Government Code and any amendments thereto.

“Party” or “Parties” means a party or the parties to this Agreement, being the City and the Districts.

“Property” means all the lands included within the boundaries of the District, now or in the future by way of addition of land in conformance with Chapters 49 and/or 54 of the Water

Code, which Property is currently reflected in Exhibit “B”, attached hereto and made a part hereof.

“Reimbursable Costs” shall mean maintenance and operating advances made by a developer within the District for authorized expenditures of the District pursuant to a reimbursement agreement between a developer and the District.

“Sales and Use Tax” means the sales and use tax authorized to be imposed within the Tracts by both the Act and Chapter 321 of the Tax Code.

“Tax Code” means the Texas Tax Code and any amendments thereto.

“Tracts” mean the tracts of land described in Exhibit “A” to this Agreement.

“Water Code” means the Texas Water Code and any amendments thereto.

ARTICLE III

LIMITED PURPOSE ANNEXATION

Section 3.01 Generally

As soon as is practicable following the approval of this Agreement by the City, as authorized by the Act, the City shall annex the Tracts for limited purposes only. The Parties acknowledge that the provisions of Subsection 43.0751(f)(2) may apply to the limited-purpose annexation. As such, the City acknowledges and agrees that it does not and shall not require services, permits, or inspections, or impose fees for services, permits, or inspections, within the District, except to such extent as the Parties have agreed to such services, permits, or inspections by formal written agreement. It is acknowledged and agreed that by separate written agreement entitled Wastewater Services Agreement, the City has agreed to provide the District with wastewater services. The provision of wastewater services pursuant to the Wastewater Services Agreement shall not preclude the limited-purpose annexation of the Tracts, as provided for in Subsection 43.0751(f)(2)(B) of the Act.

Section 3.02 Property Taxes and District Liability for Debts of the City

During the term of this Agreement, except as provided in Article V: (i) neither the Districts nor any owners of taxable property within the Districts are liable for any present or future debts of the City, and (ii) current and future ad valorem taxes levied by the City will not be levied on taxable property within the Districts.

Section 3.03 Powers and Functions Retained by the Districts

The Districts are authorized to exercise all of their powers and functions provided by existing law or any amendments or additions thereto. The Districts’ assets, liabilities, indebtedness, and obligations will remain the responsibility of the Districts.

ARTICLE IV

VOTING RIGHTS IN THE DISTRICT

Section 4.01 Generally

Upon annexation of the Tracts for limited purposes by the City, any qualified voters within the Tracts may vote in City elections, pursuant to Local Government Code §43.130. Voting rights are subject to all state and federal laws and regulations.

Section 4.02 Notice

The City will comply with all the notice requirements as set forth in §43.130 of the Local Government Code, as it now exists or is hereafter amended.

ARTICLE V

SERVICES PROVIDED BY THE DISTRICT

Section 5.01 Water, Wastewater, Roadway, and Drainage Services

The District shall develop, operate and maintain a water, wastewater, roadway and drainage systems within the Tracts. The Districts agree to operate and maintain water, wastewater, roadway, and drainage service at the same level as the District operates and maintains them elsewhere within the Property. The City may periodically inspect the District's water, wastewater, roadway and drainage facilities located within the Tracts.

ARTICLE VI

FULL-PURPOSE ANNEXATION

Section 6.01 No Full-Purpose Annexation during Term of Agreement

The City agrees that it will not annex all or part of the District or commence any action to annex all or part of the District for full purposes during the term of this Agreement.

Section 6.02 No Full-Purpose Annexation Prior to Reimbursement

The City agrees that it will not annex all or part of the District or commence any action to annex all or part of the District for full purposes until: (i) the developer of lands within the District has been reimbursed by the District for the water, wastewater, roadway and drainage facilities and all related costs in accordance with the rules of the Texas Commission of Environmental Quality and/or any other laws of the State of Texas, or (ii) the City has expressly

assumed the obligation to reimburse such developer for all costs of the water, wastewater, roadway and drainage facilities and all related costs.

Section 6.03 Full Purpose Annexation Option Upon Termination of Agreement

On the ____ (__) anniversary date of the Effective Date, the City Manager shall evaluate whether the City should negotiate a new strategic partnership agreement with the District, annex the District for full purposes upon the termination of this Agreement, or allow this Agreement to expire. Within six (6) months of the ____ (__) anniversary date of the Effective Date, the City Manager shall make a recommendation to the City Council regarding the negotiation of a new strategic partnership agreement, the full-purpose annexation of the District or the expiration of this Agreement. If the City Manager recommends that the City negotiate a new strategic partnership agreement or annex the District and the City Council approves the recommendation, the City shall begin proceedings to enter into a new strategic partnership agreement or to annex the District for full purposes at the end of the term of this Agreement, as applicable. Nothing in this Agreement shall be construed as consent or any limitation of the rights of the District, including any applicable right to an election on the matter of the annexation of the Property, if the City Council decides to pursue full purpose annexation of the District at the termination of this Agreement. Notwithstanding anything herein to the contrary, nothing in this Section 6.03 shall allow the City to annex all or any part of the District for full purposes unless the conditions in Section 6.02 have been met.

ARTICLE VII

MATERIAL BREACH, NOTICE AND REMEDIES

Section 7.01 Material Breach of Agreement

A. It is the intention of the Parties to this Agreement that the District and the City be regulated in accordance with the terms of this Agreement. A material breach of this Agreement by the District includes any one or more of the following:

1. Failure of the District to act in good faith in the annexation of the Tracts by the City for limited purposes as authorized by this Agreement;
2. Failure of the District to develop and to operate and maintain the District's water, wastewater, roadway, and drainage facilities as provided in Article V of this Agreement; or
3. Failure of the District to maintain the commercial nature of the property within the Tracts, including allowing the construction of primarily residential units of any kind; provided, however, that should the nature of the use of the Tract changed, they may be excluded from the definition of "Tract" by amendment to this Agreement.

B. A material breach of this Agreement by the City includes any attempt by the City to annex the District for full purposes during the term of this Agreement or when the provisions of Section 6.02 hereof have not been met.

If a Party to this Agreement believes that another Party has, by act or omission, committed a material breach of this Agreement, the provisions of this Article shall govern the remedies for breach of this Agreement.

Section 7.02 Notice of Districts' Default

A. The City shall notify the District in writing of an alleged failure by the District to comply with a provision of this Agreement, specifying any alleged failure by the District to comply with a provision of this Agreement and describing the alleged failure with reasonable particularity. The District shall, within thirty (30) days after receipt of the notice or a longer period of time as the City may specify in the notice, either cure the alleged failure or, in a written response to the City, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.

B. The City shall determine (i) whether a failure to comply with a provision occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by the District. The District shall make available to the City, if requested, any records, documents or other information necessary to make the determination.

C. If the City determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to the City, or that the failure is excusable, the determination shall conclude the investigation.

D. If the City determines that a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by the District in a manner and in accordance with a schedule reasonably satisfactory to the City, then the City may exercise the applicable remedy under Section 7.04(A).

Section 7.03 Notice of City's Default

A. The District shall notify the City Manager in writing, specifying any alleged failure by the City to comply with a provision of this Agreement and describing the alleged failure with reasonable particularity. The City shall, within thirty (30) days after receipt of the notice or a longer period of time as the District may specify in the notice, either cure the alleged failure or, in a written response to the District, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.

B. The District shall determine (i) whether a failure to comply with a provision occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by the City. The City shall make available to the District if requested, any records, documents or other information necessary to make the determination.

C. If the District determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to the District, or that the failure is excusable, the determination shall conclude the investigation.

D. If the District determines that a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by the City in a manner and in accordance with a schedule reasonably satisfactory to the District, then the District may exercise the applicable remedy under Section 7.04(B).

Section 7.04 Remedies

A. If the City determines that the District has committed a material breach of this Agreement, the City may file suit in a court of competent jurisdiction in Bastrop County, Texas, and seek any relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act and termination of this Agreement in addition to the monetary awards as may be appropriate.

B. If the District determines that the City has committed a material breach of this Agreement, the Districts may file suit in a court of competent jurisdiction in Bastrop County, Texas, and seek any relief available at law or in equity, including, but not limited to, specific performance of the City's obligations hereunder, an action under the Uniform Declaratory Judgment Act and termination of this Agreement in addition to the monetary awards as may be appropriate.

ARTICLE VIII

BINDING AGREEMENT, TERM, AND AMENDMENT

Section 8.01 Beneficiaries

This Agreement binds and inures to the benefit of the Parties, their successors and assigns. The District shall record this Agreement with the County Clerk in the Official Records of Bastrop County, Texas.

Section 8.02 Term

This Agreement commences and binds the Parties on the Effective Date and continues for ___ (___) years from the Effective Date, subject to renewal as agreed to by the Parties hereto.

Section 8.03 Amendment

The Parties, by mutual consent, may amend the terms of this Agreement at any time by writing signed by both Parties hereto.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 9.01 Notice

Any formal notices or other communications (“Notice”) required to be given by one Party to another by this Agreement shall be given in writing addressed to the Party to be notified at the address set forth below for the Party, (i) by delivering the Notice in person, (ii) by depositing the Notice in the United States Mail, certified or registered, return receipt requested, postage prepaid, addressed to the Party to be notified, (iii) by depositing the Notice with FedEx or another nationally recognized courier service guaranteeing “a next day delivery,” addressed to the Party to be notified, or (iv) by sending the Notice by electronic means with confirming copy sent by mail. Notice deposited in the United States mail in the manner herein above described shall be deemed effective from and after the date of such deposit. Notice given in any other manner shall be effective only if and when received by the Party to be notified. For the purposes of Notice, the addresses of the Parties, until changed as provided below, shall be as follows:

All Notices required or permitted under this Agreement shall be in writing and shall be served on the Parties at the following address:

CITY:	City of Elgin PO Box 591 Elgin, Texas 78621 Attn: City Manager
With Required Copy to:	Charlie Crossfield Sheets & Crossfield 309 E. Main Street Elgin, Texas 78664-5264
DISTRICT:	Winstead PC Attn: Ross Martin 2728 N. Harwood St., Ste. 500 Dallas, Texas 75201

The Parties may from time to time change their respective addresses, and each may specify as its address any other address within the United States of America by giving at least five (5) days written notice to the other Party. If any date or any period provided in this Agreement ends on a Saturday, Sunday, or legal holiday, the applicable period for calculating the notice shall be extended to the first business day following the Saturday, Sunday or legal holiday.

Section 9.02 Time

Time is of the essence in all things pertaining to the performance of this Agreement.

Section 9.03 Severability

If any part of this Agreement is found to be unenforceable, all other parts remain enforceable unless the result materially prejudices either party.

Section 9.04 Waiver

Any failure by a Party to insist upon strict performance by the other Party of any material provision of the Agreement shall not be deemed a waiver thereof or of any other provision hereof, and the Party shall have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this Agreement.

Section 9.05 Applicable Law and Venue

The construction and validity of this Agreement shall be governed by the laws of the State of Texas without regard to conflicts of law principles. Venue shall be in Bastrop County, Texas.

Section 9.06 Reservation of Rights

To the extent not inconsistent with this Agreement, each Party reserves all rights, privileges, and immunities under applicable laws.

Section 9.07 Further Documents

The Parties agree that at any time after execution of this Agreement, they will, upon request of the other Party, execute and deliver the further documents and do the further acts and things as the other Party may reasonably request in order to effectuate the terms of this Agreement.

Section 9.08 Incorporation of Exhibits and Other Documents by Reference

All Exhibits and other documents attached to or referred to in this Agreement are incorporated into this Agreement by reference for the purposes set forth in this Agreement.

Section 9.09 Effect of State and Federal Laws

Notwithstanding any other provision of this Agreement, the City and District shall comply with all applicable statutes or regulations of the United States and the State of Texas in each Party's fulfillment of its obligations under this Agreement.

Section 9.10 Authority for Execution

The City certifies, represents, and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the City Charter and City Ordinances. The District certify, represent, and warrant that the execution of this Agreement is duly authorized and adopted by its Board.

SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be an original, as of the date of last execution.

CITY OF ELGIN, TEXAS

By: _____
City Manager

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on _____, 2019, by _____, _____ of the City of Elgin, Texas, a home-rule city on behalf of said City.

Notary Public Signature

(Seal)

**BRICKSTON MUNICIPAL UTILITY
DISTRICT**

By: _____
_____, Board of Directors

ATTEST:

By: _____
Secretary, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

 This instrument was acknowledged before me on _____, 2019, by
_____, _____ of the Brickston Municipal Utility District, on behalf
of said District.

Notary Public Signature

(Seal)



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an ordinance annexing adjacent and contiguous territory to the City of Elgin, Texas, to wit: 68.992 acres of land, lying in and being situated out of the Henry Martin Survey, Abstract 518 in Travis County, Texas and being fully described in Exhibit "A", attached hereto; providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Planning and Community Development

PROPOSED ACTION:

No Council action proposed or requested at this time; this item is to allow for public comments on the requested ordinance annexing adjacent and contiguous territory to the City of Elgin, Texas, to wit: 68.992 acres of land, lying in and being situated out of the Henry Martin Survey, Abstract 518 in Travis County, Texas and being fully described in Exhibit "A", attached hereto; providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND:

The Planning & Zoning Commission held the first of two public hearings on the requested voluntary annexation on October 28, 2019. T

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Receive public comments regarding this issue.

ATTACHMENTS:

None

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on 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 rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 68.992 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Planning and Community Development

PROPOSED ACTION:

No Council action proposed or requested at this time; this item is to allow for public comments on the requested 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 rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 68.992 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND:

The Planning & Zoning Commission held the first of two public hearings on the requested rezoning on October 28, 2019.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Receive public comments regarding this issue.

ATTACHMENTS:

None

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Regular Meeting Presentation of Employee of the Fourth Quarter 2019

DEPARTMENT: Library/Employee Recognition Committee

PROPOSED ACTION:

Presentation of Employee of the 4th Quarter to Rodney Jarmon, Parks and Recreation /Facilities Maintenance

BACKGROUND:

Rodney is very helpful. He is very knowledgeable about many things. He works on remodeling, painting, wall repair. He does a good job fixing things that are broke. Rodney volunteers to help with events. He goes all over the City & is nice to everyone. Fills in for John when he is on vacation. takes out trash that is overflowing Rodney did a great job in annex. Very helpful with all repairs @ PD.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Commendations for the employee who is nominated by his peers for being a good public servant.

ATTACHMENTS:

Congratulations letter for Employee of the 4th Quarter

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

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

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

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



October 16, 2019

Dear Rodney Jarmon,

Congratulations! You have been selected as the Employee of the Quarter for the Fourth Quarter of 2019. The Employee Awards Committee selected you for the following reasons:

Rodney is very helpful. He is very knowledgeable about many things. He works on remodeling, painting, wall repair. He does a good job fixing things that are broke. Rodney volunteers to help with events. He goes all over the City & is nice to everyone. Fills in for John when he is on vacation. takes out trash that is overflowing Rodney did a great job in annex. Very helpful with all repairs @ PD.

An Employee Recognition committee member also commented that Rodney went above and beyond with the city Hall Restoration work in Charles's office.

As Employee of the Quarter you may choose one day of paid leave, which needs to be taken within the next thirty days, or \$100 less payroll deductions. Please let your supervisor and Finance Department know if you select the day off or the cash option. Please plan to attend the City Council meeting on Tuesday, November 5, 2019 at 7 pm where Mayor Chris Cannon will present a Certificate of Appreciation to you. Each Employee of the Quarter will be considered for Employee of the Year.

Thank you for your service to the City of Elgin.

Sincerely,

Tom Mattis
City Manager

cc: Laura Schwartz, Assistant to Finance Director
Charles Cunningham, Finance Director

P.O. Box 591

310 North Main

Elgin, Texas 78621

Phone 512.281.5724



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Discussion and possible direction to staff regarding the highway marker currently located within the Texas Department of Transportation (TxDOT) right-of-way at the intersection of Main Street and Taylor Road

DEPARTMENT: N/A

PROPOSED ACTION:

This item has been placed on the agenda for consideration of possible action related to the agenda topic as stated.

BACKGROUND:

Discussed at previous meetings; The Mayor and City Council received certain information regarding the subject matter of this agenda item at the 9/3 Regular Council Meeting. Mayor Cannon has placed this item on the agenda to allow for general review, discussion, and possible action related to the information provided by city staff.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of the highway marker currently located within the Texas Department of Transportation (TxDOT) right-of-way at the intersection of Main Street and Taylor Road, and direction to staff, if any, regarding same

ATTACHMENTS:

Information/correspondence provided by Dorothy Norred, President, Texas Division United Daughters of the Confederacy and Martha Hartzog of Austin

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

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

Forty-First Annual Convention



Texas Division

United Daughters

of the

Confederacy

(Incorporated)

Austin, October 12-14, 1937



MRS. JNO. M. WILCOX,
President

MRS. S. T. DOWDA,
Recording Secretary

Officers—Mrs. A. L. Linecum, President; Mrs. A. H. Day, First Vice President; Mrs. W. T. Bagby, Second Vice-President; Mrs. F. S. Bell, Recording Secretary; Mrs. F. S. Bell, Corresponding Secretary; Mrs. G. W. Clappitt, Treasurer; Miss Zita Carville, Historian; Miss Nannie Carville, Registrar; Miss Nannie Carville, Custodian; Mrs. Z. W. Craig, Recorder of Crosses.

Members visited sick Veteran. Took him fruit and flowers until his death and gave him a military funeral. Donated to the loom for the Indian Reservation of Polk County. All dues paid. Constant care and consideration paid by members to Confederate Veteran Carroll who died in May and was given a military funeral by American Legion, complying with the request of the last survivor of the War Between the States who lived in our town. Reunion evergreen wreath was placed on the casket. A small stone marker bearing his name and the name of the Company in which he served was furnished by the State. A small library is maintained, in which are placed files of the Confederate Veteran and Annals of the Texas Division United Daughters of the Confederacy.

WILLIAM OWENS, NO. 1438, ELGIN

Chartered December 18, 1912

Members at last report, 39; new members, 2; present membership, 41; honorary members, 8; tax paid Division, \$12.30; tax paid General, \$8.20; Curator tax, \$6.15; Texas Museum tax, \$1.00; Texas Room tax, \$1.00; total tax and dues sent Treasurer, \$28.65; total amount paid all funds, \$31.15.

Officers—Mrs. M. L. Rivers, President; Mrs. Paul Farris, First Vice President; Mrs. C. R. Miller, Second Vice-President; Mrs. W. E. Duff, Third Vice-President; Mrs. Jesse Miller, Recording Secretary; Mrs. Edgar Ballard, Corresponding Secretary; Mrs. W. E. Wood, Treasurer; Mrs. Edward Fromme, Historian; Mrs. W. H. Carter, Registrar; Miss Nell Owens, Custodian; Mrs. W. C. Brown, Recorder of Crosses.

Honorary Members—Mrs. Mary Bryan, Mrs. C. C. Cameron, Mrs. E. M. Henderson, Mrs. Pearl Keeble, Mrs. A. J. McClendon, Mrs. C. H. Robinson, Mrs. C. W. Webb, Judge C. W. Webb.

Members—Mrs. E. T. Ballard, Mrs. W. C. Brown, Mrs. E. R. Carter, Mrs. Guy T. Carter, Mrs. R. L. Carter, Mrs. W. H. Carter, Mrs. Buck Christian, Mrs. J. S. Coe, Mrs. Martha Cottingham, Mrs. M. P. Dalton, Mrs. Harry Davis, Mrs. W. E. Duff, Mrs. W. P. Ebarb, Mrs. Bruno Ernst, Mrs. Paul Farris, Mrs. Edward Fromme, Mrs. A. A. George, Miss Lee Gannison, Miss Olive Jackson, Miss Grace Keele, Mrs. R. W. McCreary, Miss Margaret McCullough, Mrs. A. J. Miller, Mrs. C. R. Miller, Mrs. Jesse Miller, Mrs. John Nichols, Mrs. E. R. Outlaw, Miss Nell Owens, Mrs. G. W. Prewitt, Miss Mary Puckett, Miss Nell Puckett, Mrs. T. J. Puckett, Mrs. M. L. Rivers, Miss Otty Robinson, Mrs. J. O. Smith, Mrs. C. D. Speed, Mrs. F. J. Swartz, Mrs. P. K. Webb, Mrs. Faye Whitehead, Mrs. R. L. Williams, Mrs. W. E. Wood.

New Members—Mrs. Lee Gannison, Mrs. George Prewitt (reinstated).

Applications Pending—Mrs. D. J. Fleniken, Mrs. W. A. Smith.

The William Owens Chapter, No. 1438, during the fiscal year of 1937 enrolled three new members and one reinstated member. The retiring President's administration closed with a membership extension of twenty-two. The membership extension was planned to honor the administration of Mrs. C. C. Cameron, our own Libbie Wade. At the first meeting of the year in September, Mrs. James Madison Bass, founder of the Peshing House of New York City and known to World War Veterans as the Universal Mother, addressed the Chapter.

In October a delegation attended the Convention in Brenham. On the evening of the official opening a Service Cross was bestowed by Mrs. C. C. Cameron on our townsman, Earnest Sowell, World War Veteran. During

the Convention the Registrar, Mrs. J. D. Harvey, announced that the William Owens Chapter was the outstanding Chapter of the State, in membership extension, having secured eighteen. In recognition of this work Mrs. Farley announced that Elgin had been selected as the site for a Jefferson Davis Highway Memorial Marker.

In November our Chapter was represented in the Armistice Day parade by four decorated cars carrying twenty Daughters wearing badges attached with a single red rose. A banner with a large Confederate flag headed this section. Also in November we received the news that the Chapter had been awarded the Fannie Williams Kinsome Trophy as a reward for securing the largest number of new members, on the percentage basis, of any Chapter in the National organization.

In December a delegation attended the unveiling ceremony of a Marker erected on the site of the old Arms Factory in Bastrop. In January we celebrated the twenty-fifth year of the organization of our Chapter with a beautifully appointed tea. The history of the Chapter was reviewed and the National trophy was formally presented by the Division Registrar, Mrs. Harvey. Daughters from five neighboring Chapters and a number of State officers, including the Division President, Mrs. Wilcox, were present. A Bradford Rose was planted in January, commemorating the birthdays of Lee and Jackson.

In February a delegation from William Owens Chapter attended a Chapter meeting in Rogers. Four Chapters were represented. Before March 1 dues had been collected 100 per cent and forwarded to the Treasurer, Mrs. Hastings. On April 25 a Memorial Service was held at the First Methodist Church. A Veteran of the Battle of St. Mehiel was the guest speaker. All Confederate graves in the Elgin Cemetery were decorated with flags and flowers. In May the new officers were elected. A historical program was given. Daughters from Jonah, Austin, and Taylor were present. Thirteen Daughters were in attendance at the Convention of the Sixth District in Austin, May 12. During the commencement exercises of the Elgin High School a \$5.00 cash prize was presented to the student writing the best essay on the history of Bastrop County for the period of 1861 to 1865.

On June 2 the new officers were formally installed in a specially prepared installation ceremony. On June 4 the Jefferson Davis Highway Marker was unveiled. Three division officers, Mesdames Wilcox, Farley and Hastings, took part on a beautifully arranged program. Hon. Lon A. Smith was guest speaker. Seventy-five were in attendance. During July and August two new members were secured. All historical programs and business meetings were well attended. Relics have been sought and will be placed in the museum. Donations have been made to the Centennial Headquarters Fund, the Randolph Relief Fund, Stratford maintenance, the Homes Cheer Christmas Fund, and Division Convention Expense Fund.

The care and beautification of the Jefferson Davis Highway Park has been made a permanent project of the Chapter. The aged, the bereaved and lonely have been cheered and comforted with visits, cards, letters and flowers.

ROBERT E. LEE, NO. 1060, EL PASO

Chartered March 13, 1907

Members at last report, 61; deceased members, 2; present membership, 59; honorary members, 2; tax paid Division, \$16.55; tax paid General, \$11.00; Curator tax, \$8.25; Texas Museum tax, \$1.00; Texas Room tax, \$1.00; total tax and dues sent Treasurer, \$36.75; total amount paid all funds, \$7.50.

Officers—Burgula Perkins, 1019 N. Stanton, President; Mrs. Rosalee Bolton, Route 1, Box 62, First Vice-President; Mrs. Frank Coles, 3010 Gold, Second Vice-President; Mrs. Viola Davis Peddola, 1407 Montana, Third Vice-

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Officers—Eugenia Perkins, 1019 N. Stanton, President; Mrs. Rosalie Bolton, Route 1, Box 62, First Vice-President; Mrs. Frank Coles, 3010 Gold, Second Vice-President; Mrs. Wula Davis Petcolas, 1407 Montana, Third Vice-

Leader Visits
Elgin Chapter
For Birthday

By MRS. PAT BURNS

American-Statesman Staff

ELGIN, Feb. 6.—On the occasion of the visit of Mrs. John M. Wilcox of Houston, president of the Texas division, United Daughters of the Confederacy, and the 25th anniversary of its organization, William Owens chapter entertained at the home of Mrs. M. L. Rivers Saturday afternoon of last week with a program and social hour.

The meeting was conducted by the president, Mrs. M. P. Dalton, with Mrs. Ed Fromme, historian, introducing the program and Mrs. Jesse C. Miller reading the opening prayer from the ritual of the organization.

Mrs. C. W. Webb gave a brief history of the U.D.C., general, state and local and reviewed the activities of William Owens chapter over a period of a quarter of a century.

Mrs. J. D. Harvey of Albert Sidney Johnson chapter, Austin, and registrar of the Texas division, formally presented to the chapter a beautiful silver flower bowl won from the general division as an award for having added most names of any chapter to its roll in the year 1936.

Plans for the beautification of the Jefferson Davis highway were outlined by Mrs. Forest Farley of Hutto, twice past president of the Texas division and present chairman of the Highway committee, at which time she expressed appreciation for the outstanding interest of this chapter that had been shown in beautifying the Jefferson Davis park at Elgin. Mrs. John M. Wilcox of Houston spoke on "Service Which the United Daughters of the Confederacy May Render."

At the close of this address Miss Mary Nell Carter, granddaughter of William Owens and chapter mascot, presented Mrs. Wilcox a corsage of violets.

At the close of the program Mrs. Rivers was assisted in the dining room by Mesdames W. E. Wood, J. O. Smith, Tom Puckett, Paul Farley and Misses Nell Owens and Nell Puckett in serving the refreshment plates.

The out-of-town visitors on this occasion were Mesdames M. K. Mayer, Fulbhear, Eva Hill, Kading and W. B. Hanson, Bastrop; H. Berry and R. L. Thomas, Rogers; Mrs. McCutcheon, Taylor; Forest Farley, Hutto; R. L. Williams and Bruno Ernst, McAdair; Joe Wroe, Jamie Harris and J. D. Harvey, Austin.

From Elgin were Mesdames W. P. Ewart, Jesse C. Miller, Cecil Miller, G. M. McNeilly, Paul Farley, Ed Fromme, T. J. Puckett, W. E. Wood, R. L. Carter, Guy Carter, W. H. Carter, W. C. Brown, W. E. Duff, W. B. Rivers, Jr., L. P. Cherry, John Thomas, Harry Davis, M. P. Dalton, Edgar Ballard, M. L. Rivers, Jr., M. L. Rivers, Sr., J. O. Smith, C. W. Webb, A. A. George, R. W. McCreery, Misses Nell Owens, Nell Puckett, Grace Nell and Mary Nell Carter.

U.D.C. chapters represented were Albert Sidney Johnson, Austin; Joseph D. Sayers, Rogers; T. C. Cain, Bastrop; Lloyd Woodal, Taylor; Jefferson Davis, Houston and William Owens, Elgin.

Clipped By:



khillman
Sun, Sep 15, 2019

Elgin To Unveil Granite Marker

Special to The Austin American

ELGIN, June 3.—A granite marker will be formally unveiled and dedicated by the United Daughters of the Confederacy in the triangular park on the Jefferson Davis highway in North Elgin Friday. The marker will be presented by Mrs. Forest H. Farley, chairman of the Jefferson Davis highway committee.

Representatives will be invited and many state officers will be present including the division president, Mrs. J. M. Wilcox of Houston.

Clipped By:



khillman

Sat, Sep 14, 2019

Cavalcade Is Voted Top By Elgin Women

By MRS. PAT BURNS

ELGIN, Nov. 14.—Wednesday afternoon Mesdames M. P. Dalton, Ed Fromme and W. H. Carter were hostesses to the Williams Owen chapter, U. D. C., at the home of Mrs. Dalton.

Roll call was answered by members who attended the Centennial by telling what impressed them most. Cavalcade proved the most popular. Mrs. Dalton, president, outlined plans and objectives for the year.

Because of outstanding accomplishments of this chapter, the Jefferson Davis highway commission will place a marker in Elgin at the Jefferson Davis park. This marker will be the only one of its kind in this part of the state, and will be unveiled in early summer with the president of the Jefferson Davis highway commission, Mrs. Forest Farley, presiding.

Those present were Mesdames Bruno Ernst and R. L. Williams of McDade, L. P. Cherry, T. J. Puckett, Ed Outlaw, Cecil Miller, G. M. McNeilly, R. W. McCreery, W. C. Brown, Ernest Sowell, John Sowell, Paul Farris, Leon Rivers, W. H. Condrum, W. E. Wood, R. L. Carter, George Prewitt, Pearl Keeble, Robert Johnson, H. B. Everett, Guy Carter, Misses Otne Robinson, Nell Puckett, Nell Owens, Mary Nell Carter, and the hostess.

Clipped By:



khillman

Sat, Sep 14, 2019

Facts about William Owens Chapter in Elgin Texas.

The Chapter was named for William Owens, a Confederate Veteran who lived in Elgin and is buried in the Elgin City Cemetery. Wife of William Owens, Mary Carter, was born in Bastrop County and is buried in Elgin City Cemetery.

Janie Owens, daughter of William Owens, was born in 1884 in Elgin and is buried in Elgin City Cemetery. She married Robert Lee Carter, born in Elgin in 1880 and is buried in Elgin City Cemetery.

Mary Nell Carter, daughter of Janie Owens and Robert Lee Carter was born in Elgin and is buried in Elgin City Cemetery in 2013. She was a member of the William Owens Chapter of the UDC. Her husband Benjamin Franklin Chapman died in 2006 and is buried in Elgin city Cemetery.

Jeff Davis Markers To Be Placed Here

Mrs. Farley Tells Plans Of National Association

Distinctive markers will be placed along the new Jefferson Davis National highway from Austin to Houston and from Austin to San Antonio in this territory, it was announced Saturday by Mrs. Forrest H. Farley, Texas director of the Jefferson Davis National Highway commission.

The markers are to be placed along the highway by the United Daughters of the Confederacy under the direction of the state highway department, Mrs. Farley said. This announcement was made following the approval of the state highway commission that the road between Houston and Austin should be added to the Jefferson Davis National highway, providing a direct route from Houston to San Antonio via Austin over the same highway.

Want Large Marker Here

Efforts will be made to have a large granite marker placed on the Colorado river here in Austin, Mrs. Farley added. Similar granite markers will be placed at Orange, Houston, San Antonio and El Paso. The coast route from Houston to San Antonio via Corpus Christi and Brownsville will be marked with small granite markers at places of historic interest to Texas and the Confederacy through the efforts of the United Daughters of the Confederacy.

Booklet Prepared

The Jefferson Davis National highway enters Texas at Orange, comes through Houston, thence over highway to Hempstead, thence over highway No. 20 to Brenham, Giddings and Austin, thence over highway No. 2, Austin to San Antonio, and over highway No. 3, San Antonio to El Paso. The secondary or coast route of this great highway is from Houston via Beeville, Goliad, Corpus Christi, Brownsville, Kingsville, back to San Antonio, where it joins the main route and connects with the route to El Paso.

Mrs. Farley stated she is ready to distribute an attractive folder describing the Jefferson Davis National highway and which contains a log of the route of more than 900 miles across Texas. This folder was compiled by Mrs. John L. Woodbury of Louisville, Ky., chairman of the Jefferson Davis National highway commission. The booklet is filled with information of general and historic interest and numerous views illustrate the folder.

Among the Texas scenes shown are the state capitol at Austin, the Confederate monument at Houston and the Alamo at San Antonio.

Bastrop High Graduate Wins Kidd-Key Honors

Special to Sunday American-Statesman

BASTROP, March 22—Miss Annie Higgins Trigg, daughter of Mr. and Mrs. R. M. Trigg of Bastrop, and a student of Kidd-Key college of Sherman, has been chosen as one of the honor students of that institution, and has also been selected along with other students of the college to participate in the annual spelling contest to be staged with Austin college in the near future. Miss Trigg was a member of the 1929 senior class of the Bastrop high school and was valedictorian of the class.

Diphtheria Campaign

Special to Sunday American-Statesman

FREDERICKSBURG, March 22.—A third group of 941 children, between the ages of 1 and 12, were vaccinated here this week in the county-wide diphtheria immunization campaign sponsored by Fredericksburg Lion's club, St. Mary's school auxiliary and the public school auxiliary. These children represent 36 of the county's 42 rural schools and their vaccination brought the total of treatments given to more than 1500. All local doctors and nurses are donating their professional services to the three clubs so that every child in the county may be immunized at the bare cost of the injection fluid.

Clipped By:



khillman

Thu, Oct 11, 2018

Martha Hartzog
605 Pecan Grove Road
Austin, Texas 78704

October 28, 2019

Tom Mattis
City Manager of Elgin, Texas
P.O. Box 591
Elgin, TX 78621

Dear Mr. Mattis:

I am writing in regard to the issue of retaining the Jefferson Davis Highway Marker in downtown Elgin. I am in favor of leaving this small marker in place. It represents a period in American history before there was an interstate highway system and organizations were requested by the United States Congress to mark roadways. The Jefferson Davis Highway and the markers along it were the response of one such organization and in Texas its creation was approved by the Texas Highway Department. Its creator, the Texas Division, United Daughters of the Confederacy, still retains ownership of the marker.

Elgin, along with virtually all Texas towns of the 19th century, has deep roots with the Confederate States of America. The city of Elgin was named after Robert Elgin, a man who served as State Land Commissioner in Austin during 1861-1865, the Civil War era. Following the war, he worked with the railroad, and in the capacity of Land Commissioner for the Houston and Texas Central Railway, helped lay out the city of Elgin. Furthermore, the town's namesake was a pillar of the community, serving faithfully in the Episcopal Church and as a Mason.

Following the Civil War, which devastated families, north and south, rich and poor, the veterans of that tragic conflict were active in Elgin, just as they were throughout Texas. The United Daughters of the Confederacy seeks to preserve the history of this period as well as the history of its members' ancestors. Today, the organization is extremely active in local communities. It is especially faithful in providing assistance to both serving military and to veterans. Last year alone, for example, 476 pounds of supplies were mailed to the U.S. Military at a cost of \$10,964.00; a total of 120,645 hours were volunteered supporting active duty/veterans' events/services; finally, 9 Crosses of Military Service, 16 Pioneers in Space, 1 Meritorious Service and 5 National Defense medals were presented.

It is important as a nation that we honor all of our ancestors, in whatever roles they have taken in the great flow of history. To tear down our collective pride in being Americans and inheritors of Judeo-Christian values will have a tragic end. I am a member of numerous historical and heritage organizations, spanning an over 300-year period, beginning with the history of Scotland, continuing through the Colonial period of American history and culminating in the Civil War. Everyone's ancestors took various roles in our collective history and everyone's ancestors should be remembered and cherished.

Please consider retaining this small highway marker.

Sincerely,



Martha Hartzog
605 Pecan Grove Road
Austin, Texas 78704

October 29, 2019

Tom Mattis

Dear Sir:

The Jefferson Davis Highway Marker located at Main and Taylor Road (known as Jefferson Davis Park) has sat quietly often unnoticed since 1937. History is documented and unchanged. Yet some would seem to want to change appearances of history by removing such markers.

The marker was placed by William Owens Chapter UDC. The chapter was named to honor longtime Elgin resident William Owens, a Confederate veteran. Owens, his wife Mary Carter, and their families made Elgin their lifetime home. They were buried in Elgin City Cemetery. The marker has a connection to the city of Elgin.

For 82 years this marker has been allowed to rest on land owned by the Texas Department of Transportation. TxDot allowed the Texas Division of United Daughters of the Confederacy to place the marker on their land. There is no objection to the marker remaining in place.

The marker continues to exhibit a connection to the city. Members of the community check on it weekly. It is appropriate for this marker to remain where it has been for 82 years.

Respectfully submitted,

Janet White
2411 Donner Path
Round Rock, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Update on the City of Elgin Police Department/Code Enforcement Junk Vehicle Initiative

DEPARTMENT: Code Enforcement/Police Department

PROPOSED ACTION:

No Council action proposed or requested at this time; other than routine direction to staff, if any.

BACKGROUND:

Discussed at previous meetings; in previous years, the City has been liberal in its interpretation of the code as it relates to Junk Vehicles – in favor of citizens and/or violators. This approach, however, has resulted in an enforcement effort that is not cost-effective and has appeared at times to be inconsistent.

This past May, the Elgin Police Department (in conjunction with Code Enforcement staff) implemented a comprehensive approach to addressing this issue throughout the entire city, through a consistent enforcement effort and partnership between these two city departments.

City staff has implemented this program through a concentrated effort focused on each EPD Patrol District; and is near completion of a sweep through the entire City.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of a report on the City of Elgin Police Department/Code Enforcement Junk Vehicle Initiative; and direction to staff, if any, regarding same.

ATTACHMENTS:

None

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Quarterly Financial Report – Fourth Quarter 2018-19

DEPARTMENT: Finance

PROPOSED ACTION: Review and Accept

BACKGROUND: Section 2256.005 of the Texas Government Code requires that not less than quarterly, the Investment Officer shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include the following:

- 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value.
- 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested.
- 3.) The maturity date of each investment.

Detailed and summary reports will be prepared and presented to the City Council and Mayor not less than quarterly. The attached Report complies with this requirement of the ACT and the City's Investment Policy.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Review and accept the report as presented.

ATTACHMENTS: Quarterly Financial Report – Fourth Quarter 2018-19

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

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

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

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

4th Quarter Investment Report- Fiscal Year 2018-19

OPERATING ACCOUNTS -

Page 1 of 1

Financial Institution	Fund	Account Name	Ending 6/30/2019	Total Deposits / (Withdrawals)	Total Interest	Ending 9/30/2019
First National Bank						
	99	Main Checking	4,181,909.09	(2,403,752.21)	12,633.23	1,790,790.11
	001	Police Seizure Chapter 59	3,873.47	(3,800.00)	4.12	77.59
	072	General - ATS Clearing	575,783.36	(134,481.85)	2,820.94	444,122.45
	002	USDA Rural Dev	1.01	(0.01)	0.01	1.01
	001	Money Market General Operations	177.75	-	1.10	178.85
Sub-total			4,761,744.68	(2,542,034.07)	15,459.40	2,235,170.01
TOTAL - DEPOSITS			4,761,744.68	(2,542,034.07)	15,459.40	2,235,170.01

CAPITAL IMPROVEMENT FUNDS

Page 2 of 2

Financial Institution	Fund	Account Name	Ending 6/30/2019	Total Deposits / (Withdrawals)	Total Interest	Ending 9/30/2019
Logic						
		CO Series 2015- Proceeds	769,690.26	-	4,559.21	774,249.47
		CO Series 2016 - Proceeds	4,293,630.98	(112,294.41)	25,216.47	4,206,553.04
		CO Series 2019A - Proceeds	3,907,040.30	(107,576.28)	22,784.51	3,822,248.53
		CO Series 2019B(TIRZ) Proceeds	1,710,190.51	(1,277,033.08)	7,657.78	440,815.21
Sub-total			10,680,552.05	(1,496,903.77)	60,217.97	9,243,866.25
TOTAL - INVESTMENTS			10,680,552.05	(1,496,903.77)	60,217.97	9,243,866.25
TOTAL - DEPOSITS AND INVESTMENTS			15,442,296.73	(4,038,937.84)	75,677.37	11,479,036.26

Signature

Charles L. Cunningham
Director of Finance



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Departmental Monthly Reports- September

DEPARTMENT: Administration

PROPOSED ACTION: No action is required on this item.

BACKGROUND: Monthly Reports by Department.

In reviewing the submission of Departmental Monthly Reports on several occasions, it occurred to me that they differed considerably in format and content. While they each provide some pertinent information related to the Department or Divisions' operations during the previous month, they also contained at times, superfluous or redundant information that lacked informative value. On rare occasions, they contained comparisons of performance measure values from the same time period (Month or Year-to-date) to the previous year.

In an effort to provide more utility in the Council's understanding of departmental operations, a proposed format has been developed that contains a summary of performance measures for each Department/Division with a month to month and Year-to-date comparison of the quantity of work performed. The two page summary (see attached) contains the most salient measures associated with operations for each organizational unit. Suggestions from the Council on what other items they would like to see are welcomed. The customary reports provided in the past are also included in the packet for your review. They represent information for the Month of September 2019.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: These reports are informational only and no action is required.

ATTACHMENTS: Reports by Department: New formatted monthly report. Planning/Community Development, Community Services, Public Safety, Public Works.

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



City of Elgin
Monthly Report of Operations

As of September 30, 2019

Administration	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Human Resources							
Total FTE - Filled Positions		88	⇒ 0%				
Vacancies - all funds		5	⇒ 0%				
New Hires		4	⇒ 0%		19	⇒ 0%	
Separations		4	⇒ 0%		14	⇒ 0%	
Municipal Court							
Total Active Cases Pending (beg. of Month)	8,856	10,140	↑ 14%				
New Cases Filed (incl reactivation of inactive)	89	370	↑ 316%			⇒ 0%	
# of Magistrations			⇒ 0%			⇒ 0%	
Total Cases Disposed of	91	312	↑ 243%			⇒ 0%	
Cases placed on Inactive Status	29	42	↑ 45%			⇒ 0%	
Total Active Cases Pending (end of Month)	8,825	10,156	↑ 15%			⇒ 0%	
Fines Collected	\$ 23,631	\$ 59,063	↑ 150%			⇒ 0%	
Retained by City	\$ 15,310	\$ 36,519	↑ 139%			⇒ 0%	
Community Development	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Construction Permits (all types)	46	50	↑ 9%	716	647	↓ -10%	↘
Revenue from Bldg. Permits	\$ 7,031	\$ 5,133	↓ -27%	\$ 127,975	\$ 120,255	↓ -6%	↘
Revenue from trade Permits			⇒ 0%			⇒ 0%	
Inspections (all types)	262	263	↑ 0%	2,361	2,315	↓ -2%	↘
Revenue from Inspections	\$ 3,460	\$ 4,300	↑ 24%			⇒ 0%	
Housing Plats approved (number of lots)	-	137	⇒ 0%			⇒ 0%	
Community Services	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Library-							
Materials circulated	7,828	7,004	↓ -11%	91,520	81,182	↓ -11%	↘
# Visitors (incl. Progs)	3,623	3,890	↑ 7%	43,017	46,944	↑ 9%	↗
Public Computer Use hrs.	422	348	↓ -18%	5,435	4,518	↓ -17%	↘
Public Computer Use Persons	609	556	↓ -9%	7,766	7,137	↓ -8%	↘
Civic Center - Rentals (all)	40	29	↓ -28%	476	437	↓ -8%	↘
Recreation Program -							
Annual Memberships		23	⇒ 0%			⇒ 0%	
Monthly Rec Memberships		167	⇒ 0%			⇒ 0%	
Facility Rental Fleming Center		24	⇒ 0%			⇒ 0%	
Facility Rental Recreation Center		10	⇒ 0%			⇒ 0%	
Sponsored Events		5	⇒ 0%			⇒ 0%	
Parades Sponsored or Supported		-	⇒ 0%			⇒ 0%	





City of Elgin
Monthly Report of Operations

As of September 30, 2019

Public Works	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Street:							
Lane miles Inventoried	1.59	1.74	↑ 9%	56.90	57.83	↑ 2%	↗
Pot holes patched - Square Yards	22.72	23.09	↑ 2%	204.54	309.09	↑ 51%	↗
Wide Area patching/renovation - SY	409.09	415.81	↑ 2%	3,690.90	5,572.72	↑ 51%	↗
Lane Miles Overlayed'	-	-	→ 0%	-	-	→ 0%	↔
Drainage:							
Linear feet of drains cleaned	560	200	↓ -64%	9,250	7,885	↓ -15%	↘
# Culverts Cleared	-	504	→ 0%	624	7,885	↑ 1164%	↗
Parks:							
Acres Mowed/maintained			→ 0%			→ 0%	
Reserved Park Facilities			→ 0%			→ 0%	
# Organized Sports Events			→ 0%			→ 0%	
Utilities	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Water System:							
# Customers	3,360	3,363	↑ 0%	3,325	3,360	↑ 1%	↗
Amount Billed	229,878	275,529	↑ 20%	2,845,684	2,803,739	↓ -1%	↘
Meters Replaced	15	78	↑ 420%	295		↓ -100%	↘
# Leaks Repaired		2	→ 0%			→ 0%	↔
Volume of water Produced (x1,000 gallons)		31,138	→ 0%			→ 0%	↔
Hydrants Tested			→ 0%			→ 0%	↔
Wastewater System:							
# Customers	3,001	3,060	↑ 2%	3,000	3,050	↑ 2%	↗
Amount Billed	\$ 160,488	\$ 158,254	↓ \$ (0)	\$ 1,898,940	\$ 1,936,512	↑ 2%	↗
Leaks Repaired		7	→ 0%			→ 0%	↔
Manholes Cleaned		15,712	→ 0%			→ 0%	↔
Trash Collection:							
# Customers	3,095	3,159	↑ 2%	3,079	3,100	↑ 1%	↗
Amount Billed	\$ 91,822	\$ 93,291	↑ 2%	\$ 964,724	\$ 1,101,864	↑ 14%	↗
Police Department	Sept '18	Sept '19	%	YTD 9-30-18	YTD 9-30-19	%	
Part I Index Offenses							
Murder (# Victims)			→ 0%			→ 0%	↔
Rape(# Victims)			→ 0%			→ 0%	↔
Robbery (# Victims)			→ 0%			→ 0%	↔
Aggravated Assault (# Victims)			→ 0%			→ 0%	↔
Total Violent Index Crimes*			→ 0%			→ 0%	↔
Burglary (# premises entered)			→ 0%			→ 0%	↔
Theft (# offenses)			→ 0%			→ 0%	↔
Auto Theft (#vehicles)			→ 0%			→ 0%	↔
Arson (# premises)			→ 0%			→ 0%	↔
Total Property Index Crimes*			→ 0%			→ 0%	↔
Total Part I Index Crimes*			→ 0%			→ 0%	↔
Part II Index Offenses							
Other Assaults			→ 0%			→ 0%	↔
Weapons			→ 0%			→ 0%	↔
Narcotics			→ 0%			→ 0%	↔
DUI			→ 0%			→ 0%	↔
All Other Part II Offenses			→ 0%			→ 0%	↔
Total Part II Index Crimes*			→ 0%			→ 0%	↔
Total All Index Crimes*			→ 0%			→ 0%	↔



Monthly Report
September 30, 2019
FY 2018-19

Department:
Planning/Community
Development

Monthly Report to Administrative Manager
Building Department
For the Month of September 2019

Type of Inspections	Sep-18	Sep-19	Fiscal Yr. To Date	Calendar Yr. To Date
Building	92	90	789	543
Electrical	58	48	518	371
Plumbing	59	67	625	478
Gas	4	12	62	48
Mechanical	49	46	321	241
TOTAL	262	263	2315	1681
Building				
Permits	16	13	215	179
Value	\$ 721,689.00	\$ 457,635.00	\$ 15,233,038.62	\$ 10,621,090.17
Fees	\$ 6,010.85	\$ 3,812.57	\$ 120,254.87	\$ 102,504.92
Electrical				
Permits	11	12	151	126
Fees	\$ 1,720.00	\$ 1,910.00	\$ 26,555.00	\$ 22,685.00
Plumbing				
Permits	8	9	135	93
Fees	\$ 1,240.00	\$ 1,480.00	\$ 22,770.00	\$ 18,150.00
Gas				
Permits	3	5	44	35
Fees	\$ 280.00	\$ 500.00	\$ 4,790.00	\$ 3,870.00
Mechanical				
Permits	8	11	102	85
Fees	\$ 1,240.00	\$ 1,580.00	\$ 20,680.00	\$ 14,460.00
Total All Fees	\$ 10,490.85	\$ 9,282.57	\$ 195,049.87	\$ 161,669.92

**September 2019
Building Permits**

Number of Permits		Type/Classification	Permit Fees		Valuation	
Sep-18	Sep-19		Sep-18	Sep-19	Sep-18	Sep-19
5	1	New Single Family	\$ 5,093.97	\$ 983.15	\$ 673,289.00	\$ 126,735.00
		New Duplex				
		New Manufactured				
		New Multi-Family				
		New Commercial				
		New Industrial				
	1	New Swimming Pools		\$ 450.94		\$ 44,000.00
		Moving Permit				
1	1	New Signs	\$ 96.82	WAIVED	\$ 5,000.00	\$ -
6	8	Residential	\$ 653.66	\$ 1,628.48	\$ 35,900.00	\$ 156,900.00
2	1	Non-Residential	\$ 166.40	\$ 750.00	\$ 7,500.00	\$ 130,000.00
2	1	Demolitions	WAIVED	WAIVED	\$ -	\$ -
16	13		\$ 6,010.85	\$ 3,812.57	\$ 721,689.00	\$ 457,635.00
*BOA Request		None				
**BSC Requests		None				
P & Z Request		The Estates at Carter's Grove Subdivision - Final Plat approved; Brickston Phase 1 - Preliminary plat approved; Specific Use Permit Request - recommended at 176 VFW Rd.; Reduce BOA membership from 7 to 5 regular members plus 1 senior alternate member and 1 junior alternate member - recommended.				

*Board of Adjustments

**Building Standards Commission

Submitted By: David Harrell and Melissa Lipiec

Date: October 21, 2019

Monthly Report
September 30, 2019
FY 2018-19

Department:
Community Services



MEMORANDUM

To: Tom Mattis, City Manager
From: Amy Miller, Director Community Services
Date: October 6, 2019
RE: Community Development Department Report September 2019

The department moved to the Fleming Community Center which included a significant amount of records retention activity. The Historic Review Board reviewed and approved new paint colors for front façade and new signage at ATX Jerky, sign application for Remember Me Tattoos at 14 North Main Street, and a complete set of plans for the full renovation of 112 Depot Street. The work at 112 Depot Street will include retention and repair of the original wood frame transom windows, storefront and doors, and the replacement of windows on the rear facade with wood frame windows as well as the implementation of a rolled tin awning for the front façade. The space will have one apartment at the rear and commercial space at the front. The mural for 28 North Main Street was installed. Implementation of the mural at 116 Depot Street started. The Design team planned a dedication of the murals for October 10 during Sip Shop & Stroll. The Texas Treasures event with Senator Kirk Watson and Representative Cyrier had over 50 attendees and concluded with a tour of the downtown area sharing significant investments over the past four years with Representative Cyrier. Planning for marketing for Black Friday sales and Shop Small Saturday. Planning for Home for the Holidays marketing and events including, Holiday by the Tracks, The Art of Giving, Santa Sightings, Holiday Sweater Saturday and After Christmas sales. For the Hogeye festival sponsorships were finalized, t-shirts and all print materials went to print, logistics team completed updates to signs, KXAN advertising and interview on Studio 512 were finalized, and food vendors closed. Hogunteers planned a birthday party for Priscilla the pig who turns 20 this year and an exhibit about the Sowpremes to open at the Depot Museum for the month of October. The Sowpremes are also celebrating 20th anniversary.

Projects

- Finalized lease agreement with Farmers Market for Depot Museum parking lot and Veterans Memorial Park.
- Walk and Bike to school days organized and promoted for September and October.
- Secured agreements from Property owners to access their roofs for lights replacement and maintenance.
- Presentation for the PrimeTimers at St Peters Lutheran Church.
- Website redesign preparing for launch October 14.
- Attended the First Lady dedication for new Main Street City Granger, with volunteers.
- Hogeye Festival planning –logistics team, marketing, vendors, finalized all performances.
- Working on Shared Use parking agreement with Texas Department of Human Services.
- Capital Metro Green Line strategic planning meetings.
- MOKAN Corridor Study and Regional Arterial Study with CAMPO in final phases of development.

- Historic Preservation Strategic plan under development.
- Met with potential buyers and realtors for properties downtown.
- Met with property owners about renovation plans and possible tenants.
- Met with business owners seeking lease space.
- Social Media: Facebook - visitelgintx, Instagram – visitelgintx

Boards & Committees, Seminars

CAMPO Technical Advisory committee
 MOKAN Study technical committee
 Regional Arterials Study technical committee
 Capital Metro Greenline plan development
 Bastrop County Planners meeting
 Main Street Board
 Historic Review Board
 Hogeye Festival Committee
 Promotion Tourism Committee
 Design Committee
 Business Retention Recruitment Committee

Upcoming Events

Sip Shop & Stroll October 10 with mural dedication at 6:30pm
 Homecoming-Pep Rally & Community Parade Oct. 2
 Hogeye Festival October 24 – 26
 Safe Trick or Treat Trail October 31
 Veterans Appreciation Parade November 1
 Shop Small Saturday November 30
 Home for the Holidays December
 Holiday by the Tracks and The Hot Cocoa Stroll December 7th —
 Art of Giving December 14th
 Holiday Sweater December 21st —
 Black Friday Sale November 29th
 After Christmas Sale December 28th

Elgin Main Street Program

VISION STATEMENT: We envision a revitalized and active historic downtown destination with warm hearted friendly people and vital businesses, where ethnic and cultural diversity are celebrated.

MISSION STATEMENT: We will enhance downtown vibrancy through historic preservation and mixed use and pedestrian friendly development, by strategically implementing the National Main Street Four Point Approach of: Design, Organization, Promotion and Economic Restructuring

CORE VALUES (if you have done this): Through a strong belief that historic preservation of our irreplaceable cultural resources in the historic downtown district is vital to the revitalization and economic success of our community, we are committed to supporting responsible repurposing of historic structures and new construction that supports mixed use development through partnerships and a persistent effort to support community focused development and promotions.

Library Report for City of Elgin
September 2019

Circulation was down 11% for fiscal year 2019 with the collection size increased by 492 items.

Friends of the Library had a multimedia presentation of Riders on the Orphan Train on September 8th..

Grants: Staff is preparing for the Read To Me grant to begin October 8th. The ASRT Grant book purchases have been made and books cataloged.

Programs: The Sustainable Food center is providing Happy Kitchen nutrition and cooking series on Tuesday evenings. The classes filled up quickly. Texas Workforce Center specialist will be at the library every Wednesday in October. Program visitors increased 25% in 2019.

Technology: Wifi use was up substantially.

Volunteers put in 432 more hours in 2019 than the previous year.

September 2019

Categories	Units	Sept. '18	Sept. '19	Fiscal YTD '18	Fiscal YTD '19
Total Circulation		7,828	7,004	91,520	81,182
+ or - Same month previous year	Percent	2%+	11%-		
Additions					
Interlibrary Loans	Each	6	13	184	136
New Patrons	Each	89	71	1,052	929
Collection					
Items Added	Each	133	276	2,622	3,144
Items Withdrawn	Each	183	125	3,410	4,115
Total Collection	Each	36,849	37,341	36,849	37,341
General Statistics					
Gate Count	Each	3,623	3,890	43,017	46,944
Hours Open	Hours	160	160	1,971	1,975
Library Tours	Each	4	20	5	300
Program Visitors	Each	419	459	4,850	6,050
Public Computer Use	Hours	422	348	5,435	4,518
Patrons using computers	Each	609	556	7,766	7,137
Wi-Fi Patron Use	Each	904	1,091	6,514	11,870
Volunteer Hours	Each	160	211	1,673	2,105
Receipts					
		\$1,360	\$1,116	\$27,491	\$27,095
Civic Center Use					
City	Each	3	4	102	51
Library	Each	16	15	271	264
Public Rental	Each	7	1	51	48
Other - not for profit	Each	14	9	52	74
Total Civic Center Use		40	29	476	437

Recreation Center

Item Sales

Purchase Date 9/1/2019 - 9/30/2019

Purchase Type(s): Reg, RegOL, ActRes, Fac, FacOL, Gen, LsnReg, LsnRegOL, LsnRes, LsnResOL, Mem, MemOL, MemR, POS

Sales

Item Name	Qty	Amount	Disc Qty	Disc Amount	Net Qty	Total
Additional Monthly Family Members	6.00	\$12.00	0.00	\$0.00	6.00	\$12.00
Additional Staff Cost	1.00	\$25.00	0.00	\$0.00	1.00	\$25.00
Adult Kickball League Individual	41.00	\$390.00	0.00	\$0.00	41.00	\$390.00
City Employee Membership	8.00	\$0.00	0.00	\$0.00	8.00	\$0.00
Elgin Amazing Race - Team Entry Fee	6.00	\$160.00	0.00	\$0.00	6.00	\$160.00
Elgin Rec Center Basketball Gym	52.00	\$0.00	0.00	\$0.00	52.00	\$0.00
Elgin Rec Center Kitchen	28.00	\$0.00	0.00	\$0.00	28.00	\$0.00
Elgin Recreation Center Studio	46.00	\$555.00	0.00	\$0.00	46.00	\$555.00
ERC Daily Entry Fee	194.00	\$970.00	0.00	\$0.00	194.00	\$970.00
Fleming Community Center Rentals	91.00	\$1,452.00	0.00	\$0.00	91.00	\$1,452.00
Free Program	27.00	\$0.00	0.00	\$0.00	27.00	\$0.00
Non Resident Couple Monthly Membership	1.00	\$40.00	0.00	\$0.00	1.00	\$40.00
Park Rentals	190.00	\$575.00	0.00	\$0.00	190.00	\$575.00
RACE2019	0.00	\$0.00	4.00	(\$30.00)	4.00	(\$30.00)
Rental Deposits	17.00	\$1,350.00	0.00	\$0.00	17.00	\$1,350.00
Replacement Keytag	2.00	\$10.00	0.00	\$0.00	2.00	\$10.00
Resident Individual Adult Monthly Membership	60.00	\$1,140.00	0.00	\$0.00	60.00	\$1,140.00
Resident Couple Monthly Membership	40.00	\$950.00	0.00	\$0.00	40.00	\$950.00
Resident Couple Yearly Rec Center Membership	4.00	\$960.00	0.00	\$0.00	4.00	\$960.00
Resident Family Monthly Membership	25.00	\$750.00	0.00	\$0.00	25.00	\$750.00
Resident Family Yearly Membership	4.00	\$1,200.00	0.00	\$0.00	4.00	\$1,200.00
Resident Individual Adult Yearly Membership	4.00	\$720.00	0.00	\$0.00	4.00	\$720.00
Resident Individual Senior Monthly Membership	29.00	\$435.00	0.00	\$0.00	29.00	\$435.00
Resident Individual Senior Yearly Membership	5.00	\$600.00	0.00	\$0.00	5.00	\$600.00
Resident Individual Youth Monthly Membership	12.00	\$180.00	0.00	\$0.00	12.00	\$180.00
Resident Individual Youth Yearly Membership	4.00	\$480.00	0.00	\$0.00	4.00	\$480.00
	897.00	\$12,954.00	4.00	\$0.00	901.00	\$12,924.00

Refunds

Item Name	Qty	Amount
Elgin Recreation Center Studio	3	(\$87.00)
Park Rentals	22	(\$176.00)
Resident Individual Adult Monthly Membership	3	(\$60.00)
Resident Couple Monthly Membership	1	(\$25.00)
	29.00	(\$238.00)

Grand Sales Total: \$12,686.00

September 2019

The following information shows how we have been doing in the last month, and the rest of the department during that same time:

Memberships:

Resident Monthly

Family: 25
Couple: 40
Individual Adult: 60
Individual Senior: 29
Individual Youth: 12

Non-Resident Monthly

Family: 0
Couple: 1
Individual Adult: 0
Individual Senior: 0
Individual Youth: 0

Resident Yearly

Family: 4
Couple: 4
Individual Adult: 4
Individual Senior: 5
Individual Youth: 4

Non-Resident Yearly

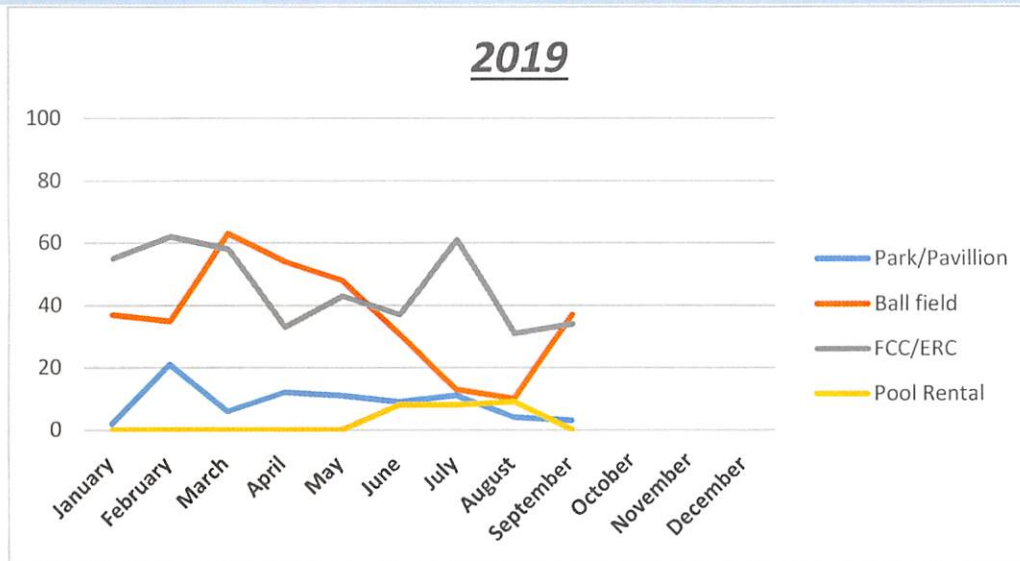
Family: 0
Couple: 0
Individual Adult: 0
Individual Senior: 0
Individual Youth: 0

The following totals are from 9/1-9/30

Memberships =\$7,382
ERC Daily Entries =\$970
ERC Rentals =\$468
Fleming Rentals =\$1,452
Park Rentals=\$399
Pool Rentals=\$0
Pool Entries=\$136
WA Entries=\$122
Pool Concessions=\$19
Programs=\$550
Entire Department = \$12,686

PARK RENTAL ACTIVITY

<u>2019</u>	January	February	March	April	May	June	July	August	September	October
Park/Pavillion	2	21	6	12	11	9	11	4	3	
Ball field	37	35	63	54	48	31	13	10	37	
FCC/ERC	55	62	58	33	43	37	61	31	34	
Pool Rental	0	0	0	0	0	8	8	9	0	
Water Aerobics	0	0	0	0	0	271	392	194	61	
Paid Pool Entries	0	0	0	0	334	2,246	1,829	828	68	
Pool Member Entries	0	0	0	0	4	712	1,074	421	122	



Rental Events

Senior Bingo (F)
 Sacred Heart Church F
 Elgin Amazing Race (EMP, TMP
 PD Training (F

November December Total:

	79
	328
	414
	25
	918
	5305
	2333

ts
-CC)
iesta (EMP)
, VMP, MMP & ERC)
CC)



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 this electronic version and email to mainstreet-reports@thc.texas.gov

CITY: _____ Elgin _____
MONTH/YEAR: _____ September 2019 _____
DATE SUBMITTED: _____ 10-6-2019 _____

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

Meeting Dates:	Update on projects or activities
September 19 , 2019	Update on the lights project – staff contacted owners and secured permission for roof access for properties in phase 1. Elgin Downtown Public Art Plan is a finalist for the Downtown Spirit award – several board members plan to attend the TDA awards gala in Georgetown October 30. Received a proposal for an LGBT Mural in the district from Heather Miller for her Girl Scout Gold Award project. Approved the mural as recommended by the Design team. Heather will work with the design team to review and approve the design and location which will then be presented to the board. Finalizing various elements of the Hogeye Festival. Krista Marx to be the Hogeye spokesperson for the KXAN Studio 512 interview.

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

Meeting Dates:	Update on projects or activities
September 3, 2019	Finalized all editorial for Downtown 78621 fall winter issue.

PROMOTION:

Meeting Dates:	
September 12, 2019	Planning for the Safe Trick or Treat trail and holiday events including Home for the Holidays December - Holiday by the Tracks and The Hot Cocoa Stroll December 7 th Art of Giving December 14 th Holiday Sweater December 21 st Black Friday Sale November 29 th After Christmas Sale December 28 th
	Hogeye Festival – all print materials were finalized and went to print.

Email to: Mainstreet-reports@thc.texas.gov

	Shirts and associated sponsors were finalized and went to print. Volunteer recruitment.
--	--

DESIGN:

Meeting Dates:	Update on projects or activities
September 17, 2019	Muralist Sarah Jane Blankenship started the mural at 116 Depot and the mural for 28 N Main was installed. Planned dedication for the murals on October 10 at 6:30pm

ECONOMIC VITALITY/DOWNTOWN ECONOMIC DEVELOPMENT:

Meeting Dates:	Update on projects or activities
September 18, 2019	Held the reception for Texas Treasure Modern Cleaners. Planning for Shop Small Saturday.

1. Program Commentary *(list critical issues, problems, and successes/completed projects of the past month):*
2. Outlook. *Goals and challenges; plans for upcoming major projects such as public improvements etc.:*
3. Suggestions for Texas Main Street Center *(list suggestions on services or training topics; new resources; questions):*
4. Main Street in the News. *We would love to spotlight your upcoming events in our Main Street Matters e-newsletter, please email Mainstreet-reports@thc.texas.gov with the information. We ask that you do not send in events that have already taken place, send in future events for as many months as possible.*

Sip Shop & Stroll October 10 mural dedication at 6:30pm

Homecoming-Pep Rally & Community Parade Oct. 2

Hogeye Festival October 24 – 26

Safe Trick or Treat Trail October 31

Veterans Appreciation Parade November 1

Black Friday Sales November 29

Shop Small Saturday November 30

Home for the Holidays December

- Holiday by the Tracks and The Hot Cocoa Stroll December 7th —
- Art of Giving December 14th —
- Holiday Sweater December 21st
- After Christmas Sale December 28th

Elgin Main Street

Email to: Mainstreet-reports@thc.texas.gov

VISION STATEMENT: We envision a revitalized and active historic downtown destination with warm hearted friendly people and vital businesses, where ethnic and cultural diversity are celebrated.

MISSION STATEMENT: We will enhance downtown vibrancy through historic preservation and mixed use and pedestrian friendly development, by strategically implementing the National Main Street Four Point Approach of: Design, Organization, Promotion and Economic Restructuring

CORE VALUES (if you have done this): Through a strong belief that historic preservation of our irreplaceable cultural resources in the historic downtown district is vital to the revitalization and economic success of our community, we are committed to supporting responsible repurposing of historic structures and new construction that supports mixed use development through partnerships and a persistent effort to support community focused development and promotions.

Email to: Mainstreet-reports@thc.texas.gov

dd July 2015 version

Monthly Report
September 30, 2019
FY 2018-19

Department:
Public Safety

Elgin Police Department
Sept – 2019
Monthly Report

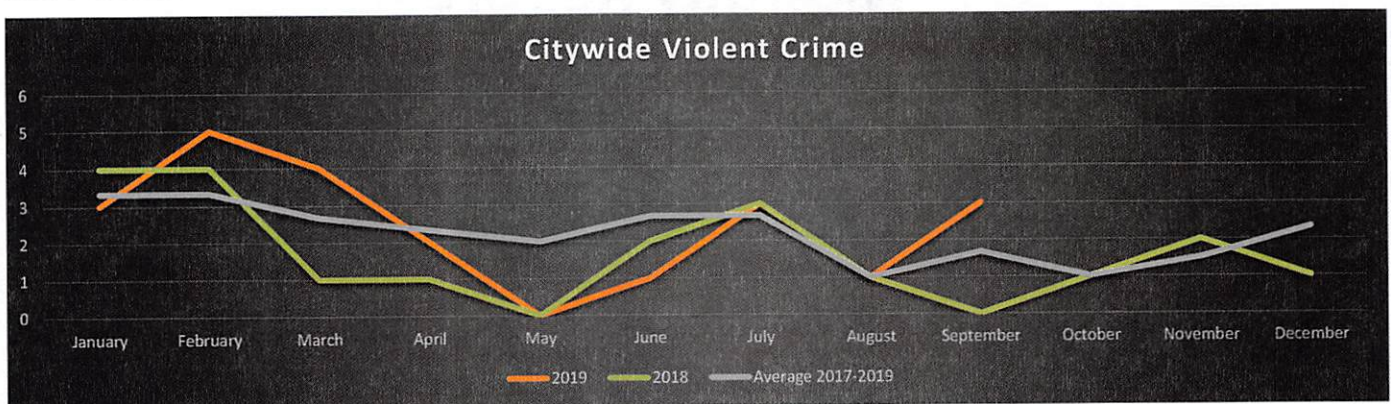


Elgin Police Department

Citywide Monthly Crime Reports - September 2019

Violent Crime

Offense Category	MTD	MTD LM	MTD %	MTD LY	MTD % LY	YTD	YTD LY	YTD % LY	CR YTD	CR YTD%
Homicide	0	0	nc	0	nc	0	1	-100%	0	0%
Rape/Sexual Assault	1	0	100%	0	100%	7	2	500%	5	71%
Business Robbery	1	0	100%	0	100%	4	2	100%	2	50%
Individual Robbery	0	1	-100%	0	nc	4	3	33%	4	100%
Agg Assault - No FV	0	0	nc	0	nc	4	2	100%	3	75%
Agg Assault - FV	1	0	100%	0	100%	3	6	-300%	3	100%
Total	3	1	200%	0	300%	22	16	38%	17	77%





Elgin Police Department

Citywide Monthly Crime Reports - September 2019

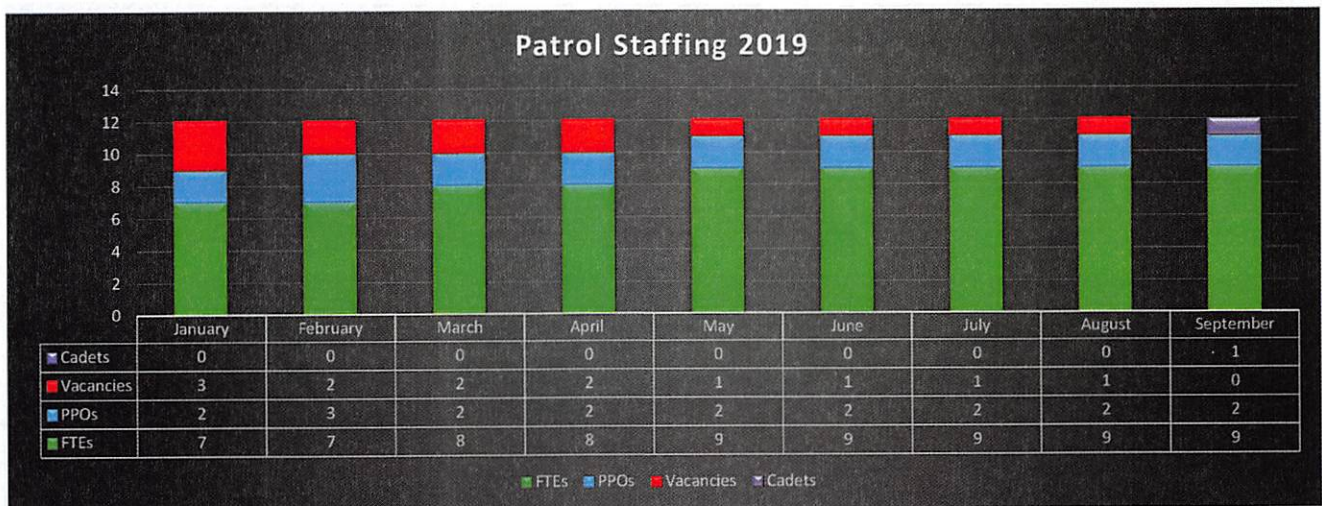
Property Crime										
Offense Category	MTD	MTD LM	MTD %	MTD LY	MTD % LY	YTD	YTD LY	YTD % LY	CR YTD	CR YTD%
Burglary Non Residence	4	1	300%	1	300%	12	12	0%	0	0%
Burglary Residence	2	2	nc	1	100%	18	19	-5%	5	28%
Auto Theft	1	2	-100%	2	-50%	7	12	-42%	3	43%
BOV	0	1	-100%	1	-100%	8	21	-62%	6	75%
Other Theft	5	12	-58%	8	-38%	67	52	29%	39	58%
Total	12	18	-33%	13	-8%	112	116	-3%	53	46%





Elgin Police Department

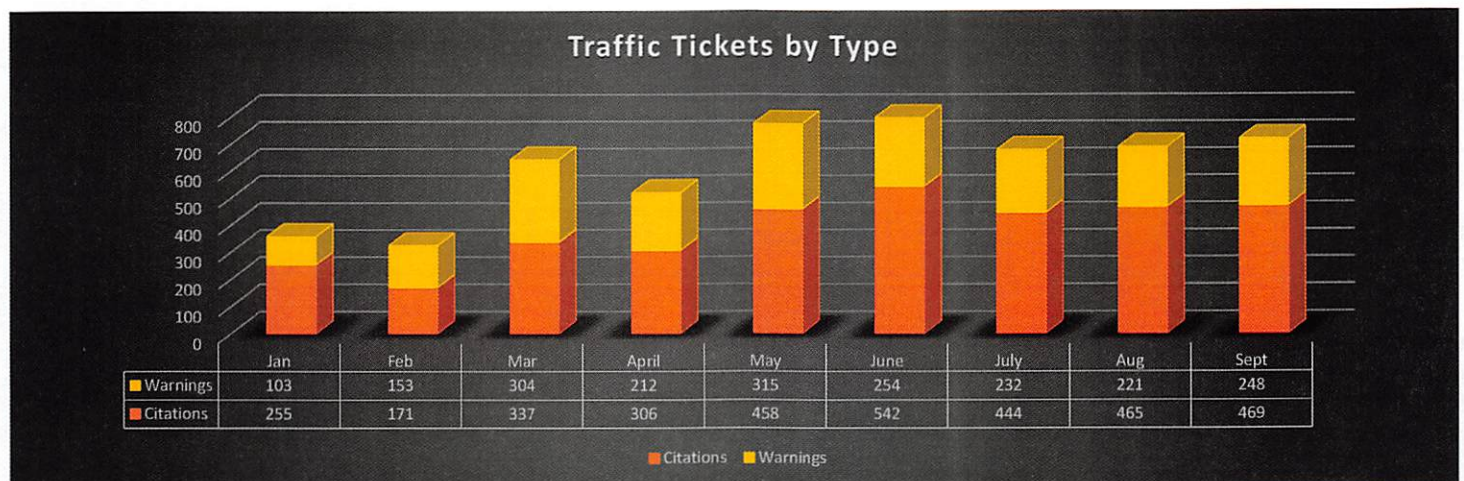
Patrol Staffing – 2019





Elgin Police Department

Citywide Monthly Traffic Tickets – Year to Date 2019 (Violations)



Note: 122% increase from 2018 during the same period. This data will differ from Racial Profiling Data (includes traffic stops and all other citations).



Elgin Police Department

Citywide Call Analysis and Committed Time – Year to Date 2019

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Ave
Dispatched calls	382	305	386	470	424	418	431	401	656	430
Self-Initiated calls	874	594	941	770	1142	924	828	917	652	849
Total Calls	1256	899	1327	1240	1566	1342	1259	1318	1308	1,279

										Ave
Total Time on Calls	30,908	19,060	25,924	26,688	37,091	41,944	23,999	30,050	42,542	30,912
Committed Time	69%	47%	58%	62%	83%	97%	54%	67%	98%	71%

Currently the average committed time for 2019 is **71%**. This is equal to **17 out of 24 hours per day** that are dedicated to responding to calls for service and self-initiated activities such as traffic stops, on sight incidents, etc. Best practices for staffing models indicate any amount of committed time over 60% is indicative of understaffing within an organization. Results of an increasing committed time percentage can lead to an increase in response times, availability of officers, employee fatigue and overall service levels to the community.

If current trends continue the number of officer FTEs will need to increase to maintain current service levels and performance.

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month September

Year 2019

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 Oct 21, 2019

Phone Number (512) 281-0318

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

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

78711-2066

PHONE: (512) 463-1625

FAX: (512) 936-2423

CRIMINAL SECTION

City of CITY OF ELGIN

Month September Year 2019

	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	13,471	22	0	2	2,660	22
a. Active Cases	10,140	17	0	2	1,449	7
b. Inactive Cases	3,331	5	0	0	1,211	15
2. New Cases Filed	351	10	0	0	44	12
3. Cases Reactivated	19	0	0	0	11	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	10,510	27	0	2	1,504	19
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	231	4	0	0	29	2
b. Dismissed by Prosecution	23	0	0	0	6	0
7. Dispositions at Trial:						
a: Convictions						
1) <i>Guilty Plea or Nolo Contendere</i>	12	0	0	1	11	12
2) <i>By the Court</i>	0	0	0	0	1	0
3) <i>By the Jury</i>	0	0	0	0	0	0
b: Acquittals:						
1) <i>By the Court</i>	0	0	0	0	0	0
2) <i>By the Jury</i>	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	1	0
8. Compliance Dismissals:						
a: After Driver Safety Course	21					
b: After Deferred Disposition	5	0	0	0	8	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	3					
g: All Other Transportation Code Dismissals	0	0	0	0	0	0
9. All Other Dispositions	17	1	0	0	1	0
10. Total Cases Disposed	312	5	0	1	57	14
11. Cases Placed On Inactive Status	42	0	0	0	19	0
12. Total Cases Pending End of Month:	13,510	27	0	1	2,647	20
a: Active Cases	10,156	22	0	1	1,428	5
b: Inactive Cases	3,354	5	0	0	1,219	15
13. Show Cause Hearings Held	33	0	0	0	26	6
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0
b: Without Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court CITY OF ELGIN		TOTAL
Month September	Year 2019	
1. Transportation Code Cases Filed		8
2. Non-Driving Alcoholic Beverage Code Cases Filed		3
3. Driving Under the Influence of Alcohol Cases Filed		0
4. Drug Paraphernalia Cases Filed		0
5. Tobacco Cases Filed		0
6. Failure to Attend School Cases Filed		0
7. Education Code (Except Failure to Attend) Cases Filed		0
8. Violation of Local Daytime Curfew Ordinance Cases Filed		1
9. All Other Non-Traffic Fine-Only Filed		0
10. Transfer to Juvenile Court:		0
a. Mandatory Transfer		
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		
b. Statements Certified		0
14. Detention Hearings Held		0
15. Orders for Non-Secure Custody Issued		0
16. Parent Contributing to Nonattendance Cases Filed		0

ADDITIONAL ACTIVITY

Court CITY OF ELGIN		Number Given	Number Requests For Counsel
Month September	Year 2019		
1. Magistrate Warnings:		26	
a. Class C Misdemeanors			
b. Class A and B Misdemeanors		16	14
c. Felonies		9	7
			TOTAL
2. Arrest Warrants Issued:			61
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			2
c. Felonies			0
3. Capiases Pro Fine Issued			43
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			0
9. Magistrate's Orders for Ignition Interlock Device Issued			1
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			1
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			9
16. Cases in Which Fine and Court Costs Waived for Indigency			2
17. Amount of Fines and Court Costs Waived for Indigency			\$739.70
18. Fines, Court Costs and Other Amounts Collected:			\$36,519.47
a. Kept by City			
b. Remitted to State			\$22,543.08
c. Total			\$59,062.55

Monthly Report
September 30, 2019
FY 2018-19

Department:
Public Works

Public Works – September - 2019

Right of Way and Easement mowing and maintenance:

TX DOT and City of Elgin Right of Way shredding, mowing, litter control and maintenance is ongoing.

Sign replacement:

Installed 2 new speed limit control signs on US-290 for Elgin Police Department

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

Bladed Alley between North Avenue C, North Main Street, West 11th Street, and SH 95 N

Added base to driveway edge of pavement North Main Street

Patch:

1 location - North Ave F

Multiple potholes patched around town

Crack Seal

East 8th Street

Shenandoah Trail

Wilderness Trail

Valley Run Trail

Cavalry Trail

Blue Ridge Trail

West Wind Subdivision multiple streets

Curb, Gutters, Drains, and Ditch Cleaning

Curb and Gutter:

North Avenue C from Central Avenue to West 11th Street

South Avenue C from West Cleveland Street to Central Avenue

Ditch cleaning:

West Alamo Street

Trees and Brush:

Removed fallen trees in City right of way:

East Austin Street (Oncor cut tree electrical lines attached)

West 3rd Street

Removed fallen limbs:

West 11th Street

North Main Street

Trim low limbs:

West 2nd Street from North Avenue A to North Avenue B

Miscellaneous:

Replaced seasonal banners with Hog Eye banners – Lee Dildy Boulevard, Roy Rivers Road, and Saratoga Farms

Saratoga Farms Subdivision Section 6:

Substantially complete.

Lee Dildy Boulevard/Roy Rivers Road Phase 2:

Construction underway -

Roadway concrete paving has begun with concrete pours of 500-600 cubic yards of concrete each occurrence.

Homestead Subdivision:

Construction underway -

Utility installation

Roadway preparation has begun

Acknowledgments:

Public Works currently has two (2) Equipment Operator positions open

Joe Parten

Director, Public Works

City of Elgin

Monthly Reports September 2019

Department 023 Water Treatment

Well # 10	0 Gallons
Well # 16	20,997,000 Gallons
Well # 14	0 Gallons
Well # 15	18,391,000 Gallons
Water loss due to leaks or flushing	250,000 Gallons
Total Water Pumped	31,138,000 Gallons

Chemicals Used

Chlorine	1202 Pounds
Sequest	250 Gallons

Distribution Samples

Bacteriological Samples Taken	11
Average Chlorine Residual	1.86 mg/l
Violations	0

Department 024 Distribution

Line Repairs/New installations

Main Line Breaks	2
Service Line Breaks	2
Miscellaneous Repairs/Complaint Calls	16
New Connections/Taps	1
Installation of New Water Main	0

Department 026 Wastewater

Collections

Backups

Main Lines	1
Service Lines	6
After Hours Call-Outs	5

Line Repairs/New Installations

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

Lift Station Maintenance/Repairs

Hour Meter Reads/Daily Site Checks	10 Daily
Pumps Pulled	0
Pumps Installed	0
Pumps De-rated	4
Motors Pulled	0
Motors Installed	0
Electrical Issues (Repair/Replace Parts)	0
Floats Cleaned/Replaced	0
Grass/Weed Maintenance	9
After Hours Call Outs	0

Wastewater Treatment Plant**Maintenance/Repairs**

Pumps Pulled	0
Pumps Installed	0
Motors Pulled	0
Motors Installed	0
Control System/Electrical Repairs	3
Cleaned Wet Well Floats	1
Miscellaneous Repairs	12
After Hours Call-Outs	1

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	481,600 Gallons
Maximum Daily Flow	578,600 Gallons
Average Daily Flow	506,800 Gallons
Total Monthly Flow	15,712,000 Gallons

Effluent DO (Dissolved Oxygen) Average	6.3
Effluent Chlorine Residual Average	1.51 mg/l
Effluent pH Average	7.21
Total Phosphorus Average	0.209
CBOD (Carbonaceous Biochemical Oxygen Demand) Average	2.36
TSS (Total Suspended Solids) Average	2
Ammonia/Nitrates Average	0.228

Remarks :

Michael Gonzalez
Parks and Recreation Director
mgonzalez@ci.elgin.tx.us 512-285-6434



September 2019 Parks Report- Michael

Facility and Park Activity Summary	Number of uses August 2019		
	July	August	September
Park/ Pavilion Rental	11	4	3
Ball Field Rental	13	10	37
Fleming Community Center/ Rec Center rentals	61	31	34
Monthly Rec Memberships	201	180	167
Yearly Rec Membership	7	10	21
Pool Entries	2,903	1,353	251
Deposits	\$17,195.75	\$12,380	\$12,686

Michael Gonzalez

We are excited to be done with such a successful swim season, Elizabeth and her team of lifeguards set a new high standard for aquatic management here at the Elgin pool. As we begin to winterize the facility, we are already making plans for our operations next year. Activity at the Recreation center continues to be positive. As we expected we are a common destination for students who continue their athletic activity after school practices let out at both the middle school and high school. We are happy to be a good transition place for students at the end of the day. The free basketball evening is very popular, and both of the volleyball evenings are popular as well. Resurfacing the gym floor has help in maintaining a high level of service that we continue to provide to the community.

Joseph Williams – Parks Superintendent

In the month of September, we finished renovating the irrigation system at Veterans Park. The system is up and running which will help us keep the park growing thru the summer months for years to come. We maintained all parks with mowing and trimming as was needed due to the lack of rain we have been having. The parks that do have irrigation are trimmed on a weekly schedule since they are the only ones growing at this time. We had one event that went well on our side of setup and take down. Overall the month was productive even with the lack of rain to green up the parks.

Goals for October 2019

- Plan and implement Hogeye logistics
- Assist with Veterans Day Parade planning
- Plan of over seeding with winter grasses on the sports fields.

UTILITY BILLING REPORT		September 2019
Billed out	\$534,198.88	
Past due notices	607	\$88,332.72
Work orders-Cut offs	85	
Disconnected for non pmt	80	
Extension to pay 1st	53	
Extension due for disconnect	6	
Meter tamper fee	0	
After Hour turn on	0	
Accounts set to final	7	for non pmt
Leak Adjustments	13	

METER REPORT		
WORK ORDERS	COMPLETED	INCOMPLETE
START READ	39	4
FINAL READ	38	1
TRANSFERS / IN AND OUT	3	0
CTO'S / DISCONNECT NON-PMT	85	0
SET METER	4	4
METER REPLACEMENTS	78	99
VISUAL READS	18	0
FAILURE TO READ (MOBILE MISS)	112	0
RE READS	62	0
WL / CHECK FOR WATER LEAK	4	5
METERS DATA LOGGED	9	15
MISCELLANEOUS	11	13
TOTAL NUMBER OF WORK ORDERS	463	141
CURB STOPS - JOHN CALHOUN		
BROKEN CURB STOPS		36
SERVICE LINE REPAIR		
MAIN BREAK		
SEWER LINE REPAIR		
TOTAL NUMBER OF WORK ORDER	0	36
BULK WATER		
PURCHASES	18	
TRIPS/GALLONS	30/12,100	
TOTAL COLLECTED	\$72.85	

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

310 N. Main Street
512-229-3220 office



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of City Council Meeting Schedule

DEPARTMENT: City Manager

PROPOSED ACTION:

Review and discussion of Council Meeting schedule; and direction to staff regarding same.

BACKGROUND:

Due to a variety of factors the City Manager is recommending that the upcoming City Council Meeting schedule the end of the 2019 calendar year:

- Tuesday, November 5 – November Regular Meeting
- Tuesday, November 19 – November Called Meeting
- Tuesday, December 5 – December Regular Meeting

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Direction to staff regarding the City Council Meeting schedule.

ATTACHMENTS:

None

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: General Activity Report and/or Project Update

DEPARTMENT: City Manager/Staff

PROPOSED ACTION:

No Council action proposed or requested; This item is to allow for general update and/or activities report relating to various on-going city projects or issues.

BACKGROUND:

This item is to provide opportunities for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

N/A

ATTACHMENTS:

None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: ELGIN VOLUNTEER FIRE DEPARTMENT LIGHTED CHRISTMAS PARADE STREET CLOSURES REQUEST.

DEPARTMENT: Community Services

PROPOSED ACTION: Approve Street closure request for Elgin VFD Lighted Christmas Parade.

BACKGROUND:

The Elgin Volunteer Fire Department organizes and implements the Elgin Lighted Christmas parade on First Saturday of December. This year the parade will be Saturday December 7 at dusk. Parade line up is in Elgin Memorial Park. Parade Route is Main Street from EMP / 11th Street south to Austin Street. Elgin Volunteer Fire Department. This community tradition is a local favorite and attracts attendees from all over Central Texas to see the lighted floats from local businesses and organizations. The parade is part of Holiday by the Tracks and the Home for the Holidays event series organized by the Elgin Main Street program and the Elgin Chamber of Commerce.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approve street closures for the Elgin Volunteer Fire Department Lighted Christmas Parade.

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.

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

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

9-27-19

Elgin City Council

The Elgin Vol Fire Department is asking for the Memorial Park and for streets closer for our Annual Christmas Lighted Parade on December 7, 2019.

Parade route will be from Memorial Park all the way down main street to Depot street. Attached you will find the Agenda and the Street closers. We will have a fireman blocking streets and then at the major intersections there will be an officer and possibly a fireman.

Parade Date – December 7, 2019

Close the top of the park around 2:00

Participants will check in 4-5pm in the Park and Ride – Hwy 95 N

Then will line up in Memorial Park.

Judging – 5:15

Parade start -6:15.

The day of the Christmas Parade there will be either a Chief or Captain assigned to coordinate if there is an emergency. I will inform the Officer in charge of parade that day whom the emergency coordinator is. The Officer will also have a copy of the agenda and street closer with names by street showing who is closing them.

Parade permit application has been sent to Chief Taylor. We have been in contact with Michael at the Parks Dept. and Amy Miller.

Thank you

Harry and Courtney Meads

Elgin Vol. Fire Dept Light Christmas Parade



PARADE PERMIT APPLICATION

Date: 9-26-19

Applicant Name: Harry Meads Courtney Meads

Address: _____ Phone: 512-281-6344- 512-217-4484

Please check one:

☐ Individual ☐ DBA ☒ Organization ☐ Partnership ☐ Corporation ☐ Profit ☐ Non-profit

Organization: Elgin Vol Fire Dept Authorized Rep.: Harry Meads

Address: _____ Phone: 512-281-4027

Parade Title: Elgin Vol Lighted Christmas Parade

Parade Location: Elgin Memorial Park to Veterans Park

Parade Coordinator: Courtney Meads & Harry Meads Phone: 512-217-4484 512-281-6344

On-site Contact (event day): Either one Courtney or Harry Phone: _____

Parade Date: Dec 7 2019 Start Time: 6:00 End Time: _____
 Set-up Time: 4:00 Tear-down time: _____
 (No earlier than 7:00 am) (Completed no later than 10:00 pm)

Number expected of:

Participants _____ Attendees _____ Animals _____ Types of animals: _____

Motorized vehicles/floats _____

Maximum dimensions: Height _____ feet

Weight _____ lbs.

Space to be maintained between units of the parade: _____ feet

Tents or Other Temporary Structures: (must meet city's fire and building codes)

If you are planning to erect tents, canopies, seating, awnings, booths, first aid stations, portable restrooms or other temporary structures, please describe:

Qty.	Sizes	Types	Fire Retardant Letter
_____	_____	_____	____ Yes ____ No
_____	_____	_____	____ Yes ____ No
_____	_____	_____	____ Yes ____ No
_____	_____	_____	____ Yes ____ No

Food or Beverages:

If you are planning on serving or selling food or beverages, please attach copies of any licenses or permits issued by the appropriate agencies for such vendors. Such vending shall be in compliance with all state and local laws.

Amplified Sound:

If you are planning to utilize any loudspeakers or other form of amplified sound, please indicate on page three's (3) sketch or map the location and orientation of those systems or whether they will be mounted on the floats. Speakers should not be positioned so as to adversely affect any adjacent residential district between the hours of 7:00AM and 9:00PM.

Signage:

If you are planning to use or allow signs at such event, please provide details of any planned signage.

Disposal of Wastewater:

Applicant shall submit a plan for disposal of any wastewater in connection with the special event and such plan must be approved by the Utilities Department.

Other Permits & Fees

Please check all components that are a part of your event. Additional fees, permits or reservations maybe required.

☒ Animals ☐ Banners/Signs ☐ Liquid Propane ☐ Electricity
☒ Barricades/Traffic Cones ☐ Fireworks ☐ Alcohol
☐ Portable Restrooms ☐ Special Parking ☐ Temporary Water Meter
☐ Fencing ☐ Merchandise Sales ☐ Park Property
☐ Other: _____

Map or Sketch of Parade Route, Equipment and Parking Plan

Please check (v) each item included in your event and on the next page please map or sketch their locations.

- ☒ Parade Route: identifying all streets to be used or blocked and indicating whether all or only a portion of the street is to be used.
- ☐ Assembly area ☐ Disassembly area
- ☐ Plan of evacuation and proposed fire lanes
- ☐ Placement of amplified sounds /loudspeakers
- ☒ Barricades: qty. 15 size _____
- ☐ First aid stations: qty. _____ staffing _____
- ☐ Tent(s) Size(s) _____
- ☐ Dumpster(s): qty. _____ size _____ capacity _____
- ☐ Portable Restrooms: qty. regular _____ qty. handicap _____ qty. other _____
- ☐ Parking arrangements (include the following)
- Will parking spaces be utilized by this event? YES _____ NO _____
Number of parking spaces provided must accommodate projected attendees plus 10% surplus. Also, provide information concerning layout of parking, including aisle widths and size of proposed parking spaces.
 - Parking attendants? YES _____ NO _____ If yes, how many? _____
 - Will there be any offsite parking? YES _____ NO _____
If yes and parking is on private property, applicant must submit a letter of permission from property owner.
 - Will there be any proposed parking along a street or highway or any part thereof?
YES _____ NO _____
 - How will attendees be transferred to the special event area and returned?

Map or Sketch

Attached

Suggested Map Symbols (Directions for completing this map/sketch are on the previous page):

→ Parade
Route

□ Assembly Area

□ Disbanding Area

-----→ Evacuation/
Fire Lanes

▲ Loudspeaker
Placement

X Barricade

+ First Aid Station

△ Tent

⬜ Dumpster

☾ Portable
Restroom

○ Volunteers
(number)

* Please indicate where
parking will be located

Streets

PD

Main Street @ Memorial Park

Taylor Road

Lexington

2nd

Austin

S Ave C @ Central

Fire

Memorial Park

11th

10th

9th

8th

7th

2nd

1st - Announcer

Depot -Central

Lexington

Traffic Control

We will get a list of the guys that will
block streets & get it to you.





Elgin Volunteer Fire Department
Annual Lighted Christmas Parade
December 7, 2019

Contact Name: _____
Organization Name: _____
Phone & Address: _____
Theme: _____

Check In: 4:00– 5:00 PM

Park and Ride – Hwy 95 N entrance to Elgin Memorial Park

Must be in the park with entry number and light on and ready to be judged

Line up as checked in

Judging: 5:15

Parade Start time: 6:00

Rules: Let's have a safe and fun Parade!

Nothing thrown from the parade entries

Walkers should bring flashlight

Supervise children at all times- Elgin Fire Department is not responsible for any Accidents

No ATVS, Go Carts, Golf Carts, Drivers must have a valid driver's license.

No revving of motors.

Per the New Elgin City Ordinance all horse owners must clean up after your animal.

NO ALOHOLIC BEVERAGES

Please keep in mind you line up in the park and there are low tree limbs and Power lines

By signing this entry, you have agreed to the rules, laws and the City Ordinance.

Any questions please call Harry Meads @ 512-281-6344 or Courtney Meads 512-217-4484.

Entries must be Signed and turned in at the time of check in.

Organization Coordinator signature: _____

Thank you for your participation.

Merry Christmas from Elgin VFD Family.

Elgin Vol. Fire Dep Lighted Christmas Parade

Parade Information and Rules

1. ALL ENTRIES MUST CHECK IN AT THE REGISTRATION TABLE NO LATER THAN 5:00 P.M. You will be given a numbers and lined up in Memorial Park.
2. Parade Judging will begin at 5:15p.m. Entries must be in place and participants present to be eligible for judging. If you do not want to be judged, you still need to be in place and ready to go.
3. PARADE WILL BEGIN PROMPTLY AT 6:00 PM.
4. You may bring bottled water for your participants. **ABSOLUTELY NO ALCOHOLIC BEVERAGES MAY BE CONSUMED BEFORE OR DURING THE PARADE.**
5. A licensed driver must drive autos, tractors, and large vehicles. Drivers are responsible for the safety and behavior of their participants.
6. All vehicles participating in the parade must be clean and in safe operating condition. They must also be operated in a safe manner so not to endanger other participants or spectators. All safety equipment is the responsibility of the entrant.
7. An adult supervisor who will be responsible for the behavior of their participants must represent each youth group. Adult groups must name a contact person. Names of supervisor or contact person must be submitted at registration.
8. Equestrian units are welcome. All horses in the parade must have current Coggins records. A Fire Dept representative may check records at line up. **All Equestrian units are required to provide their own "clean-up crew" for their unit.**
9. For safety reasons, NO ARTICLES, WHATSOEVER INCLUDING BUT NOT LIMITED TO GUM, CANDY, FLYERS, WATER BALLOONS, ETC. MAY BE THROWN, HANDED OR PASSED FROM ANY FLOAT OR VEHICLE. Walkers may hand out material as long as it is not a distraction and is done at "curbside". Children run toward vehicles passing items and for the safety of the children attending the parade there are NO EXCEPTIONS TO THIS RULE. Violators will be immediately removed from the parade.
10. Due to the length of the parade, it is very important that it keeps moving. Please do not intentionally stop or slow the movement of the parade for any demonstration, etc. If your entry has mechanical or other problems, pull off to the side and we will try to get assistance to you.
11. As a courtesy to other parade participants, do not disband until you reach your original set-up location.
12. Exceptions to these rules may be made only with the approval of the Elgin Fire Dept.
13. Elgin Fire Dept is very proud of its reputation for quality and family oriented entertainment, therefore, the Parade Committee retains the right to refuse entry of any float, unit or individual not conforming to the high standards of the Lighted Christmas Parade. Failure to comply with the parade rules may result in removal from the parade formation and will affect future invitations.
14. Elgin Fire Dept, Elgin Chamber of Commerce, and the City of Elgin assume no responsibility for the behavior of entrants, accidents, injuries, damages, or loss of any kind.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: ELGIN VOLUNTEER FIRE DEPARTMENT LIGHTED CHRISTMAS PARADE FEE WAIVER REQUEST

DEPARTMENT: Community Services

PROPOSED ACTION: Consider fee waiver request

BACKGROUND:

The Elgin Volunteer Fire Department organizes and implements the Elgin Lighted Christmas parade on First Saturday of December. Saturday December 7 at dusk. Parade line up is in Elgin Memorial Park. Parade Route is Main Street from EMP / 11th Street south to Austin Street. Staff support for the street closures \$720.00 Elgin Volunteer Fire Department requests a waiver of the associated fees totaling \$720.00 for the Lighted Christmas parade.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: take action related to the fee waiver request from the Elgin Volunteer Fire Department for the Lighted Christmas Parade.

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.

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

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

EVFD Christmas Parade December 7th 2019

The Elgin Volunteer Fire Department organizes and implements the Elgin Lighted Christmas parade on First Saturday of December. Saturday December 7 at dusk. Parade line up is in Elgin Memorial Park. Parade Route is Main Street from EMP / 11th Street south to Austin Street. Staff support for the street closures \$720.00 Elgin Volunteer Fire Department requests a waiver of the associated fees totaling \$720.00 for the Lighted Christmas parade.

James Lopez

President EVFD

111 N. Ave C

512-281-4025

Cell 512-229-7447



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Regular Meeting Minutes –October 15, 2019.

DEPARTMENT: Administration

PROPOSED ACTION:

Review and approve the October 15, 2019 Meeting Minutes.

BACKGROUND:

N/A

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the October 15, 2019 Meeting Minutes.

ATTACHMENTS: October 15, 2019 Meeting Minutes.

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

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

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

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

**MINUTES
ELGIN CITY COUNCIL
REGULAR MEETING
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
TUESDAY, OCTOBER 15, 2019**

CALL TO ORDER

Mayor Cannon stated he would move the Consent Agenda before the Public Hearings and under New Business item # 1 above the City Manager's report after the pledge.

Mayor Cannon called the meeting to order at 7:05 p.m.

ROLL CALL

Present: Mayor Chris Cannon

Jessica Bega, Mayor Pro Tem

Juan Gonzalez, Council Member

Susie Arreaga, Council Member

Daniel Lopez, Council Member

Phillip Thomas, Council Member

Neil Beyer, Council Member

Sue Brashar, Council Member

Mayor Cannon certified there was a quorum and stated that Council Member Penson had informed him she would not be in attendance due to medical issues.

Council Member Brashar moved to excuse Council Member Penson's absence. Council Member Lopez seconds the motion. Motion carried 8-0.

Staff: Thomas L. Mattis, City Manager

Patrick South, Police Chief

David Harrell, Planning Director

Amy Miller, Community Development Director

Michael Gonzalez, Parks Director

INVOCATION

Council Member Brashar gave the invocation.

PLEDGE OF ALLEGIANCE

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

CITY COUNCIL REGULAR MEETING
October 15, 2019 – Page 2
City Annex Council Chambers

Mayor Cannon stated this presentation was usually done with the City Manager's report, that it was a non-voting presentation, so it did not need to be listed. He stated the Citizen Spotlight of the third quarter was Dan Kliener and presented him with a plaque and \$100 gift card.

CONSENT AGENDA

1. PROCLAMATION FOR 32ND ANNUAL HOG EYE FESTIVAL.

Mayor Cannon invited people involved with Hogeye to come forward for a photo.

2. City Council Regular Meeting Minutes –September 3, 2019, September 17, 2019, Special Meeting - September 24, 2019 And City Council Workshop Meeting - July 24, 2019.

Council Member Brashar moved to approve the City Council Minutes of September 3, 17, 24 and July 24th Workshop. Council Member Bega seconds the motion. Motion carried 8-0.

NEW BUSINESS

Debbie Wahrmond spoke and stated that she was excited and appreciated the young people who have taken this on. She stated that she and her husband had been involved for many years and she hoped everyone would support the Farmers Market.

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

Council Member Dennis moved to approve the Resolution authorizing the City Manager to execute an Elgin Park Terms of Use Agreement. Council Member Bega seconds the motion. Motion carried 8-0.

Mayor Cannon recessed the regular meeting at 7:28 and opened Public Hearing.

PUBLIC HEARING

1. Public Hearing on a Specific Use Permit Request for 176 VFW Rd.

Steve Woody spoke and stated he was representing Tillman Infrastructure, AT&T Wireless and the VFW. He stated they were there to request a Specific Use Permit to construct a 220 ft. cell tower on the VFW's property located at 176 VFW Road. Mr. Woody referred to a book he passed out, stating tab one showed what the tower would look like with the dimensions to scale, self-supporting tower with no guide wires and accommodate four additional carriers other than AT&T Wireless. He stated tab two showed what the compound would look like from an aerial view, a

CITY COUNCIL REGULAR MEETING

October 15, 2019 – Page 3

City Annex Council Chambers

100x100 lease area and they had signed a long-term lease with the VFW with a 12-foot road going back to the tower from VFW Road. He stated that the VFW tower's primary function is to provide AT&T Wireless with an antenna platform that will allow AT&T to serve their customers in Elgin and Bastrop County. He stated that the VFW tower was part of AT&T's nationwide high-rent relocation program that identifies high cost burdensome site leases and relocates their equipment to lower cost locations. He stated if the VFW tower was approved, AT&T would remove their equipment from the tower located at Ella Lane and relocate the equipment to the Tillman VFW tower. He stated AT&T and Tillman partnership will help ensure the citizens of Elgin will have access to the latest and greatest wireless communications available. Mr. Woody read part of a letter of support by Tim Brenner, Director Network Planning AT&T, as well as a letter from Gena Carter, President Elgin Chamber of Commerce.

City Manager Thomas Mattis stated that the disclaimer of this information being confidential he wasn't sure how it could be kept confidential when he was handing out the information. He stated he wanted it noted in the record that the city could not promise that since it was being discussed. Mr. Woody acknowledged that it was in a public hearing and would waive the notice of confidentiality. Mr. Mattis stated that they were public record now and wanted him to be aware of that. Mr. Woody stated that P&Z had stated the permit was good for five years and wanted to address that, and it would almost be a denial for them because they are in a long term relationship with the VFW; and he was asking there would not be a restriction like that put on any approval that it would just run as long as it was being used as a communication tower, and if it ever went away then the Specific Use Permit would go away at that point.

Bebb Francis spoke and stated he was the Attorney for SBA, which owns and operates the tower that will be a third of a mile away from the proposed Tillman Infrastructure tower. He asked whose best interest this tower was in, Tillman and AT&T, or the citizens of Elgin. He stated that AT&T is providing excellent service as Mr. Woody had just admitted, from its existing antennas on SBS's tower since 2012. He stated that since 2012 AT&T has had no less than 6 modifications, upgraded their equipment on the tower as late as last year and put on the primo top of the line equipment. He stated AT&T was on 8000 SBA towers and so far this year they have entered into lease modifications of 2000 times, and asked if that sounded like someone that does not want to do business with SBA. He stated there was a letter in the booklet confirming what he had just said and wanted to tell them this was all about what Mr. Woody said. In November 2017, AT&T and Tillman entered into a big press release saying they were going to target cities such as Elgin to come in and build towers as close as physically possible to existing towers just as Mr. Woody said, not to benefit or provide coverage but solely to relocate the antennas leaving a overbuilding situation. Mr. Francis spoke about the impact and referenced pictures in the book about how close this would be and the impact nationwide. He stated that this was a business plan to the detriment of the communities. He stated there was more detailed information in their booklet he provided to the Council.

CITY COUNCIL REGULAR MEETING

October 15, 2019 – Page 4

City Annex Council Chambers

Jason Winborn Vice President for External Affairs for AT&T spoke in support of Tillman Infrastructure's Specific Use Permit. He stated AT&T is continuously working to provide the best possible service in the most responsible and cost-effective manner for the cities and customers we serve. He stated that with the new tower, AT&T will more rapidly deploy new services like 5G and First Net without incurring additional unnecessary tower leasing expenses making Elgin a prime candidate for new services. He stated SBA is acting like a landlord that will not let them leave and it was not a fair situation.

Kevin Connors from Mars, PA visiting friends from the VFW and a member of the VFW since 1973. He stated that when doing the charity work that this group does, you need all of the support you can get; and hoped the Council would support the VFW on this.

Rob Humphrey spoke and thanked the Council for the consideration of the placement of the VFW tower; and stated that as a nonprofit entity and having been here for a number of decades, the nominal fees that the Post is going to receive on a monthly basis from the tower owner will be more than tripled and returned to the community over time.

Charles Swain Commander of the VFW stated that this was strictly a business decision and were providing land for this and not using it for anything else. He stated no one at the VFW earned a salary and everyone volunteers. He stated that they had just established an ACC scholarship for veterans programs at the community college and they had just awarded their last scholarship in the last quarter; and they have made a decision to have that ongoing every semester as well as the American Legion joining them in this. He stated they do other scholarships and have so done for over 50 years. He stated they have 5 acres they plan to make a ball field on and will use the revenue they will get from this program to build this.

2. Public Hearing on an Ordinance Amending Chapter 46, Article II, Division 3, Section 46-85 (Board of Adjustment) Membership, Appointments, General Powers, Etc. in order to Reduce Membership from Seven (7) Regular Members to Five (5) Regular Members Plus One (1) Senior Alternate Member and One (1) Junior Alternate Member, Prescribe Order of Automatic Elevation, and when the Regular, Junior Alternate, and Senior Alternate Members can and cannot vote for an item before the Board of Adjustment; Repealing all other Ordinances and parts of Ordinances in Conflict Therewith; and Providing for a savings clause.

3. Public Hearing - A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

There were no speakers on Public Hearings #2 or #3. Mayor Cannon closed the Public Hearing at 7:59 pm.

PUBLIC COMMENT

Mayor Cannon opened Public Comment.

Randy Krapf spoke and stated he came to see if there was an update and had one thing he wanted to pass on. He stated he understood it was an uncomfortable discussion and he was just as uncomfortable reading the racist quotes from the Daughters of the Confederacy at the time and intent of those when those markers went in. He stated one thing that was said in the September meeting by the President of the Daughters of the Confederacy was that they claim ownership of the monument; so potentially a simpler discussion would be to ask them to provide whatever authorization they were given by whatever proper authorities to put a marker on public land on a permanent basis and that was difficult to fathom what legal instrument that would be. He stated they could be given a reasonable time frame to relocate it to private property and would not send a message of public support.

With no one else wishing to speak Mayor Cannon closed Public Comments.

CITY MANAGER'S REPORT

1. Update and Discussion of the Bastrop-Travis Counties Emergency Services District No. 1 Proposed New Local Sales and Use Tax Set for the November 5 Ballot.

City Manager Thomas Mattis spoke and stated that he wanted to update the Council about an item that was previously discussed at a Special Meeting and wanted to make sure there were not any questions, or input or direction from Council. He stated it had to do with the ballot issue that is set for November 5th that the Bastrop-Travis County ESD #1 has placed on the ballot asking voters to approve sales tax that would collect a 2% sales tax that would go to the ESD and all of the city's ETJ; all of the areas surrounding the city that would prevent the city from future growth, growing into that area and being able to collect any sales tax from that area. Mr. Mattis spoke about substantial growth on the western side of town driving commercial and retail development, but if the measure passes, the 2% would be exclusively shared by the ESD and the County. Mr. Mattis stated they wanted people to understand the key issue and that it was an important issue for the future of the city. He stated that if anyone wanted more information, he had some he could provide.

2. Update on Various Issues Associated with an Area in the Southeast Quadrant of the City Annexed in 2015 ("Annexed Area") and Related Matters.

City Manager Thomas Mattis stated there was more updated details on the annexed area and we are ready to proceed with the engineering plans for the extension of sewer to Area 2, adjacent

CITY COUNCIL REGULAR MEETING

October 15, 2019 – Page 6

City Annex Council Chambers

to the FM 1704 corridor and included in the packets was a copy of the proposal by TRC to do the engineering, and be approximately \$280,000. He stated this was the last service the city had to provide to the area, as long as it was completed by the end of 2020 the city would be in compliance of the law.

3. General Activity Report And/or Project Update.

Mr. Mattis stated that there was a soft opening of the new city website and still being worked on. He stated it had a whole new look and everyone was excited about it, and the plan is on the November 5th meeting there would be a presentation. He also mentioned the Hogeye festival at the end of October and there would be the city information booth like we had last year, and informed Council he would be at a conference next week.

Mr. Mattis stated that on the highway marker that was mentioned earlier, the city was still in the process of gathering information and the plan would be to have it on the next agenda. He stated he wanted to respond to a comment made earlier and there was no question the marker was authorized by TXDOT for placement in that spot. He stated that they do not take responsibility for it, but the city has to get their permission to do anything with it.

4. Departmental Monthly Reports - August 2019.

There were no comments or questions on the Monthly Reports.

NEW BUSINESS

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING A MASTER SIGNAGE PLAN FOR ASCENSION SETON LOCATED AT 200 ROY RIVERS ROAD (ELGIN BUSINESS PARK II, BLOCK B, LOT 3).

Council Member Brashar moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 8-0.

3. AN ORDINANCE AMENDING CHAPTER 42, ARTICLE IV. SOLID WASTE, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY AMENDING CHAPTER 42 AND ADOPTING SECTION 42-277 REGARDING TRASH COLLECTION BY THE CITY; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

Council Member Gonzalez moved to approve the Ordinance as presented. Council Member Bega seconds the motion. Motion carried 8-0

4. AN ORDINANCE AMENDING CHAPTER 46, ARTICLE II, DIVISION 3, SECTION 46-85 (BOARD OF ADJUSTMENT) MEMBERSHIP, APPOINTMENTS, GENERAL POWERS, ETC. IN ORDER TO REDUCE MEMBERSHIP FROM SEVEN (7) REGULAR MEMBERS TO FIVE (5) REGULAR MEMBERS PLUS ONE (1) SENIOR ALTERNATE MEMBER AND ONE

CITY COUNCIL REGULAR MEETING

October 15, 2019 – Page 7

City Annex Council Chambers

(1) JUNIOR ALTERNATE MEMBER PRESCRIBE ORDER OF AUTOMATIC ELEVATION, AND WHEN THE REGULAR, JUNIOR ALTERNATE, AND SENIOR ALTERNATE MEMBERS CAN AND CANNOT VOTE FOR AN ITEM BEFORE THE BOARD OF ADJUSTMENT; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

Council Member Brashar moved to approve the Resolution as presented. Council Member Lopez seconds the motion. Motion carried 8-0.

5. Discussion and Possible Action to Appoint New Members to Serve on the Board of Adjustment.

Council Member Brashar moved to approve the appointments of Stephen Kylberg as Sr. Alternate and Darren Mogonye as Jr. Alternate to the Board of Adjustments. Council Member Gonzalez seconds the motion. Motion carried 8-0.

6. AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO CONSTRUCT A 220 FOOT SELF-SUPPORTING TOWER (224 FOOT TO HIGHEST APPURTENANCE), A 100 FOOT BY 100 FOOT FENCED COMPOUND, ACCESS ROAD, AND NECESSARY UTILITY INFRASTRUCTURE AT THE PROPERTY LOCATED AT 176 VFW ROAD IN THOMAS GARRETSON SUBDIVISION, LOT A-178, BEING APPROXIMATELY 0.2296 ACRES, CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Council Member Jones moved to approve the Ordinance as presented without the 5-year stipulation. Council Member Dennis seconds the motion. Motion carried 5-3 with Mayor Cannon, Council Members Penson, Lopez, Jones, and Dennis voting yes, and Council Members Arreaga, Gonzalez, and Mayor Pro Tem Bega voting no.

7. 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.

No action was taken on this item.

ANNOUNCEMENTS

Mayor Cannon mentioned Hogeye festival coming up.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 9:10 p.m.

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: An ordinance annexing adjacent and contiguous territory to the City of Elgin, Texas, to wit: 68.992 acres of land, lying in and being situated out of the Henry Martin Survey, Abstract 518 in Travis County, Texas and being fully described in Exhibit “A”, attached hereto; providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Planning and Community Development

PROPOSED ACTION: Discussion, consideration, and action on an ordinance for a voluntary annexation of 68.992 acres of land located along the north side of FM 1100 just south of Elgin High School.

BACKGROUND: Currently this parcel is located within the City ETJ and is contiguous with the municipal boundaries along the FM 1100 right-of-way and at the Elgin High School Parcel and has the ability to be annexed into the City. The parcel is currently vacant with an abandoned home on the property.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this item on October 28, 2019.

ATTACHMENTS:

Planning & Zoning Commission Staff Report, Petition for Voluntary Annexation, Area Maps, Ordinance with Exhibit “A”.

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

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

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

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



Planning & Community Development

STAFF REPORT

Voluntary Annexation of Parcel of Land

Date: October 17, 2019

Applicant: Thunder Horse Development, LLC

Representative: SAME

Hearing Dates: Planning & Zoning Commission – October 28, 2019
City Council – November 5, 2019

Location: Travis Co. Appraisal District Parcel 839520

APPLICATION SUMMARY

Recommendation of a voluntary annexation of 68.992 acres of land located along the north side of FM 1100 just south of Elgin High School.

DEPARTMENT COMMENTS

Currently this parcel is located within the City ETJ and is contiguous with the municipal boundaries along the FM 1100 right-of-way and at the Elgin High School Parcel and has the ability to be annexed into the City. Section 46-717 requires the Commission hold a hearing on the proposed annexation and make a recommendation to the City Council. The parcel is currently vacant with an abandoned home on the property.

STAFF ANALYSIS

Based on the information within the packet, staff believes there are no issues with recommending approval of the request.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Petition for Voluntary Annexation
2. Area Map
3. Ordinance

Attachment 1
Petition for Voluntary Annexation

Sharon Auvenshine

From: michael@thunderhorsedevelopment.com
Sent: Monday, October 7, 2019 9:43 AM
To: Planning and Development
Subject: Voluntary Annexation Application
Attachments: ANNEXATION APPLICATION SCAN.pdf; EXHIBIT A Legal Description.pdf

Sharon,

Here is the Voluntary Annexation Application for 18510 FM 1100 Elgin, TX 78621. We are making application as of today October 7, 2019.

Thank You,

Michael Bowen
President
512-820-2714
www.thunderhorsedevelopment.com



God, Family & Good Construction

PETITION REQUESTING ANNEXATION
TERRITORY IN WHICH THERE ARE FEWER THAN THREE VOTERS

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF
ELGIN, TEXAS.

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which less than three qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as part of the City of Elgin, Texas, the following described territory, to wit:

See Exhibit "A", attached hereto and incorporated herein.
(Here describe territory by metes and bounds.)

MMX I ~~we~~ certify that the above described tract of land is contiguous and adjacent to the City of Elgin, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Signed: _____

Signed: X

Signed: X

C. MICHAEL BOWEN, SR.
MANAGING PARTNER
TRAVIS PARKER ASSOCIATES LTD

COLORADO
THE STATE OF TEXAS

COUNTY OF EAGLE

Before me, the undersigned authority, on this day personally appeared

C. MICHAEL BOWEN, SR. _____, and _____,
known to me to be the persons whose names are subscribed to the foregoing instrument *MMX*
and each acknowledged to me that he executed the same for the purposes and
consideration therein expressed.

Given under my hand and seal of office, this 21 day of August, 20 19.

CHRISTOPHER MICHAEL SANDOVAL
NOTARY PUBLIC - STATE OF COLORADO
NOTARY ID 20184044617
MY COMMISSION EXPIRES NOV 16, 2022

[Signature]
Notary Public, State of Texas

COLORADO

TRAVIS PARKER ASSOCIATES, LTD.

Ste E-240 – 206 3801 N. Capital of Texas Hwy Austin, Texas 78746-1482
Voice # 970.390.3062 e-mail “mountainshine1@gmail.com”

AUTHORIZED AGENT DECLARATION

I, **C. Michael Bowen, Sr.**, the managing partner of **Travis Parker Associates, LTD**, do hereby authorize the following to act as my Agent(s) in submitting applications and executing development processes on behalf of my company, within the City of Elgin for the property located at 18510 FM 1100 Elgin, Texas 78621. I understand that I am responsible for any applications/documents as submitted by my Agent(s) and that the individual must exhibit this authorization form to the permitting staff upon request. I further acknowledge that this original authorization form can remain in my file for legal reference purposes if needed. It is agreed that the Agent(s) named below may act as the primary contact for request of information by City staff to complete applications and to execute any processes that pertain to the development of the property named herein. I understand that it is my responsibility to update my file with the City of Elgin upon change of authorized agent status. Persons named below are authorized and approved to submit application data and to obtain any approvals in regards to the Business:

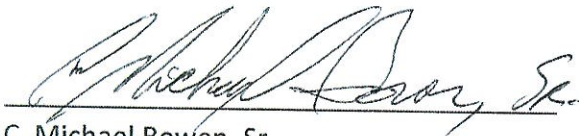
Authorized Agent: **C. Michael Bowen, Jr.**

Company Name: **Thunder Horse Development, LLC**

E-Mail Address: **michael@thunderhorsedevelopment.com**

Phone #: **(512) 820-2714**

WITNESS OUR HANDS, THIS 21st DAY OF August, 2019 I, the undersigned, representing the Business, do hereby affirm and swear, under oath, that all information on this form is true and correct.



C. Michael Bowen, Sr.

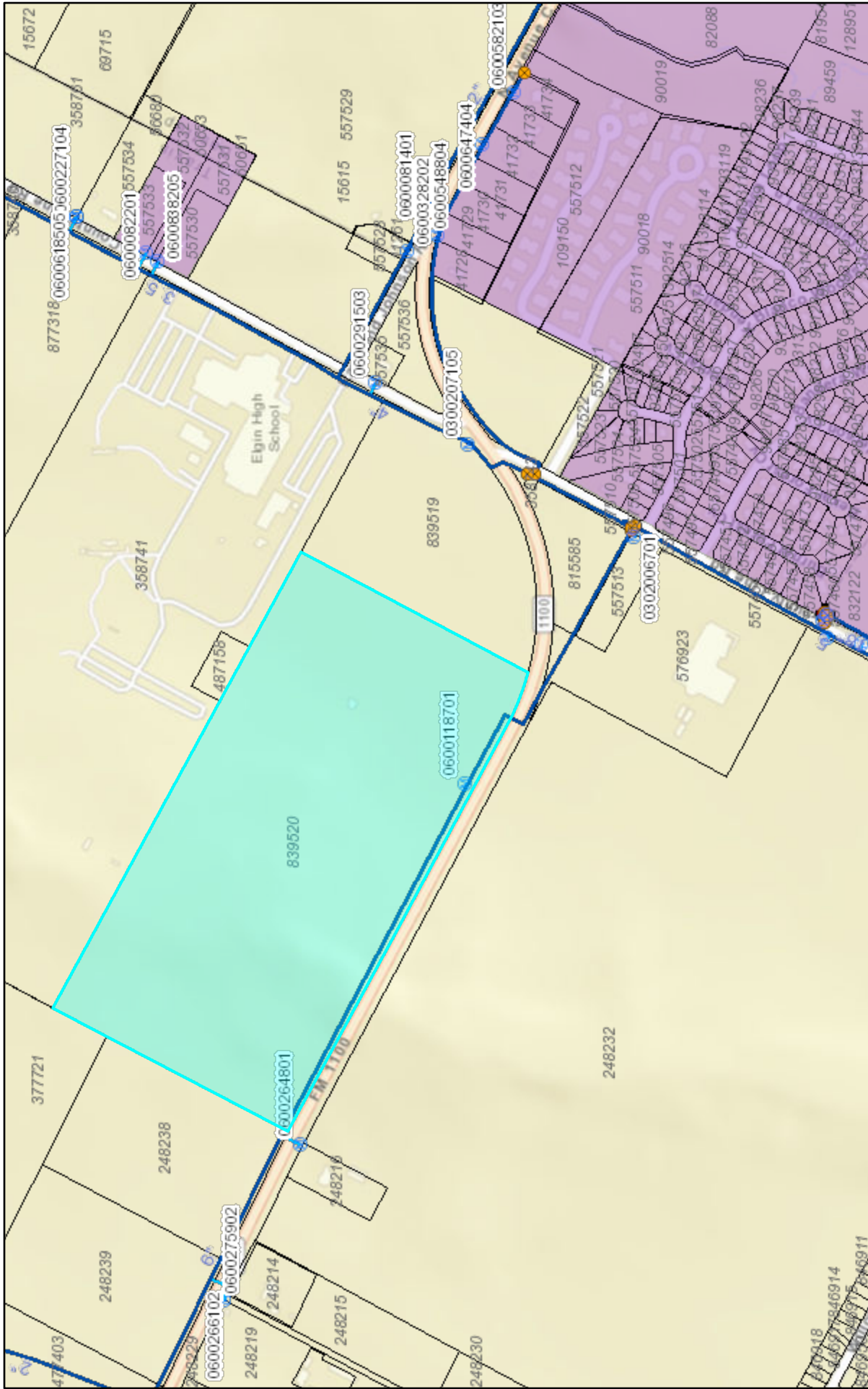
Managing Partner

Travis Parker Associates, LTD

Attachment 2

Area Map

Parcel # 839520



4/4/2019, 1:27:15 PM

1:9,028

- Bastrop Recorded Subdivisions
- Sewer Gravity Mains
- Sewer Manholes
- Water Network Structures
 - Water Lateral Lines
 - Water Mains
- Water Hydrants

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Attachment 3

Ordinance

ORDINANCE NO. 2019-11-05-??

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 68.992 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 IN TRAVIS COUNTY TEXAS AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 68.992 acres of land, more or less, out of the Henry Martin Survey, Abstract 518 of land (the “Property”) more fully described in Exhibit “A”, have petitioned the City Council in writing to annex the Property, and

WHEREAS, the property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant without residents, or on which less than three (3) qualified voters reside, and

WHEREAS, the Planning & Zoning Commission, at their October 28, 2019 meeting, recommended approval of the Ordinance, and

WHEREAS, the City Council has determined that all requirements of Section 43.028, Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

I.

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

II.

That the City Council has heard arguments for and against the annexation and has determined to grant the petition for annexation.

III.

That the Property described in Exhibits “A”, attached hereto and incorporated herein for all purposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Travis County, Texas, and same is hereby made an integral part hereof.

IV.

That the owners and future inhabitants of the area herein annexed be entitled to all of the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

V.

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so

as to include the aforementioned territory as part of the City of Elgin, Texas.

VI.

That the City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after its passage

VIII.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Travis County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid, or unconstitutional or any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph, or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph, or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

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

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

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

By motion duly made, seconded, and passed with an affirmative vote of all the Council members present, the requirement for reading this Ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this the 5th day of November 2019.

CHRIS CANNON, Mayor

ATTEST:

Amelia Sanchez, City Secretary

Exhibit "A"

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

185 McAllister Road
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@austin.rr.com

May 31, 2019

LEGAL DESCRIPTION: BEING 68.992 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 IN TRAVIS COUNTY, TEXAS AND BEING THE REMAINDER OF THAT CERTAIN 93.75 ACRE TRACT OF LAND CONVEYED TO NORRIS E. KREIG BY DEED RECORDED IN VOLUME 4211, PAGE 1291 DEED RECORDS, TRAVIS COUNTY, TEXAS; SAID 68.992 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN MAY, 2019:

BEGINNING at a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the southerly line of that certain 92.456 acre tract of land conveyed to the Elgin Independent School District by deed recorded in Volume 9331, Page 902 Real Property Records, Travis County, Texas for the northeast corner hereof and the northwest corner of that certain 18.000 acre tract of land conveyed to First Baptist Church of Elgin, Texas by deed recorded in Document #2013223733 official records, Travis County, Texas;

THENCE S 27°21'05" W a distance of 1200.25 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the curving, northerly right-of-way (80') line of FM 1100 for the southwest corner of said First Baptist Church of Elgin Texas 18.000 acre tract and the southeast corner hereof;

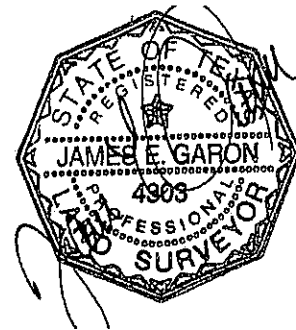
THENCE along said right-of-way line of FM 1100 a distance of 240.57 feet along the arc of said curving line to the right having a radius of 1106.53 feet and a chord bearing N 68°48'55" W a distance of 240.10 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for endpoint of curve and N 62°35'28" W a distance of 2199.38 feet to a 1/2" iron pipe found for the southwesterly corner hereof and said Krieg 93.75 acre tract and the southeasterly corner of that certain 14.795 acre tract of land conveyed to the Ernest W. Bracewell, Sr. Family Trust by deed recorded in Document #2014014538 of said official records;

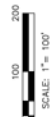
THENCE N 27°18'06" E a distance of 1240.16 feet to a "T" post in concrete found for the northwesterly corner hereof and said Krieg 93.75 acre tract and the southwesterly corner of said Elgin Independent School District 92.456 acre tract;

THENCE S 62°15'55" E a distance of 2439.21 feet to the **POINT OF BEGINNING**, containing 68.992 acres of land, more or less, and as shown on map of survey prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor
co\Travis\sur\Henry Martin a518\40719





1/2" BRASS FOUND JACKETS NEEDED
STAMPED 101 JANUARY 1943
FIVE FOUND JACKETS NOTED
AND 100 FOUND JACKETS NOTED
CONCRETE REINFORCING FOUND
CONCRETE SPINDLE FOUND
IRON NAIL FOUND
IRON NAIL FOUND
FINDS NOT FOUND
CLEAN OUT
SAFETY L
WOOD FENCE
CHAIN LINK FENCE
IRON FENCE
OVERHEAD ELECTRIC LINE
DOWN OUT
FIRE HYDRANT
DRAINAGE CULVERT
DRAINAGE CULVERT
BUILDING LINE
INTERESTING COMMENTS
REMARKS
ADJ. WITH SHIP COMPANY WITH, 194
REMARKS
REMARKS



TO THE CHAIRMAN, LIBRARY/INFORM AND ACCESS/INFORM THE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES, IN AREA, BOUNDARY LINE, CONFLICTS, ENCUMBRANCES, OR OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN FACT, EXCEPT AS SHOWN HEREON, AND THAT EACH PROPERTY HAS BEEN VISITED AND THAT A SUFFICIENT MEASURE OF PROPERTY AS SHOWN LOCATED.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "2", AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, NO. 14A-0301ENR, EFFECTIVE SEPTEMBER 26, 2008.

REFERENCE: TRAVIS PARKER ASSOCIATES, LTD
ADDRESS: 18510 FM 1100, ELGIN, TEXAS
LEGAL DESCRIPTION: 68.992 ACRES IN THE HENRY MARTIN SURVEY, ABSTRACT 518,
BRAZOS COUNTY, TEXAS
G.P. NO.: 19403617--COM

FIELD BOOK: B-500/45
 COVER MATERIAL: Plastic

JAMES E. GARON & ASSOC.,
PROFESSIONAL LAND SURVEYORS
Firm Reg. #10058400
185 McAllister Road
Bastrop, Texas 78602



MAY 18 2000

© 2019 All Rights Reserved by James F. Garvin & Associates. Use of this survey for any



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: 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 rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 68.992 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Planning and Community Development

PROPOSED ACTION: Discussion, consideration, and action on 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 rezone as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 68.992 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND: When the Council annexed the parcel within the City limits it was assigned an R-1 Single Family District zoning in accordance with the City Code. This a rezoning of land to the R-3 Single Family, Two Family, and Industrialized Housing District. See attached Planning & Zoning Commission staff report for additional information.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

The Planning and Zoning Commission recommended approval of this item on October 28, 2019.

ATTACHMENTS:

Planning & Zoning Commission Staff Report, Rezoning Application, Ordinance with Exhibit “A”, Staff Added Comprehensive Plan Exhibit 4.4, Staff Added Zoning Map.

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

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

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

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



Planning & Community Development

STAFF REPORT

Rezoning of Parcel of Land

Date: October 17, 2019

Applicant: Thunder Horse Development, LLC

Representative: SAME

Hearing Dates: Planning & Zoning Commission – October 28, 2019
City Council – November 5, 2019

Location: Travis Co. Appraisal District Parcel 839520

APPLICATION SUMMARY

Recommendation of a rezoning of 68.992 acres of land located along the north side of FM 1100 just south of Elgin High School from R-1 Single Family District to R-3 Single Family, Two-Family, and Industrialized Housing District.

DEPARTMENT COMMENTS

This parcel will be considered for annexation by the City Council at their November 5 meeting. At that time the parcel of land will have an R-1 Single Family District zoning in accordance with City Code. The applicant is desiring to rezone the land to R-3 Single Family, Two-Family, and Industrialized Housing District.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Traditional Neighborhood Development Land Use category. This categories primary land usage is single family residential (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for single family homes as a use by right.

When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. Below is a table that shows proposed uses by right that are added in **green**:

R-1 District Uses by Right	R-3 District Uses by Right
Detached single-family dwelling.	Detached single-family dwelling.
Churches, but not including revival tents or arbors.	Churches, but not including revival tents or arbors.
Public school offering general educational courses the same as ordinarily given in public schools and	Public school offering general educational courses the same as ordinarily given in public schools and

having no rooms regularly used for housing and sleeping.	having no rooms regularly used for housing and sleeping.
Public park and playground.	Public park and playground.
Library.	Library.
Growing of farm products.	Growing of farm products.
Municipal use	Municipal use
Telephone exchanges.	Telephone exchanges.
Home occupations.	Home occupations.
Transportation and utility easements, alleys and rights-of-way	Transportation and utility easements, alleys and rights-of-way
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.
	Garage Apartments
	Zero lot line two-family dwelling.
	Industrialized housing.
	Manufactured home park.

Below is a list of zoning standards for each zoning category, changes are highlighted in yellow:

	R-1 (exist. zoning)	R-3 (proposed zoning)
Height	2.5 stories or 35 feet	2 stories or 35 feet.
Front Setback	25 feet; garage at 25 feet	15 feet; garage at 25 feet
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	5 feet for 1 story; 7.5 feet for more than 1 story
Rear Setback	10 feet	10 feet
Lot Width	75 feet	50 feet
Lot Area	9,000 sq. ft.	6,000 sq. ft.
Impervious Cover on Lot	45% interior; 50% corner	45% interior; 50% corner

Based on the information within the packet, staff believes there are no issues with recommending approval of the request. The zoning request is the same as other zoning categories in the immediate area (see attachment 4) and the underlying land use in the

Comprehensive Plan of Traditional Neighborhood Residential is supportive of single family homes as the primary use of the category (see attachment 3). Also the addition of uses by right and changes to zoning standards as denoted in the staff report would be same as the surrounding area since those portions are also zoned R-3 (see attachment 4).

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application Information
2. Ordinance
3. Staff Added Comprehensive Plan Exhibit 4.4
4. Staff Added Zoning Map

Attachment 1
Application Information



Thunder Horse Development LLC

1841 S. Lakeline Blvd. Suite 101-131 Cedar Park, TX 78613
Ph: 512-820-2714 michael@thunderhorsedevelopment.com

August 20, 2019

City of Elgin
Planning and Development Department
Attn: David Harrell, Planning and Development Director
1135 Swenson Boulevard
Elgin, TX 78621

RE: LETTER OF INTENT FOR ZONING for the STONE CREEK RANCH TRACT AT 18510 FM 1100 ELGIN, TX 78621

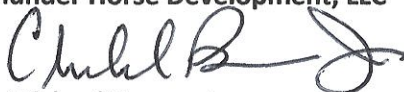
Dear Mr. Harrell:

On behalf of Travis Parker Associates, owner of the 68.992 acres of land identified by the Travis Central Appraisal District as property ID 839520, Thunder Horse Development, LLC hereby requests this property to be zoned by the City of Elgin in conjunction with the voluntary petition for annexation being filed concurrently. This tract is 68.992 acres of land located on the north side of FM 1100, west of County Line Road and south of Elgin High School.

The zoning requested for the site is R-3 Single-Family Dwelling District.

Thank you for the time and review of this project. Please let me know if you need any additional information in order to process this request.

Respectfully,
Thunder Horse Development, LLC


C. Michael Bowen, Jr.
President

TRAVIS PARKER ASSOCIATES, LTD.

Ste E-240 - 206 3801 N. Capital of Texas Hwy Austin, Texas 78746-1482
Voice # 970.390.3062 e-mail "mountainshine1@gmail.com"

AUTHORIZED AGENT DECLARATION

I, **C. Michael Bowen, Sr.**, the managing partner of **Travis Parker Associates, LTD**, do hereby authorize the following to act as my Agent(s) in submitting applications and executing development processes on behalf of my company, within the City of Elgin for the property located at 18510 FM 1100 Elgin, Texas 78621. I understand that I am responsible for any applications/documents as submitted by my Agent(s) and that the individual must exhibit this authorization form to the permitting staff upon request. I further acknowledge that this original authorization form can remain in my file for legal reference purposes if needed. It is agreed that the Agent(s) named below may act as the primary contact for request of information by City staff to complete applications and to execute any processes that pertain to the development of the property named herein. I understand that it is my responsibility to update my file with the City of Elgin upon change of authorized agent status. Persons named below are authorized and approved to submit application data and to obtain any approvals in regards to the Business:

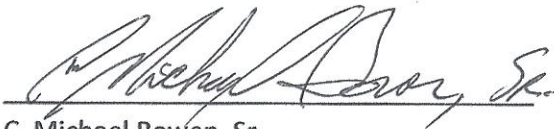
Authorized Agent: C. Michael Bowen, Jr.

Company Name: Thunder Horse Development, LLC

E-Mail Address: michael@thunderhorsedevelopment.com

Phone-#: (512) 820-2714

WITNESS OUR HANDS, THIS 21st DAY OF August, 2019 I, the undersigned, representing the Business, do hereby affirm and swear, under oath, that all information on this form is true and correct.



C. Michael Bowen, Sr.

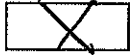
Managing Partner

Travis Parker Associates, LTD

City of Elgin
Application to appear before the Planning and Zoning Commission

Date of Application: 8-22-2019

REQUEST FOR: (check one)



ZONING



SPECIAL USE

Volume and page of deed(s) to property and size of tract(s):

VOLUME 4211 PAGE 1291 68.992 ACRE TRACT
INSTRUMENT # 2019126943 TRAVIS COUNTY

(if property is described as acreage, three copies of metes and bounds are to accompany this application)

LEGAL DESCRIPTION

BEING 68.992 acres of land, more or less, lying in and being situated out of the HENRY MARTIN SURVEY, ABSTRACT 518, in TRAVIS County, Texas, "EXHIBIT A"

Lot	Block	Subdivision	Section Phase
<u>18510 FM 1100 ELGIN, TX 78621</u>			
Street Address		Zone	
		<u>TRADITIONAL NEIGHBORHOOD RESIDENTIAL</u>	

DIMENSIONS OF LOT:

<u>2,427'</u>	<u>1,242'</u>	<u>3,014,570 SF</u>
Frontage	Depth	Square Feet

Present use of property:

AGRICULTURE - CROPS WITH HOMESTEAD

Proposed use of property:

SINGLE-FAMILY RESIDENTIAL DEVELOPMENT

Date of purchase of property:

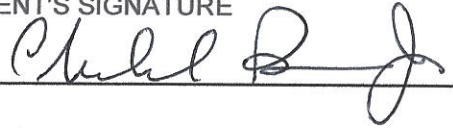
AUGUST 20, 2019

Existing Building On Property?: ☒ Yes

☐ No

APPLICATION CONTINUED

michael@thunderhorsedevelopment.com

OWNER'S NAME (printed) TRANIS PARKER ASSOCIATES LTD	AGENT'S NAME (IF APPLI CABLE) (printed) THUNDER HORSE DEVELOPMENT C. MICHAEL BOWEN JR.
ADDRESS 3801 N. CAPITAL OF TX HWY SUITE E-240-206	ADDRESS 1841 S. LAKELINE BLVD. SUITE 101-131
CITY AUSTIN TX	CITY CEDAR PARK TX
ZIP 78746	ZIP 78613
PHONE 970-390-3062	PHONE 512-820-2714
FAX	FAX
OWNER'S SIGNATURE	AGENT'S SIGNATURE 

Officers or principals and positions held (if applicable)

C. MICHAEL BOWEN JR. - MANAGING PARTNER

Note: Copies of all correspondence from to or to the Building Official of the City of Elgin related to this appeal will be submitted with this application form at the time of filing.

City of Elgin use only	
Fee Paid \$ _____	Date Received _____
Received by: _____	

DESCRIPTION OF CASE

Describe action you would like the Planning and Zoning Commission to take in reference to this application.

THIS 68.992 ACRE TRACT OF LAND IS LOCATED IN THE TRADITIONAL NEIGHBORHOOD RESIDENTIAL ZONE IN THE CITY OF ELGIN PER EXHIBIT 4.4: FUTURE LAND USE AND DEVELOPMENT PLAN, PER THE CITY OF ELGIN COMPREHENSIVE PLAN DATED 5/24/2016, THE TRADITIONAL NEIGHBORHOOD RESIDENTIAL ZONE'S MOST PRIMARY USE IS FOR SINGLE FAMILY RESIDENTIAL. THIS 68.992 ACRE TRACT OF LAND IS SOUTH OF AND ADJACENT TO ELGIN HIGH SCHOOL AND NORTH OF FM 1100. ACROSS FM 1100 FROM THIS 68.992 ACRE TRACT IS LONE WILLOW RANCH, A FUTURE SINGLE FAMILY RESIDENTIAL DEVELOPMENT THAT IS CURRENTLY ZONED R-3 SINGLE-FAMILY DWELLING DISTRICT. ON THE OPPOSITE SIDE OF THE HIGH SCHOOL FROM THIS 68.992 ACRE TRACT IS THE HOMESTEAD, A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT UNDER CONSTRUCTION THAT IS ALSO ZONED R-3 SINGLE-FAMILY DWELLING DISTRICT. TRAVIS PARKER ASSOCIATES, LTD IS REQUESTING R-3 SINGLE-FAMILY DWELLING DISTRICT ZONING FOR THIS 68.992 TRACT WHICH IS THE SAME ZONING ALREADY APPROVED IN SURROUNDING AREA.

Date of Application _____

Name of Applicant TRAVIS PARKER ASSOCIATES, LTD.

Address 3801 N CAPITAL OF TX HWY SUITE E-240-206 AUSTIN TX 78746

"This institution is an equal opportunity provider"

Attachment 2

Ordinance

ORDINANCE NO. 2019-11-05-??

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 REZONE AS R-3 SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT, THE PROPERTY BEING APPROXIMATELY 68.992 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from R-1 Single Family Dwelling District to R-3 Single Family, Two Family, and Industrialized Housing District, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on October 28, 2019, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" is R-3 Single Family, Two Family, and Industrialized Housing District, and

WHEREAS, on November 5, 2019, after proper notification, the City Council held a public hearing on the requested zoning, and

WHEREAS, the City Council determines that the zoning provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

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

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

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from R-1 Single Family Dwelling District to R-3 Single Family, Two Family, and Industrialized Housing District.

II.

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

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

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

READ, PASSED, and ADOPTED on first reading this the 5th day of November 2019.

CHRIS CANNON, MAYOR

ATTEST:

Amelia Sanchez, City Secretary

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

185 McAllister Road
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@austin.rr.com

May 31, 2019

LEGAL DESCRIPTION: BEING 68.992 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 IN TRAVIS COUNTY, TEXAS AND BEING THE REMAINDER OF THAT CERTAIN 93.75 ACRE TRACT OF LAND CONVEYED TO NORRIS E. KREIG BY DEED RECORDED IN VOLUME 4211, PAGE 1291 DEED RECORDS, TRAVIS COUNTY, TEXAS; SAID 68.992 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN MAY, 2019:

BEGINNING at a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the southerly line of that certain 92.456 acre tract of land conveyed to the Elgin Independent School District by deed recorded in Volume 9331, Page 902 Real Property Records, Travis County, Texas for the northeast corner hereof and the northwest corner of that certain 18.000 acre tract of land conveyed to First Baptist Church of Elgin, Texas by deed recorded in Document #2013223733 official records, Travis County, Texas;

THENCE S 27°21'05" W a distance of 1200.25 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the curving, northerly right-of-way (80') line of FM 1100 for the southwest corner of said First Baptist Church of Elgin, Texas 18.000 acre tract and the southeast corner hereof;

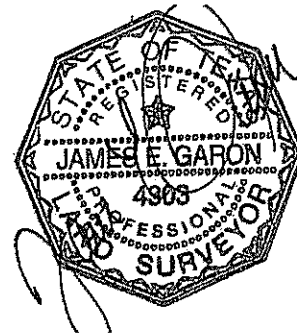
THENCE along said right-of-way line of FM 1100 a distance of 240.57 feet along the arc of said curving line to the right having a radius of 1106.53 feet and a chord bearing N 68°48'55" W a distance of 240.10 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for endpoint of curve and N 62°35'28" W a distance of 2199.38 feet to a 1/2" iron pipe found for the southwesterly corner hereof and said Krieg 93.75 acre tract and the southeasterly corner of that certain 14.795 acre tract of land conveyed to the Ernest W. Bracewell, Sr. Family Trust by deed recorded in Document #2014014538 of said official records;

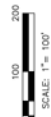
THENCE N 27°18'06" E a distance of 1240.16 feet to a "T" post in concrete found for the northwesterly corner hereof and said Krieg 93.75 acre tract and the southwesterly corner of said Elgin Independent School District 92.456 acre tract;

THENCE S 62°15'55" E a distance of 2439.21 feet to the **POINT OF BEGINNING**, containing 68.992 acres of land, more or less, and as shown on map of survey prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor
co\Travis\sur\Henry Martin a518\40719



[illegible]

ON THE CHAIRS: LIFELINE NEWS AND ASSOCIATED PRESS COMPANY

THE UNDERSIGNED HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE, CONVEYANCES, ENCUMBRANCES, OR EVIDENCE OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT THE UNDERSIGNED HAS ARRIVED AT AND MADE A REASONABLY MINUTELY FORECAST AS SHOWN ABOVE.

THE UNDERSIGNED ALSO FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE 2*, AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NO. 14A030001G, EFFECTIVE SEPTEMBER 28, 2008.

FIELD BOOK: B-588/45
FILE: S:\Counties\Tribes\Surveys\Henry Martin Sur A--S18\402718.dwg



JAMES E. GARON & ASSOC.
PROFESSIONAL LAND SURVEYORS
Firm Reg. #10058400
185 McAllister Road
Bastrop, Texas 78602



MAY 18 2000

© 2019 All Rights Reserved by James F. Garvin & Associates. Use of this survey for any

Attachment 3

Staff Added Comprehensive Plan Exhibit 4.4



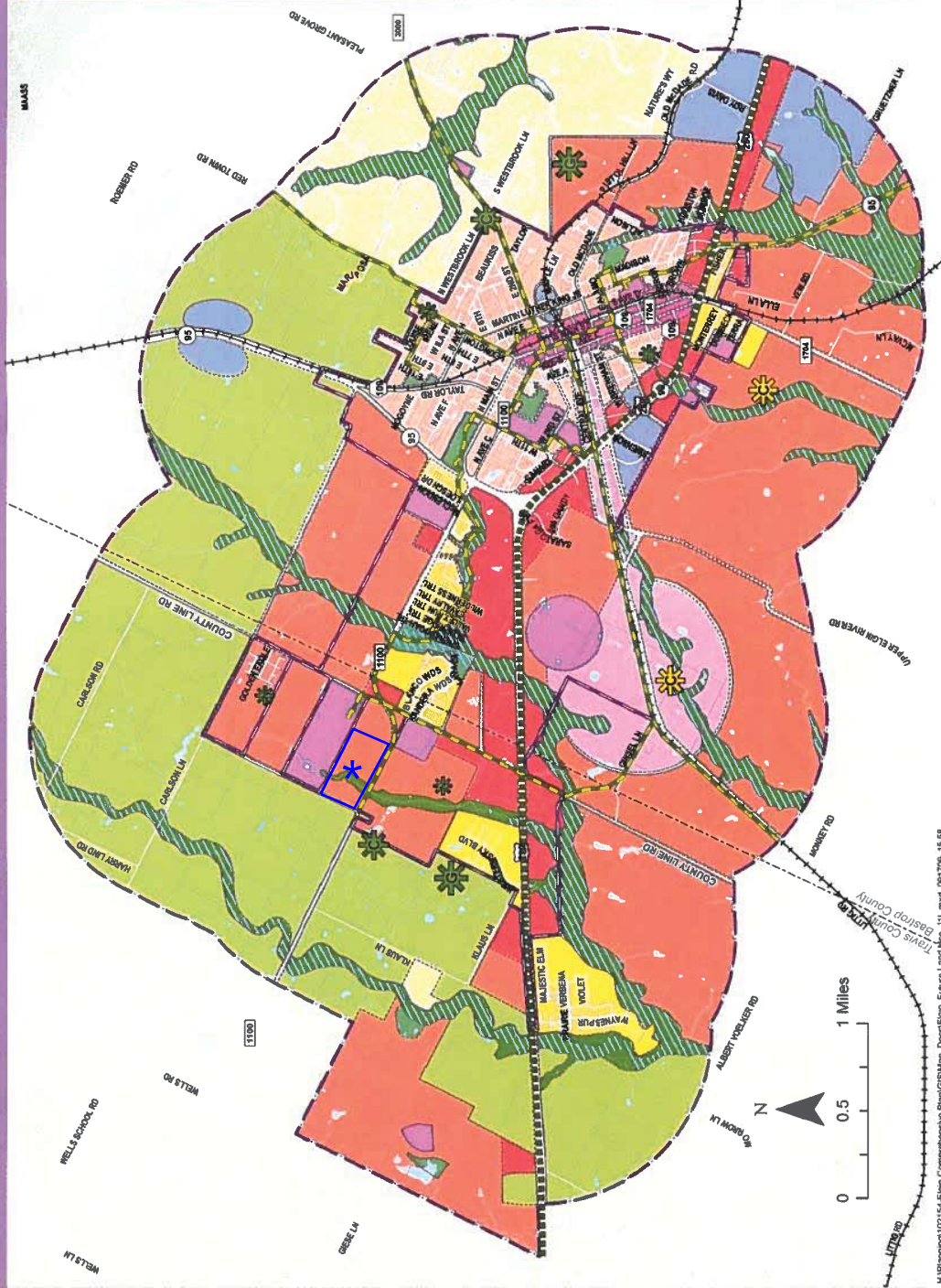
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GISMap_Doc\Elgin_Future Land Use_11.mxd 09/17/09 15:58
Source: Wilbur Smith Associates, Inc., 2009.

Attachment 4
Staff Added Zoning Map

R-3

R-1

Site
Proposed R-3

R-3

N Avenue C

County Line Rd

County Line Rd

1100

FM 1100

FM 1100

Grestw...

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the
GIS User Community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the
GIS User Community, TRC GIS, City of Elgin



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: An ordinance assigning newly annexed property to City Council Ward Area No. 3; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Planning and Community Development

PROPOSED ACTION: Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 3; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND: When a parcel of land is annexed into the City limits, State law requires assignment of the area to an elected representative. The closest and most likely Council Ward is No. 3.

BUDGET/FINANCIAL IMPACT:

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

ATTACHMENTS:

Ward Map.

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

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

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

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

ORDINANCE NO. 2019-11-05-

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 REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Elgin, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, the territory described on Exhibit “A” (the “Property”) attached hereto and made a part hereof by reference for all purposes, was unilaterally annexed by the City of Elgin by Ordinance No. 2019-11-05-_____ on November 5, 2019; and

WHEREAS, the procedures prescribed by the Charter of the City of Elgin and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

WHEREAS, the Property is so situated as to be assigned to City Council Ward Area No. 3; and it is the intention of the City Council to add this parcel to Ward Area No. 3; now, therefore,

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

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

II.

That the Property described in the attached Exhibit “A” is hereby assigned to Council Ward Area No. 3.

III.

That this Ordinance shall become effective after its passage.

IV.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

V.

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

READ, PASSED, and ADOPTED on first reading this 5th day of November 2019.

Chris Cannon, Mayor
City of Elgin, Texas

ATTEST:

Amelia Sanchez, City Secretary

Exhibit "A"

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

185 McAllister Road
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@austin.rr.com

May 31, 2019

LEGAL DESCRIPTION: BEING 68.992 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 IN TRAVIS COUNTY, TEXAS AND BEING THE REMAINDER OF THAT CERTAIN 93.75 ACRE TRACT OF LAND CONVEYED TO NORRIS E. KREIG BY DEED RECORDED IN VOLUME 4211, PAGE 1291 DEED RECORDS, TRAVIS COUNTY, TEXAS; SAID 68.992 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN MAY, 2019:

BEGINNING at a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the southerly line of that certain 92.456 acre tract of land conveyed to the Elgin Independent School District by deed recorded in Volume 9331, Page 902 Real Property Records, Travis County, Texas for the northeast corner hereof and the northwest corner of that certain 18.000 acre tract of land conveyed to First Baptist Church of Elgin, Texas by deed recorded in Document #2013223733 official records, Travis County, Texas;

THENCE S 27°21'05" W a distance of 1200.25 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the curving, northerly right-of-way (80') line of FM 1100 for the southwest corner of said First Baptist Church of Elgin Texas 18.000 acre tract and the southeast corner hereof;

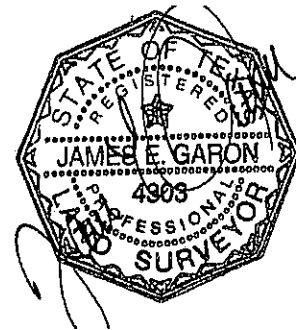
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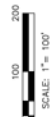
THENCE N 27°18'06" E a distance of 1240.16 feet to a "T" post in concrete found for the northwesterly corner hereof and said Krieg 93.75 acre tract and the southwesterly corner of said Elgin Independent School District 92.456 acre tract;

THENCE S 62°15'55" E a distance of 2439.21 feet to the **POINT OF BEGINNING**, containing 68.992 acres of land, more or less, and as shown on map of survey prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor
co\Travis\sur\Henry Martin a518\40719



[illegible][illegible]

054/005-0-00000 0718



JAMES E. GARON & ASSOC.
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185 McAllister Road
Bostrop, Texas 78602
(512) 303-4185
jgaron@quasthrr.com
www.jamesegaron.com



MAY 18 2000

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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, PROVIDING SUPPORT AND COMMENTS FOR EXTENDING US HIGHWAY 290 EAST TOLLWAY – PHASE IV; AND RECOGNIZING THE RECENT POPULATION INCREASES IN THE AREA, THE NUMBER OF MOTORISTS NOW UTILIZING US HIGHWAY 290 EAST AND THE EFFECTS ON LOCAL TRAFFIC AND CITIZENS OF THE CITY; AND PROVIDING FOR RELATED MATTERS.

DEPARTMENT: City Manager

PROPOSED ACTION: Consideration of a Resolution stating the City Council’s support for the proposed extension of the US Highway 290 Tollway Phase IV.

BACKGROUND:

Representatives of the Central Texas Regional Mobility Authority (CTRMA) and Senator Kirk Watson have recently inquired as to the City’s general position on the proposed extension of the US Highway 290 Tollway Phase IV.

The project is currently planned to extend the existing HWY290 toll road from its existing, eastern-most location through the current Manor commercial corridor and ending at the FM967 intersection.

This inquiry is subsequent to recent meetings city staff has had with CTRMA staff discussing the same project – and the likelihood of the City’s support for same. The initial staff assessment is that such a project could be very beneficial to Elgin commuters and HWY290 travelers in general. The Manor corridor is clearly the primary location for traffic congestion in this stretch of HWY290 into Austin. If the toll road were extended to FM967, bypassing this congestion, it would address the current issues and there would not be a need in the foreseeable future to extend to toll road all the way to Elgin.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of a Resolution stating the City’s support for the proposed extension of the US Highway 290 Tollway Phase IV, extending the toll road to the FM967 intersection; and direction to staff, if any.

ATTACHMENTS: Resolution and correspondence from Senator Kirk Watson

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

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

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

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



KIRK WATSON
STATE SENATOR • DISTRICT 14

NOMINATIONS - VICE CHAIR
EDUCATION
FINANCE
HIGHER EDUCATION

October 30, 2019

City of Elgin
Mayor and City Council
P.O. Box 591
Elgin, TX 78621

Mayor Cannon and Elgin City Council Members:

For well over a year now, my office has been hearing from enthusiastic residents in the US 290 East corridor about the need to extend the US 290 Toll Expressway. They are tired of dealing with the increased traffic into and through the heart of the City of Manor and want an option to get out of congestion. They are also concerned about new construction limiting future expansion.

As you might recall, this conversation started over a decade ago. As a result of significant opposition to the Expressway going through the City of Manor, it was decided that the Expressway would end near Parmer Lane. Times have changed and congestion is much worse. With the rapid growth in Central Texas, and the increase in population that promises to continue multiplying in the years to come, now is the time to revisit the idea of extending the Expressway to the east.

I encourage you to take a stand for your constituents who are seeking relief from traffic and allow them the option to use a toll road. It is my understanding that you will consider passing a resolution calling for Phase IV of the US 290 Toll Expressway to be constructed, extending east of the City of Manor. I encourage you to do this and ask that you then share this statement of commitment with the Texas Department of Transportation, the Central Texas Regional Mobility Authority and the Capital Area Metropolitan Planning Organization.

Please call on me if I may be of assistance to you.

Sincerely,

A handwritten signature in black ink that reads "Kirk Watson". The signature is fluid and cursive, with the first name "Kirk" and last name "Watson" clearly distinguishable.

Kirk Watson

CC: Thomas L. Mattis, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, PROVIDING SUPPORT AND COMMENTS FOR EXTENDING US HIGHWAY 290 EAST TOLLWAY – PHASE IV; AND RECOGNIZING THE RECENT POPULATION INCREASES IN THE AREA, THE NUMBER OF MOTORISTS NOW UTILIZING US HIGHWAY 290 EAST AND THE EFFECTS ON LOCAL TRAFFIC AND CITIZENS OF THE CITY; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, population growth in central Texas has continued at historic levels and as a result, the City of Elgin (the “City”) has experienced unprecedented increases in traffic volume and the number of motorists navigating US Highway 290;

WHEREAS, as currently configured, the US Highway 290 Tollway ends at or near the western limits of the City of Manor, requiring all eastbound motorists traveling along that portion of US Highway 290 to reduce speed, navigate intersections and stop lights, often creating massive congestion; and

WHEREAS, the Elgin City Council supports and requests the initiation of the required environmental assessment process to begin in earnest to facilitate forward progress on the needed roadway project;

WHEREAS, the Elgin City Council finds the tollway design and extension of the US Highway 290 Tollway Phase IV, is beneficial to the health, safety, welfare of the City, it’s citizens and the thousands of passing motorists utilizing that portion of roadway daily;

WHEREAS, the Elgin City Council finds that it is in the best interest of the economic health and viability of the City and the properties and developments located therein, which in turn benefits the economic health of both Travis and Bastrop Counties, the region, and the State, that an extension of the current US Highway 290 Tollway Phase IV be considered, allowing for a more direct, expeditious route through the City and surrounding areas; and

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

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

Section 2. Support for US Highway 290 East Tollway – Phase IV. The Mayor and City Council do hereby call for the proper roadway authority to consider an extension of US Highway 290 East Phase IV Tollway.

Section 3. Open Meetings. That 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.

PASSED AND ADOPTED this ____th day of _____, 2019

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A STRATEGIC PARTNERSHIP AGREEMENT WITH THE BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Council

PROPOSED ACTION:

Consideration of a Resolution authorizing a Strategic Partnership Agreement (SPA) with the Brickston Municipal Utility District

BACKGROUND:

Discussed at previous meetings; Texas Bridle Trails (“TBT”) intends to develop 650 +/- acres of land within City’s ETJ as “Brickston”, a master-planned, mixed-use community with park and recreational facilities to serve the community. Brickston will include commercial sites; as well as land sites for public safety and public-school facilities.

The Council previously approved a Development and Consent Agreement, that is binding upon TBT and the associated Brickston MUD. Said Agreement included a commitment on the part of the City to consent to the creation of the MUD in exchange for various commitments made by the developers.

As part of said agreement, the developers also agreed to somewhat of an “annexation” of that area of the MUD that is planned for commercial development, strictly to allow the City to collect sales tax revenues generated by whatever future businesses locate there. This SPA only involves the collection of sales taxes; and said property will not be otherwise located within the City of Elgin nor fall under the City’s jurisdiction – nor will the City provide any services to said property (other than that specially delineated within the Development and Consent Agreement).

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: N/A

ATTACHMENTS: (a) Resolution, (b) Strategic Partnership Agreement

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING
A STRATEGIC PARTNERSHIP AGREEMENT WITH THE
BRICKSTON MUNICIPAL UTILITY DISTRICT AND MAKING
CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City Council has approved and authorized a Development and Consent Agreement with Texas Bridle Trails LLC and Brickston Municipal Utility District (MUD) to construct a master-planned, mixed-use residential project that will also include commercial uses, parks, and recreational facilities to serve the community; and,

WHEREAS, the Texas Local Government Code, Section 43.0751 authorizes the City and certain utility districts, such as the Brickston MUD, to negotiate and enter into a strategic partnership agreement by mutual consent; and,

WHEREAS, the proposed Strategic Partnership Agreement provides for the annexation by the City, for limited purposes, of certain tracts of land in the District that have been designated for commercial purposes, with the current approximate location of such tracts being identified in Exhibit "A", attached hereto and made a part hereof; and,

WHEREAS, the Mayor and City Council have found and determined that the proposed Strategic Partnership Agreement with the Brickston Municipal Utility District will further the public interest and welfare.

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

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

Section 2. Authorization. The Mayor is hereby authorized to execute the *Strategic Partnership Agreement between the City of Elgin, Texas and the Brickston Municipal Utility District*, a copy of said agreement being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

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

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

PASSED AND ADOPTED this ____ day of _____, 2019.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary

**STRATEGIC PARTNERSHIP AGREEMENT
BETWEEN THE CITY OF ELGIN, TEXAS,
AND BRICKSTON MUNICIPAL UTILITY DISTRICT**

**THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §**

This **STRATEGIC PARTNERSHIP AGREEMENT** (“Agreement”) is entered into as of the Effective Date between the **CITY OF ELGIN, TEXAS**, a home-rule principally situated in Bastrop County, Texas, acting by and through its duly authorized City Manager (the “City”), and **BRICKSTON MUNICIPAL UTILITY DISTRICT** (the “District”), acting by and through its duly authorized Board of Directors, both acting under the authority of Section 43.0751 of the Texas Local Government Code (the “Act”).

RECITALS

1. Section 43.0751 of the Act authorizes the City and certain utility districts, such as the Districts\, to negotiate and enter into a strategic partnership agreement by mutual consent.

2. The District is authorized to contract with the City pursuant to authority granted under Section 49.213 of the Water Code.

3. This Agreement provides for the annexation by the City, for limited purposes, of certain tracts of land in the District that have been designated for commercial purposes. The current approximate location of such tracts is identified in Exhibit “A”, attached hereto and made a part hereof (the “Tracts”), but is subject to change.

4. As required by the Act, the City held public hearings on _____ at _____ and _____ at _____, and the District held public hearings on _____ at _____ and _____ at _____, at which members of the public were given the opportunity to present testimony or evidence regarding the proposed Agreement, and the City and the District made copies of the proposed Agreement available, and gave notice of the hearings prior to the public hearings in accordance with the terms of the Act and the Texas Open Meetings Act.

5. The District has, by formal action after the public hearings, adopted this Agreement on _____, in open session at a meeting held in accordance with the Texas Open Meetings Act.

6. They City has, by formal action after the public hearings and after adoption by the District, adopted this Agreement on _____, in open session at a meeting held in accordance with the Texas Open Meetings Act.

7. The City and the District wish to enter into a strategic partnership agreement to provide the terms under which the District will continue to exist for an extended period of time after the Tracts are annexed for limited purposes. The District further agrees to authorize the City to impose a Sales and Use Tax on the area within the Tracts in exchange for the service provided under the Agreement.

8. All procedural requirements imposed by state law for adoption of this Agreement have been met.

9. Pursuant to Section 43.0751(c) of the Local Government Code, this Agreement shall become effective on _____ (the "Effective Date"), the date of adoption of this Agreement by the City. Upon adoption, this Agreement shall be filed by the District in the real property records of Travis County, Texas.

THE PARTIES AGREE AS FOLLOWS:

ARTICLE I

FINDINGS

The City and the District find and declare:

1. The Act authorizes the City and the District to enter into a strategic partnership agreement to provide the terms under which services will be provided by the District to the City and by the City to the District and under which the District will continue to exist for an extended period of time after the Tracts are annexed for limited purposes. The Act also authorizes the Districts to give permission to the City to impose a Sales and Use Tax on the area within the Tracts.

2. This Agreement does not require the District to provide revenue to the City solely for the purpose of an agreement with the City to forgo annexation of the District;

3. This Agreement provides benefits to both the City and the District, including revenue, services, or regulations, which are reasonable and equitable with regard to the benefits provided to the other party.

4. All the terms contained in this Agreement are lawful and appropriate to provide for the provision of municipal services; and

5. The City and the District negotiated this Agreement by mutual consent; the terms of which are not a result of the City's Annexation Plan or any arbitration between the City and the District.

ARTICLE II

DEFINITIONS

Unless the context requires otherwise, and in addition to the terms defined above, the following terms used in this Agreement will have the meanings set out below:

“Act” means Texas Local Government Code §43.0751 and any amendments thereto.

“Agreement” means this strategic partnership agreement between the City and the District.

“Board” means the Board of Directors of the District.

“City” means the City of Elgin, Texas, a home-rule city principally situated in Bastrop County, Texas.

“City Charter” means the Charter of the City and any amendments thereto.

“City Code” means the Code of Ordinances of the City and any amendments thereto.

“City Council” means the City Council of the City or any successor governing body.

“City Manager” means the City Manager of the City or his or her successor or designee.

“District” means the Brickston Municipal Utility District of the State of Texas, operating pursuant to Article XVI, Section 59 and Article III, Section 52 of the Texas Constitution; Chapters 49 and 54 of the Water Code; and Chapter ___, Texas Special District Local Laws Code.

“Effective Date” means the date the City adopts this Agreement.

“ETJ” means the extraterritorial jurisdiction of the City.

“Government Code” means the Texas Government Code and any amendments thereto.

“Implementation Date” means the date the limited-purpose annexation ordinance is passed by the City Council, pursuant to Section 3.01 of this Agreement.

“Local Government Code” means the Texas Local Government Code and any amendments thereto.

“Party” or “Parties” means a party or the parties to this Agreement, being the City and the Districts.

“Property” means all the lands included within the boundaries of the District, now or in the future by way of addition of land in conformance with Chapters 49 and/or 54 of the Water

Code, which Property is currently reflected in Exhibit “B”, attached hereto and made a part hereof.

“Reimbursable Costs” shall mean maintenance and operating advances made by a developer within the District for authorized expenditures of the District pursuant to a reimbursement agreement between a developer and the District.

“Sales and Use Tax” means the sales and use tax authorized to be imposed within the Tracts by both the Act and Chapter 321 of the Tax Code.

“Tax Code” means the Texas Tax Code and any amendments thereto.

“Tracts” mean the tracts of land described in Exhibit “A” to this Agreement.

“Water Code” means the Texas Water Code and any amendments thereto.

ARTICLE III

LIMITED PURPOSE ANNEXATION

Section 3.01 Generally

As soon as is practicable following the approval of this Agreement by the City, as authorized by the Act, the City shall annex the Tracts for limited purposes only. The Parties acknowledge that the provisions of Subsection 43.0751(f)(2) may apply to the limited-purpose annexation. As such, the City acknowledges and agrees that it does not and shall not require services, permits, or inspections, or impose fees for services, permits, or inspections, within the District, except to such extent as the Parties have agreed to such services, permits, or inspections by formal written agreement. It is acknowledged and agreed that by separate written agreement entitled Wastewater Services Agreement, the City has agreed to provide the District with wastewater services. The provision of wastewater services pursuant to the Wastewater Services Agreement shall not preclude the limited-purpose annexation of the Tracts, as provided for in Subsection 43.0751(f)(2)(B) of the Act.

Section 3.02 Property Taxes and District Liability for Debts of the City

During the term of this Agreement, except as provided in Article V: (i) neither the Districts nor any owners of taxable property within the Districts are liable for any present or future debts of the City, and (ii) current and future ad valorem taxes levied by the City will not be levied on taxable property within the Districts.

Section 3.03 Powers and Functions Retained by the Districts

The Districts are authorized to exercise all of their powers and functions provided by existing law or any amendments or additions thereto. The Districts’ assets, liabilities, indebtedness, and obligations will remain the responsibility of the Districts.

ARTICLE IV

VOTING RIGHTS IN THE DISTRICT

Section 4.01 Generally

Upon annexation of the Tracts for limited purposes by the City, any qualified voters within the Tracts may vote in City elections, pursuant to Local Government Code §43.130. Voting rights are subject to all state and federal laws and regulations.

Section 4.02 Notice

The City will comply with all the notice requirements as set forth in §43.130 of the Local Government Code, as it now exists or is hereafter amended.

ARTICLE V

SERVICES PROVIDED BY THE DISTRICT

Section 5.01 Water, Wastewater, Roadway, and Drainage Services

The District shall develop, operate and maintain a water, wastewater, roadway and drainage systems within the Tracts. The Districts agree to operate and maintain water, wastewater, roadway, and drainage service at the same level as the District operates and maintains them elsewhere within the Property. The City may periodically inspect the District's water, wastewater, roadway and drainage facilities located within the Tracts.

ARTICLE VI

FULL-PURPOSE ANNEXATION

Section 6.01 No Full-Purpose Annexation during Term of Agreement

The City agrees that it will not annex all or part of the District or commence any action to annex all or part of the District for full purposes during the term of this Agreement.

Section 6.02 No Full-Purpose Annexation Prior to Reimbursement

The City agrees that it will not annex all or part of the District or commence any action to annex all or part of the District for full purposes until: (i) the developer of lands within the District has been reimbursed by the District for the water, wastewater, roadway and drainage facilities and all related costs in accordance with the rules of the Texas Commission of Environmental Quality and/or any other laws of the State of Texas, or (ii) the City has expressly

assumed the obligation to reimburse such developer for all costs of the water, wastewater, roadway and drainage facilities and all related costs.

Section 6.03 Full Purpose Annexation Option Upon Termination of Agreement

On the ____ (__) anniversary date of the Effective Date, the City Manager shall evaluate whether the City should negotiate a new strategic partnership agreement with the District, annex the District for full purposes upon the termination of this Agreement, or allow this Agreement to expire. Within six (6) months of the ____ (__) anniversary date of the Effective Date, the City Manager shall make a recommendation to the City Council regarding the negotiation of a new strategic partnership agreement, the full-purpose annexation of the District or the expiration of this Agreement. If the City Manager recommends that the City negotiate a new strategic partnership agreement or annex the District and the City Council approves the recommendation, the City shall begin proceedings to enter into a new strategic partnership agreement or to annex the District for full purposes at the end of the term of this Agreement, as applicable. Nothing in this Agreement shall be construed as consent or any limitation of the rights of the District, including any applicable right to an election on the matter of the annexation of the Property, if the City Council decides to pursue full purpose annexation of the District at the termination of this Agreement. Notwithstanding anything herein to the contrary, nothing in this Section 6.03 shall allow the City to annex all or any part of the District for full purposes unless the conditions in Section 6.02 have been met.

ARTICLE VII

MATERIAL BREACH, NOTICE AND REMEDIES

Section 7.01 Material Breach of Agreement

A. It is the intention of the Parties to this Agreement that the District and the City be regulated in accordance with the terms of this Agreement. A material breach of this Agreement by the District includes any one or more of the following:

1. Failure of the District to act in good faith in the annexation of the Tracts by the City for limited purposes as authorized by this Agreement;
2. Failure of the District to develop and to operate and maintain the District's water, wastewater, roadway, and drainage facilities as provided in Article V of this Agreement; or
3. Failure of the District to maintain the commercial nature of the property within the Tracts, including allowing the construction of primarily residential units of any kind; provided, however, that should the nature of the use of the Tract changed, they may be excluded from the definition of "Tract" by amendment to this Agreement.

B. A material breach of this Agreement by the City includes any attempt by the City to annex the District for full purposes during the term of this Agreement or when the provisions of Section 6.02 hereof have not been met.

If a Party to this Agreement believes that another Party has, by act or omission, committed a material breach of this Agreement, the provisions of this Article shall govern the remedies for breach of this Agreement.

Section 7.02 Notice of Districts' Default

A. The City shall notify the District in writing of an alleged failure by the District to comply with a provision of this Agreement, specifying any alleged failure by the District to comply with a provision of this Agreement and describing the alleged failure with reasonable particularity. The District shall, within thirty (30) days after receipt of the notice or a longer period of time as the City may specify in the notice, either cure the alleged failure or, in a written response to the City, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.

B. The City shall determine (i) whether a failure to comply with a provision occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by the District. The District shall make available to the City, if requested, any records, documents or other information necessary to make the determination.

C. If the City determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to the City, or that the failure is excusable, the determination shall conclude the investigation.

D. If the City determines that a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by the District in a manner and in accordance with a schedule reasonably satisfactory to the City, then the City may exercise the applicable remedy under Section 7.04(A).

Section 7.03 Notice of City's Default

A. The District shall notify the City Manager in writing, specifying any alleged failure by the City to comply with a provision of this Agreement and describing the alleged failure with reasonable particularity. The City shall, within thirty (30) days after receipt of the notice or a longer period of time as the District may specify in the notice, either cure the alleged failure or, in a written response to the District, either present facts and arguments in refutation or excuse of the alleged failure or state that the alleged failure will be cured and set forth the method and time schedule for accomplishing the cure.

B. The District shall determine (i) whether a failure to comply with a provision occurred; (ii) whether the failure is excusable; and (iii) whether the failure has been cured or will be cured by the City. The City shall make available to the District if requested, any records, documents or other information necessary to make the determination.

C. If the District determines that the failure has not occurred, or that the failure either has been or will be cured in a manner and in accordance with a schedule reasonably satisfactory to the District, or that the failure is excusable, the determination shall conclude the investigation.

D. If the District determines that a failure to comply with a provision has occurred and that the failure is not excusable and has not been or will not be cured by the City in a manner and in accordance with a schedule reasonably satisfactory to the District, then the District may exercise the applicable remedy under Section 7.04(B).

Section 7.04 Remedies

A. If the City determines that the District has committed a material breach of this Agreement, the City may file suit in a court of competent jurisdiction in Bastrop County, Texas, and seek any relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act and termination of this Agreement in addition to the monetary awards as may be appropriate.

B. If the District determines that the City has committed a material breach of this Agreement, the Districts may file suit in a court of competent jurisdiction in Bastrop County, Texas, and seek any relief available at law or in equity, including, but not limited to, specific performance of the City's obligations hereunder, an action under the Uniform Declaratory Judgment Act and termination of this Agreement in addition to the monetary awards as may be appropriate.

ARTICLE VIII

BINDING AGREEMENT, TERM, AND AMENDMENT

Section 8.01 Beneficiaries

This Agreement binds and inures to the benefit of the Parties, their successors and assigns. The District shall record this Agreement with the County Clerk in the Official Records of Bastrop County, Texas.

Section 8.02 Term

This Agreement commences and binds the Parties on the Effective Date and continues for ___ (___) years from the Effective Date, subject to renewal as agreed to by the Parties hereto.

Section 8.03 Amendment

The Parties, by mutual consent, may amend the terms of this Agreement at any time by writing signed by both Parties hereto.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 9.01 Notice

Any formal notices or other communications (“Notice”) required to be given by one Party to another by this Agreement shall be given in writing addressed to the Party to be notified at the address set forth below for the Party, (i) by delivering the Notice in person, (ii) by depositing the Notice in the United States Mail, certified or registered, return receipt requested, postage prepaid, addressed to the Party to be notified, (iii) by depositing the Notice with FedEx or another nationally recognized courier service guaranteeing “a next day delivery,” addressed to the Party to be notified, or (iv) by sending the Notice by electronic means with confirming copy sent by mail. Notice deposited in the United States mail in the manner herein above described shall be deemed effective from and after the date of such deposit. Notice given in any other manner shall be effective only if and when received by the Party to be notified. For the purposes of Notice, the addresses of the Parties, until changed as provided below, shall be as follows:

All Notices required or permitted under this Agreement shall be in writing and shall be served on the Parties at the following address:

CITY:	City of Elgin PO Box 591 Elgin, Texas 78621 Attn: City Manager
With Required Copy to:	Charlie Crossfield Sheets & Crossfield 309 E. Main Street Elgin, Texas 78664-5264
DISTRICT:	Winstead PC Attn: Ross Martin 2728 N. Harwood St., Ste. 500 Dallas, Texas 75201

The Parties may from time to time change their respective addresses, and each may specify as its address any other address within the United States of America by giving at least five (5) days written notice to the other Party. If any date or any period provided in this Agreement ends on a Saturday, Sunday, or legal holiday, the applicable period for calculating the notice shall be extended to the first business day following the Saturday, Sunday or legal holiday.

Section 9.02 Time

Time is of the essence in all things pertaining to the performance of this Agreement.

Section 9.03 Severability

If any part of this Agreement is found to be unenforceable, all other parts remain enforceable unless the result materially prejudices either party.

Section 9.04 Waiver

Any failure by a Party to insist upon strict performance by the other Party of any material provision of the Agreement shall not be deemed a waiver thereof or of any other provision hereof, and the Party shall have the right at any time thereafter to insist upon strict performance of any and all of the provisions of this Agreement.

Section 9.05 Applicable Law and Venue

The construction and validity of this Agreement shall be governed by the laws of the State of Texas without regard to conflicts of law principles. Venue shall be in Bastrop County, Texas.

Section 9.06 Reservation of Rights

To the extent not inconsistent with this Agreement, each Party reserves all rights, privileges, and immunities under applicable laws.

Section 9.07 Further Documents

The Parties agree that at any time after execution of this Agreement, they will, upon request of the other Party, execute and deliver the further documents and do the further acts and things as the other Party may reasonably request in order to effectuate the terms of this Agreement.

Section 9.08 Incorporation of Exhibits and Other Documents by Reference

All Exhibits and other documents attached to or referred to in this Agreement are incorporated into this Agreement by reference for the purposes set forth in this Agreement.

Section 9.09 Effect of State and Federal Laws

Notwithstanding any other provision of this Agreement, the City and District shall comply with all applicable statutes or regulations of the United States and the State of Texas in each Party's fulfillment of its obligations under this Agreement.

Section 9.10 Authority for Execution

The City certifies, represents, and warrants that the execution of this Agreement is duly authorized and adopted in conformity with the City Charter and City Ordinances. The District certify, represent, and warrant that the execution of this Agreement is duly authorized and adopted by its Board.

SIGNATURE PAGES FOLLOW

IN WITNESS WHEREOF, the parties have executed this Agreement in multiple copies, each of which shall be an original, as of the date of last execution.

CITY OF ELGIN, TEXAS

By: _____
City Manager

ATTEST:

By: _____
City Secretary

APPROVED AS TO FORM:

By: _____
City Attorney

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on _____, 2019, by _____, _____ of the City of Elgin, Texas, a home-rule city on behalf of said City.

Notary Public Signature

(Seal)

**BRICKSTON MUNICIPAL UTILITY
DISTRICT**

By: _____
_____, Board of Directors

ATTEST:

By: _____
Secretary, Board of Directors

THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §

 This instrument was acknowledged before me on _____, 2019, by
_____, _____ of the Brickston Municipal Utility District, on behalf
of said District.

Notary Public Signature

(Seal)



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES ENGINEERS TO UPDATE THE CITY'S GIS WEBMAP FOR THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT AND THE UTILITIES AND STREET DIVISIONS OF THE PUBLIC WORKS DEPARTMENT AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Finance

PROPOSED ACTION: Approve the Resolution to authorize the City Manager to execute the letter agreement with TRC Engineers for work related to updating the City's GIS Webmap.

BACKGROUND:

The City's Web based Geographic Information Systems is hosted by TRC engineers and is in need of updates to the City's Zoning layer, City limits, ETJ, and annexed areas. As well as updates to the information TRC will add a 200 Ft buffer zone tool to aid in notifying landowners of potential changes to the zoning ordinance. These updates will help staff create accurate maps for a variety of uses in City work tasks.

In addition, the update will include layers containing infrastructure features(location dimensions and conditions) of Utility's infrastructure as well as information for Street Division related infrastructure.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {X} included { } not included in the current-year budget { } N/A
Funding for this update are included in the software enhancement portion of the 2019A CO bonds.

RECOMMENDATION: APPROVAL OF PROPOSAL BY TRC ENGINEERS FOR AN UPDATE OF GIS WEBMAP CONTAINING THE CITY OF ELGIN INFRASTRUTURE INFORMATION.

ATTACHMENTS:

Elgin – Webmap Update Proposal.pdf

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES ENGINEERS TO UPDATE THE CITY'S GIS WEBMAP FOR THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT AND THE UTILITIES AND STREET DIVISIONS OF THE PUBLIC WORKS DEPARTMENT AND MAKING CERTAIN FINDINGS RELATED THERETO

WHEREAS, the City of Elgin, Texas has contracted with previously with TRC Engineers to host the City's GIS System and related webmap; and

WHEREAS, the City is desirous of updating the webmap to include the City's Zoning layer; City limits; ETJ and annexed areas as well as update and expand data points related to certain utility and street infrastructure features; and,

WHEREAS, the City has received a proposal from TRC Engineers Inc. for professional engineering services related to a review and update of the City's webmap.

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

Section 1. That the above recitals are true and correct; and the City Manager is authorized to execute a Letter of Agreement with TRC Engineers Inc. for professional engineering services related to update of certain Planning features as well as infrastructure features as described in the proposal from TRC, a copy of said Letter Agreement being attached hereto and made part of this Resolution as if copied verbatim therein.

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

PASSED AND ADOPTED this 5th day of November, 2019.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

August 22, 2019

Mr. David Harrell, AICP
Director Planning & Development Department
City of Elgin
1135 Swenson Boulevard
Elgin, Texas

**Re: Webmap Update Proposal
City of Elgin Webmap for Planning and Development**

Dear Mr. Harrell:

TRC Engineers, Inc. (TRC) is pleased to provide City of Elgin with this proposal to provide an update to the webmap containing city infrastructure information.

Anticipated Scope of Services/Fees

TRC will complete the following items:

Items to updated in GIS Webmap – Planning Department

1. Update zoning layer remove the “S-P” Specific Use Permit classification from the layer since it is not reflective of a zoning category and create new layer with crosshatching to separate specific us permit.
2. Update the City limits and Elgin ETJ layer.
3. Add the Bastrop ETJ, Austin 5-mile ETJ and Land Use Map (To be provided by City.)
4. Adding 200' buffer zone tool.
5. Review the last 3 years of Annexation and Rezoning Ordinances (To be provided by City.)
6. Update zoning for the City limits based on last three years worth of data.

Costs

The cost to provide the GIS Webmap (Planning & Development Department) the services, based on the above noted services, is as follows:

Updating Webmap:	\$6,200
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Project Management:	\$200
Total:	\$6,400

Items to updated in GIS Webmap – Water & Sewer Department

1. Rewriting the Water and Sewer file format for deliverable to the City of Elgin for final project acceptance.

Costs

The cost to provide the GIS Webmap (Water & Sewer Department) the services, based on the above noted services, is as follows:

Updating Webmap:	\$3,800
Project Management:	\$200
Total:	\$4,000

Items to updated in GIS Webmap – Public Works Department

1. Mapping the following Items with GPS/Google street view – Traffic Lights/ Red Lights, traffic Signs, Street Lights, Sidewalks
2. Update the Streets/ Alley layer with the following information: ROW, Length and width, curb & gutter or bar ditch, year accepted /constructed, condition/grade /score
3. Add layer for Storm sewer (check plan sets from 2012 and newer files)
4. Add layer Traffic markings/stripping by area. (To be provided by City.)
5. Add layer for Traffic signs.
6. Add layer for Chip Seal, include type. (Check plats from 2012 and newer files)
7. Add layer for Sidewalks.
8. Add layer Parking Striping by area. (To be provided by City.)
9. Add layer for School Zones.
10. Add layer Right of Way “Mowing Schedule” (Information to be supplied by Public
11. Work Department.)
12. Add layer for Drainage Easements, include length, width and Type (earthen or concrete) (check plats from 2012 and newer files)
13. Add layer for Public Utility Easements, include length and width (check plats from 2012 and newer files)

14. Rewriting the Storm Sewer, Traffic Signs, Sidewalk, Storm Sewer, Drainage and Public
15. Utility Easement deliverable to the City of Elgin for completion.

Costs

The cost to provide the GIS Webmap (Public Works Department) the services, based on the above noted services, is as follows:

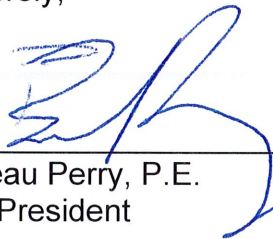
Updating Webmap:	\$16,600
Project Management:	<u>\$1,000</u>
Total:	\$17,600

As outlined, based on our understating of the project, it is assumed that the majority of the efforts will be expended at the Data Migration level. The proposed fees will be invoiced on a monthly basis and will not exceed \$28,000.00 without prior authorization from the City.

TRC is prepared to begin executing this project upon receipt of authorization to proceed. Any activities beyond those specified in the scope of work will be considered supplemental services and will be invoiced on a lump sum basis or covered under a separate, written proposal. However, no such services will be undertaken without the authorization of the client.

TRC appreciates the opportunity to be of service on this project. If you have any questions regarding this proposal, please contact the undersigned at your convenience at (512) 454-8716.

Sincerely,



K. Beau Perry, P.E.
Vice President

Thomas Mattis, City Manager
City of Elgin



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION TO ADOPT A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS NOVEMBER 5, 2019

DEPARTMENT: City Manager and Finance

PROPOSED ACTION: Consider Resolution for adoption

BACKGROUND:

The Public Funds Investment Act requires that the City consider revisions and adopt a written Investment Policy and Investment Strategy each year, even if no changes are contemplated. The Resolution proposed here, complies with terms and conditions of the Public Funds Investment Act pursuant to Section 2256.005 of the Texas Government Code.

There are no changes contemplated in this version of the Investment Policy. All safeguards still apply as before.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Recommended for adoption

ATTACHMENTS: Draft Resolution including Exhibit A which is the same version of the Investment Policy and Investment Strategy that was approved by Council in October of 2018.

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF ELGIN, TEXAS
TO ADOPT A WRITTEN INVESTMENT POLICY AND
INVESTMENT STRATEGY REGARDING THE INVESTMENT
OF CITY FUNDS TO BE EFFECTIVE NOVEMBER 5, 2019**

WHEREAS, pursuant to Section 2256.005, Texas Government Code (“the Act”) the City Council desires to adopt a written investment policy and investment strategy regarding the investment of City funds; and

WHEREAS, the City Council has reviewed the attached updated policy and has determined same to be in compliance with the Act, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS,

That the updated Investment Policy and Strategy for the investment of City funds, attached hereto as Exhibit “A” and incorporated herein, is hereby approved and adopted.

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

RESOLVED this 5th day of November 2019.

Chris Cannon, Mayor City of Elgin, Texas

ATTEST:

Amelia Sanchez, City Secretary

EXHIBIT A



CITY OF ELGIN, TEXAS

INVESTMENT POLICY AND INVESTMENT STRATEGY

Revision Adopted: November 5, 2019

RESOLUTION:

Table of Contents

Statement of Policy.....	2
Scope.....	2
Investment Objectives.....	2
Standards of Care.....	4
Authorized Financial Institutions and Dealers.....	6
Authorized and Suitable Investments.....	6
Unauthorized Investments.....	8
Collateralization.....	9
Safekeeping and Custody.....	12
Investment Parameters.....	12
Investment Strategy.....	13
Reporting.....	17
Monitoring Market Value of Investments and Collateral	17
Internal Controls.....	18
Performance Standards.....	18
Investment Policy Adoption	19
APPENDIX “A”	20
GLOSSARY.....	21

POLICY

It is the policy of the City of Elgin (City) after allowing for anticipated cash flow requirements in its bank accounts to meet daily needs and after giving due consideration to the safety and risk of investments, providing protection for both principal and liquidity, to invest public funds in a manner which will provide the highest investment return while conforming to all state and local statutes governing the investment of public funds. This Investment Policy is authorized by the City Council in accordance with Texas Government Code, Chapter 2256-Public Funds Investment, also cited as the Public Funds Investment Act (Act), to satisfy the statutory requirements to define, adopt, and review a written investment policy regarding the investment of its funds and funds under its control. The City Council shall review and adopt by resolution, its investment strategies and policy not less than annually.

This is required even if there are no changes within the policy. Such an investment must be written, emphasize safety, address investment management and include types of authorized investments, maximum allowable stated maturity, maximum dollar-weighted average maturity, method to monitor the market price, and requirements for settlement of transactions. The resolution shall state that the policy has been reviewed and include record of changes made to either the investment policy or strategy.

SCOPE

This policy applies to all funds or financial resources available for investment under the City's financial control and accounted for in the City of Elgin, Texas Annual Financial Report which includes all current funds and will include any new fund created by the City Council unless specifically exempt. These policies do not, however, govern funds that are managed under separate investment programs or trust agreements, such as retirement funds, pension funds, deferred compensation funds, and certain private donations that are maintained as required by Federal and State laws, other local policies, or donor stipulations. In addition to this Policy, bond funds (as defined by the Internal Revenue Service) shall be managed by their governing ordinances and all applicable State and Federal laws.

The City will consolidate cash balances from all applicable funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. Such earnings from investments will be used in a manner that best serves the public trust and interests of the City as deemed in the annual budget.

INVESTMENT OBJECTIVES

All investments shall be designed and managed in a manner responsive to the public trust and in compliance with all Federal, State and other legal requirements, including but not limited to the Act. The City shall manage and invest its available resources with four objectives, listed in order of priority: Safety, Liquidity, Public Trust, and Yield.

Safety

Safety of principal and the City's assets is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To increase investment safety, the City strives to decrease or minimize credit and interest rate risk. Minimization of credit risk or the risk of loss due to the failure of a security issuer or guarantor shall be done by the City by limiting investments to safe types, pre-qualifying financial institutions and broker/dealers, and diversifying the portfolio in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Minimization of interest rate risk or the decrease in market value of securities in the City's portfolio due to changes in interest rates shall be done by the City through strong cash flow projections so that market value losses are reduced and through investments in short-term securities.

Liquidity

The City's investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets. A portion of the portfolio will also be placed in short term investment pools and/or money market mutual funds, which offer daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Public Trust

Investments shall be made with judgment and care, under circumstances, then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived. All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield

The City's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety, liquidity and public trust objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

STANDARDS OF CARE

Delegation of Authority

The Assistant City Manager/CFO, is the Investment Officer of the City and is responsible for investment decisions and activities. The Investment Officer may delegate day-to-day administrative duties to other persons authorized to perform investment activities for the City, or he/she may perform the duties him or herself. The City Manager will retain ultimate responsibility for investment decisions.

The Investment Officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived.

Training Requirements

The Investment Officer is required to attend at least one training session relating to the officer's responsibility under the Act within 12 months after assuming duties. Afterwards, the City shall provide ten hours of investment training not less than once in a two-year period that begins on the first day of the fiscal year and consists of two consecutive fiscal years after that date for the Investment Officer(s) and/or his/her delegate(s), through courses and seminars offered by an independent professional source (i.e. the *Government Finance Officers Association of Texas*, the *Government Treasurers Organization of Texas*, the *Texas Municipal League*, etc.) as approved by the City Council in order to insure the quality and capability of the City's investment personnel making investment decisions in compliance with the Act. The training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

The City shall also encourage those who may perform daily activities with the City investments to attend such training although they are not listed specifically as Investment Officers of the City.

Prudent Person Rule

As set forth in the Act, Investment Officers shall use the standard of prudence with the "Prudent Person Rule". "Investments shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the management of the person's own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived (Public Funds Investment Act 2256.006(a))."

"In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

1. The investment of all funds, or funds under the entity's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment; and
2. Whether the investment decision was consistent with the written investment policy of the entity (Public Funds Investment Act 2256.006(b))."

Investment officials acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibilities for an individual security's credit risk or market price change, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Ethics and Conflict of Interest

Investment Officers and other employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. According to the Act, a personal business relationship with a business exists if one of the following three (3) items applies:

1. The Investment Officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization.
2. Funds received by the Investment Officer from the business organization exceed 10 percent of the Investment Officer's gross income for the previous year.
3. The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

Investment Officer(s) must file a disclosure statement with the Texas Ethics Commission and the City Council if an officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City or the Officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

"No officer or employee of the City shall:

1. Have a financial interest, direct or indirect, in any contract with the city nor shall be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The "financial interest" contemplated under this article requires that the officer or employee receive an actual financial benefit from the transaction with the city. An actual financial benefit from the transaction shall not include:

- A. An ownership in the entity transacting with the city where the ownership interest is less than one (1) percent of the entity.
 - B. Compensation or benefits as an employee, officer, or director of the entity transacting business within the city where such compensation is not affected by the entity's transaction with the City.
2. Participate in a vote or decision on any matter in which the officer or employee has a direct or indirect financial interest or in which a relative of the officer or employee has a direct or indirect financial interest. It is expressly provided herein that an investment or ownership in a publicly held company in an amount less than three thousand, five hundred dollars (\$3,500.00) does not constitute a prohibited financial interest under this article."

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

A qualified depository shall be selected through the City's banking services procurement process, which shall include solicitation of proposals as required under Chapter 105 of the Local Government Code. The centralization of depository services is designed to maximize investment capabilities while minimizing service costs. The selection of a depository shall be based on the financial institution offering the most favorable terms and conditions at the least possible cost, while adhering to guidelines and provisions within the request for proposal. In selecting a depository, the City shall consider the financial institution's credit characteristics, financial history, service capabilities, location within City limits or within a ten (10) mile radius of the City limits, and costs for required services. The City's depository contract shall be for three years with an option to extend for an additional two years upon agreement of the depository and the City. Specialized services may be contracted for by the City with another financial institution or company if the depository cannot provide such service or charges more than the same service with little or no appreciable benefit.

AUTHORIZED AND SUITABLE INVESTMENTS

Investments described below are authorized by Chapter 2256, Texas Government Code as eligible securities for the City. City funds governed by this Policy may be invested in the following types of securities:

- 1.) Obligations of the United States or its agencies and instrumentalities with stated maturity not to exceed two years.
- 2.) Direct obligations of the State of Texas or its agencies with a stated maturity not to exceed two years.
- 3.) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States or its agencies and instrumentalities with stated maturity not to exceed two years.

- 4.) Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than A or its equivalent along with a stated maturity not to exceed two years.
- 5.) Certificates of deposit issued by a depository institution that has its main office or a branch office in this state that are:
 - (a) guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor with a stated maturity not to exceed five years; or
 - (b) secured by obligations that are described by (1) - (4) above, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities that have a market value of not less than the principal amount of the certificates and a stated maturity not to exceed two years, but excluding those mortgage-backed securities described in Section 2256.009(b) of the Government Code; or
 - (c) Secured in any other manner and amount provided by law for deposits of Participants with a stated maturity not to exceed five years.
- 6.) Certificates of Deposit or Share Certificates.
 - (a) A certificate of deposit or share certificate is an authorized investment under this subchapter if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:
 - (1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
 - (2) secured by obligations that are described by Section 2256.009(a) of the Government Code, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the nature described by Section 2256.009(b) of the Government Code; or
 - (3) secured in any other manner and amount provided by law for deposits of the investing entity.
 - (b) In addition to the authority to invest funds in certificates of deposit under Subsection (a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment.
 - (1) the funds are invested by an investing entity through:

- A) a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025 of the Texas Government Code; or
 - B) a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;
 - (2) the broker or the depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;
 - (3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
 - (4) the investing entity appoints a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.
- 7.) Eligible Investment Pools as defined in Section 2256.016 of the Texas Government Code provided that:
- (a) investment in the pool has been authorized by the City Council;
 - (b) the pool shall have furnished the Investment Officer(s) an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
 - (c) the pool shall furnish to the Investment Officer(s) investment transaction confirmations with respect to all investments made with it;
 - (d) the pool shall furnish to the Investment Officer(s) monthly reports that contain the information required by Section 2256.016(c) of the Texas Government Code;
 - (e) any pool that is created to function as a money market mutual fund must continuously maintain a stable net asset value of one dollar (\$1.00),

- (f) the pool's investment philosophy and strategy are consistent with this Policy and the City's ongoing investment strategy; and
 - (g) the pool provides evidence of credit rating no lower than "AAA" or "AAA-m" by at least one nationally recognized credit rating service,
 - (h) An investment pool must make available an annual audited financial statement.
 - (i) If the investment pool operates an Internet website, the information required by section 2256.016(b), (c) (2), and (f) must be posted on the website.
 - (j) An investment pool in advertising investment rates must include either all levels of return based on breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested if an investment pool offers fee breakpoints based on fund balances invested.
- 8.) Fully collateralized direct repurchase agreements having a defined termination date that is no later than 270 days from the delivery date, secured by direct obligations of the U.S. or its agencies and instrumentalities, pledged with a third party selected or approved by the political entity, and placed through a primary government securities dealer, and as otherwise defined by the Public Funds Investment Act. Each issuer of repurchase agreements must sign a copy of a Master Repurchase Agreement.

The City shall take all prudent measures that are consistent with this investment policy to liquidate any investment that does not have or is down-graded to less than the minimum rating stated herein. The investment officer(s) will monitor the rating of all investments held by the City, monthly. However, as stated in Section 2256.017, the City is not required to liquidate investments that were authorized investments at the time of purchase.

UNAUTHORIZED INVESTMENTS

The following investments are specifically prohibited by State Law:

- 1.) Obligations whose payment represents the coupon payment on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- 2.) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.
- 3.) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.

- 4.) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

COLLATERALIZATION

Consistent with requirements of the Public Funds Collateral Act, the city requires that all bank deposits shall be federally insured or collateralized with eligible securities. This pledged collateral will have a market value equal to or no less than 100% of the deposits plus accrued interest less an amount insured by the FDIC. Evidence of the pledged collateral must be provided to and reviewed by the Director of Finance and will be retained by the City of Elgin. Evidence of collateral is reviewed annually by the City's independent auditor in conjunction with the annual audit.

Financial institutions serving as City Depositories will be required to sign a Depository Agreement with the City and the City's safekeeping agent. The safekeeping portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- 1.) The Agreement must be in writing;
- 2.) The Agreement must be executed by the Depository and the City contemporaneously with the acquisition of the assets;
- 3.) The Agreement must be approved by the Depository's Board of Directors or loan committee, and a copy of the meeting minutes must be delivered to the City; and,
- 4.) The Agreement must be part of the Depository's "official record" continuously since its execution.

Repurchase agreements must also be secured in accordance with State Law. Each counter party to a repurchase transaction is required to sign a copy of **The Bond Market Association** Master Repurchase Agreement. An executed copy of the Agreement must be on file before the City will enter into any transactions with a counter party.

1.) Allowable Collateral

a.) Demand Deposits

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent), with a remaining maturity of 10 years or less.

b.) Certificates of Deposit

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than “A” or its equivalent), with a remaining maturity of 10 years or less.

c.) Repurchase Agreements

Collateral underlying repurchase agreements is limited to U.S. government and agency obligations, which are eligible for wire transfer (i.e. book entry) to the City’s designated safekeeping agent through the Federal Reserve System.

2.) Collateral Levels

Collateral is valued at current market price plus interest accrued through the date of valuation.

a.) Demand Deposits

The market value of collateral pledged for demand deposits will be in an amount equal to the largest total balance of the City’s account, less the amount of coverage provided by FDIC. The securities comprising the pledge shall be valued at par or market, whichever is lower.

b.) Certificates of Deposits

The market value of collateral pledged for certificates of deposit must always be equal to or greater than the par value plus accrued interest, less the amount insured by the FDIC.

c.) Repurchase Agreements

The market value of collateral required to be pledged for repurchase agreements shall be at a percentage of the par value of the agreement plus accrued interest and shall be maintained at the following levels:

<u>Maturity</u>	<u>U.S. Treasury Securities</u>	<u>U.S. Agency</u>
1 year or less	101%	101%
1 year to 5 years	102%	102%
Over 5 years	103%	104%

Any collateral with a maturity of over 5 years must be approved by the Investment Officer(s) in writing before the transaction is initiated.

3.) Monitoring Collateral Adequacy

a.) Demand Deposits

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has bank deposits. The Investment Officer(s) will monitor adequacy of collateralization monthly.

b.) Certificates of Deposit

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has certificates of deposit. The Investment Officer(s) will monitor adequacy of collateralization monthly.

c.) Repurchase Agreements

Weekly monitoring by the Investment Officer(s) of all collateral underlying repurchase agreement is required. More frequent monitoring may be necessary during periods of market volatility.

4.) Margin Calls

a.) Certificates of Deposit

If the collateral pledged for a certificate of deposit falls below the par value of the deposit, plus accrued interest less FDIC insurance, the Institution will be notified by the Investment Officer and will be required to pledge additional securities no later than the end of the next succeeding business day.

b.) Repurchase Agreements

If the value of the collateral underlying a repurchase agreement falls below the margin maintenance levels specified above, the City will make a margin call unless the repurchase agreement is scheduled to mature within five business days and the amount is deemed to be immaterial.

5.) Collateral Substitution

Collateralized certificates of deposit and repurchase agreements often require substitution of collateral. Any broker, dealer, or financial institution requesting substitution must contact the Investment Officer for approval and settlement. The substituted security's value will be calculated, and a substitution approved if its value is equal to or greater than the required security level. The Investment Officer(s), or a designee, must provide written notification of the decision to the bank or the safekeeping agent holding the security prior to any security release. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Investment Officer(s) may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

6.) Collateral Reductions

Should the collateral's market value exceed the required amount, any broker or financial institution may request approval from the Investment Officer(s) to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

SAFEKEEPING AND CUSTODY

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or as part of its depository and repurchase agreements. All collateral securing bank deposits must be held by third-party banking institution acceptable to and under contract with the City, or by the Federal Reserve Bank. The securities purchased under a repurchase agreement must be delivered to a third-party custodian with whom the City has established a safekeeping agreement.

All security transactions, including collateral for repurchase agreements considered by the City shall be conducted on a delivery-verses-payment (DVP) basis. By so doing, City funds are not released until the City has received, through the Safekeeping Agent, the securities purchased. The security shall be held in the name of the City or held on behalf of the City. The Safekeeping Agent's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

INVESTMENT PARAMETERS**Maximum and Weighted Average Maturity**

To minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirement of the funds. The City of Elgin intends to match the holding periods of investment funds with liquidity needs of the City. The maximum final stated maturity of any investment shall not exceed five years. All long-term maturities will be intended to cover long-term liabilities. In addition, no less than ten percent (10%) of the funds in the portfolio will be liquid. The entire portfolio will have a weighted average maturity of one (1) year or less. This weighted average will be calculated using the stated final maturity dates of each security.

By Fund Groups

Maturity guidelines by fund are as follows:

- a.) Operating Funds - The weighted average days to maturity for the operating fund portfolio shall be 365 days or less and the maximum allowable maturity shall be two years.
- b.) Debt Service Funds - Debt Service Funds shall be invested to ensure adequate funding for each consecutive debt service payment. The Investment Officer shall invest in such a manner as not to exceed an "unfunded" debt service date with the maturity of any investment. Any unfunded debt service date is defined as a coupon or principal payment date that does not have cash or investment securities available to satisfy said payment.
- c.) Debt Service Reserve Funds - Market conditions, Bond Resolutions constraints and Arbitrage compliance will be considered when formulating

Reserve Fund strategy. Maturity limitation shall generally not exceed the call provisions of the Bond Ordinance and shall not exceed the final maturity of the bond issue. All Debt Service Reserve Fund investment maturities shall not exceed five years.

- d.) Special Project, Special Purpose, and Capital Improvement Funds - The investment maturity of bond proceeds shall generally be limited to the anticipated cash flow requirements. City funds that are considered “bond proceeds” for arbitrage purposes will be invested using a more conservative approach than the standard investment strategy when arbitrage rebate rules requiring refunding excess earnings. All earnings in excess of the allowable arbitrage earnings will be segregated and made available for any necessary payments to the U.S. Treasury.

INVESTMENT STRATEGY

The City of Elgin maintains one portfolio in which all funds under the City’s control are pooled for investment purposes. To minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

1. General, Enterprise, or Operating-type Funds

Suitability – Any investment eligible in the Investment Policy is suitable for General, Enterprise, or Operating Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, managing the weighted average days to maturity of each fund’s portfolio to less than 365 days and restricting the maximum allowable maturity to two years will minimize the price volatility of the portfolio.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – General, Enterprise, or Operating-type Funds require the greatest short-term liquidity of any of the fund-types. Short-term investment pools and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification – Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of ELGIN. Diversifying the appropriate maturity structure up to the two-year maximum will reduce interest rate risk.

Yield – Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective.

2. Debt Service Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Funds maturities to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

Marketability – Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity – Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Investment pools and money market mutual funds may provide a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions influence the attractiveness of fully extending maturity to the next “unfunded” payment date. Generally, if investment rates are anticipated to decrease over time, ELGIN is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded to bolster yield.

Yield – Attaining a competitive market yield for comparable security-types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio shall be the minimum yield objective.

3. Debt Service Reserve Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific considerations in addition to the Investment Policy.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing will reduce the investment's market risk if ELGIN's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual market-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and influence maturity extension.

Marketability – Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to ELGIN's debt holders. The funds are "returned" to ELGIN at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, ELGIN is best served by locking in investment maturities and reducing liquidity. If the borrowing costs cannot be exceeded, then current market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipated future increased yields.

Diversification – Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall operate within the limits of the Investment Policy's risk constraints.

4. Special Project, Special Purpose or Capital Improvement Funds

Suitability – Any investment eligible in the Investment Policy is suitable for Capital Improvement Funds.

Safety of Principal – All investments will be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Capital Improvement Funds to not exceed the anticipated expenditure schedule, the market risk of the overall portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the anticipated expenditure schedule.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity Most capital improvement programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Investment pools and money market mutual funds will provide readily available funds generally equal to one month’s anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds. Generally, if investment rates exceed the applicable cost of borrowing, ELGIN is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then current market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded to bolster yield.

Yield – Achieving a positive spread to the cost of borrowing is the objective within the limits of the Investment Policy’s risk constraints. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective for non-borrowed funds.

Investment transactions must be settled on delivery-versus-payment (DVP) basis, excepting investment pools and mutual funds.

REPORTING

Not less than quarterly, the Investment Officer shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include the following:

- 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value.
- 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested.
- 3.) The maturity date of each investment.
- 4.) Statement of compliance of the portfolios as it relates to the investment strategy.

Detailed and summary reports will be prepared and presented to the City Council and Mayor not less than quarterly. Reports will comply with the applicable Section of the PFIA at a minimum.

Quarterly reports will be formally reviewed at least annually by an independent auditor and reported to the City Council once the City invests in items other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of CD's or money market accounts.

MONITORING OF THE MARKET VALUE OF INVESTMENTS AND COLLATERAL

The Investment Officer shall determine the market value of each investment and of all Collateral pledged to secure deposits of City funds at least quarterly and at a time as close as practicable to the closing of the reporting period for the investments. Such values shall be included on the investment report. The following methods shall be used:

- 1) Certificates of deposit shall be valued at their face value plus any accrued but unpaid interest.
- 2) Shares in money market mutual funds and investment pools shall be valued at par plus any accrued but unpaid interest.
- 3) Other investment securities with a remaining maturity of one year or less may be valued in any of the following ways:
 - a. the lower of two bids obtained from securities broker/dealers for such security;
 - b. the average of the bid and asked prices for such investment security as published in The Wall Street Journal or The New York Times;
 - c. The bid price published by any nationally recognized security pricing service; or the market value quoted by the seller of the security or the owner of such Collateral.
- 4) Other investment securities with a remaining maturity of greater than one year shall be valued at the lower of two bids obtained from securities broker/dealers for such security, unless two bids are not available, in which case the securities may be valued in any manner provided in this section.

INTERNAL CONTROLS

Investment Officer(s) shall establish a system of internal controls, which shall be designed to prevent losses of public funds arising from fraud, employee error, unanticipated changes in financial markets, or imprudent actions by employees. Pertinent controls include custodian safekeeping receipts records management, documentation of investment bidding activities, written confirmations of oral

transactions, reconciliation records, training requirement documentation, and compliance with investment policies. Where practical, the City should emphasize control of collusion, separation of duties, clear delegation of duties, accurate and timely reports, and staying informed about market conditions, changes and trends. In conjunction with the City's annual financial audit, the independent external auditor will assure compliance with the management controls on investments and adherence to investment policies.

PERFORMANCE STANDARDS

The investment portfolio shall be designed with the objective of ensuring the safety of the City's assets and minimizing interest rate risk. In addition, it will remain sufficiently liquid to meet cash flow needs, while protecting the interests of the public, all while obtaining a rate of return throughout budgetary and economic cycles.

The City's overall investment strategy is conservative. Given this strategy, the basis used by the Treasury to determine whether market yields are being achieved shall be the six month U.S. Treasury bill.

INVESTMENT POLICY ADOPTION

The City's investment policy, which includes strategies for each fund, shall be adopted by resolution of the City Council. The policy shall be reviewed annually, and any modifications thereto must be approved by the City Council. This adoption by resolution is required even if there are no changes within the policy.

APPENDIX “A”

I hereby certify that I have personally read and understand the investment policy and master repurchase agreement (if applicable), conditions of the City of Elgin, Texas. I further acknowledge that reasonable procedures and controls designed to fulfill those objectives and conditions have been implemented. Therefore, this firm will preclude investment transactions between itself and the City of Elgin that are not authorized by the City’s investment policy, except to the extent that this authorization is dependent on an analysis of the makeup the City’s entire portfolio or requires an interpretation of subjective investment standards, thus protecting the City’s credit or market risk.

All sales personnel of this firm dealing with the City of Elgin’s account(s) have been informed and will be routinely informed of the City’s investment horizons, limitations, strategy and risk constraints, whenever we are so informed by the City.

This firm pledges due diligence in informing the City of foreseeable risks associated with financial transactions connected to this firm.

I further acknowledge that no investment transaction shall occur between this firm and the City, until the City of Elgin receives this consent form, completed by the firm’s qualified representative.

FIRM

SIGNATURE OF QUALIFIED FIRM REPRESENTATIVE

PRIMARY REPRESENTATIVE: NAME/TITLE
(Please print)

DATE

GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill or exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specified maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refer to securities pledged by a bank to secure deposits of public moneys.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official Annual report for the City of Elgin. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY-VERSES- PAYMENT (DVP): There are two methods of delivery of securities: delivery-verses-payment and delivery-verses-receipt. Delivery-verses-payment is delivery of securities with an exchange of money for the securities. Delivery-versus-receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed Funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks with member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable rate mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Bank Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, DC regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA, or FMHM mortgages. The term “pass-through” is often used to describe “Ginnie Mae”.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and a reasonable trade size can be done at the quoted prices.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MONEY MARKET: The date upon which the principal or stated value of an investment becomes due and payable.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve’s most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in security if it is one that would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized-yield-to-maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RFPs extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY NOTES: A non-interest-bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms, as well as nonmember broker-dealers in securities, maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income returns on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price for the security. (b) **Net Yield to Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING AND APPROVING THE ELGIN PUBLIC SAFETY ADVISORY COMMITTEE AMENDED BYLAWS AND STRATEGIC PLAN 2019-20; AND REPEALING RESOLUTION NO. 2004-10-05-16

DEPARTMENT: Police Department

PROPOSED ACTION: Discussion and Approval of a Resolution authorizing the Elgin Public Safety Advisory Committee Amended Bylaws and Strategic Plan 2019-20; and Repealing Resolution No. 2004-10-05-16

BACKGROUND: The Public Safety Advisory Committee was created by the City in 2005 and over the years the bylaws have evolved, and the Committee's responsibilities have changed. There are proposed amendments to its Bylaws for the regulation of the Committee's business and responsibilities and the committee feels the changes better reflect ideas to improve public safety for the City of Elgin and its residents.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution Amending PSAC Bylaws.

ATTACHMENTS:

Resolution 2004-10-05-16 and new Resolution.

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING AND APPROVING THE ELGIN PUBLIC SAFETY ADVISORY COMMITTEE AMENDED BYLAWS AND STRATEGIC PLAN 2019-20; AND REPEALING RESOLUTION NO. 2004-10-05-16

WHEREAS, Resolution No. 2004-10-05-16 established the Public Safety Advisory Committee (PSAC) to advise and make recommendations to City Council regarding public safety issues; and

WHEREAS, Resolution No. 2004-10-05-16 adopted the PSAC Bylaws; and

WHEREAS, the PSAC has proposed amendments to its Bylaws for the regulation of the Committee's business and responsibilities and developed a short-term Strategic Plan;

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

Section 1. That the City Council of the City of Elgin hereby adopts the Elgin Public Safety Advisory Committee Bylaw attached as Exhibit A.

Section 2. The City Council of the City of Elgin hereby accepts the Elgin Public Safety Advisory Committee Strategic Plan 2019-20 attached as Exhibit B.

Section 3. Resolution No. 2004-10-05-16 is hereby repealed in its entirety.

Section 4. This resolution is effective immediately upon its enactment by the City Council.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS ON THIS 5th Day of November 2019.

Chris Cannon, Mayor of Elgin

ATTEST:

Amelia Sanchez, City Secretary

EXHIBIT A
CITY OF ELGIN
PUBLIC SAFETY ADVISORY COMMITTEE BYLAWS

Section I - Name:

Elgin Public Safety Advisory Committee (PSAC)

Section II - Established:

The Public Safety Advisory Committee was established October 05, 2004, by an act of the Elgin City Council by Resolution No. 2004-10-05-16, to provide advice and recommendations to the City Council on public safety issues.

Section III – Mission:

The mission of the Public Safety Advisory Committee is to serve as ambassadors focused on promoting and supporting efforts to keep Elgin a safe and healthy community.

Section IV - Responsibilities and Functions:

1. The Committee is charged with the responsibility:
 - a. To advise the City Council and make recommendations regarding public safety policy, service levels, fiscal budgetary impacts, and sustain safe, healthy and livable neighborhoods.
 - b. To advise Council on educating the community about public safety and health issues, concerns and programs.
 - c. To review and recommend public safety and health policies and plans.
 - d. To facilitate Elgin community involvement in public safety and health and increase citizen awareness of both.
2. In line with the above stated objectives, the following are examples of issues for the Public Safety Advisory Committee:
 - a. Advise the City Council on:
 - i. Disaster preparedness
 - ii. Emergency management
 - iii. Emergency Medical Services
 - iv. Fire and Rescue services

- v. Police services
 - vi. Public safety at city facilities
 - vii. Public safety legislation
 - viii. Post-incident management
 - ix. Traffic Management
- b. Identify public safety and health needs in Elgin.
 - c. Develop educational programs and materials to increase community awareness.
 - d. Organize and conduct public forums on public safety and health agencies.
 - e. Promote opportunities for citizens to assist public safety agencies through volunteer activities like: Neighborhood Watch Program, volunteer firefighters, police reserve program, community emergency response teams, Red Cross volunteers and Search and Rescue.

Section V - Internal Organization:

- 1. Membership and Terms:
 - a. The Public Safety Advisory Committee will consist of seven (7) voting members appointed by the Mayor with consent of the City Council. The members will be residents of Elgin or the Elgin Rural Fire Protection District, with considerations for appointment to the committee to be given to residents outside the City of Elgin when function of the committee serves residents outside city boundaries. The majority of the committee shall be at least four members residing within the City limits.
 - b. The Committee may also include the following non-voting liaisons:
 - i. The Chief of Police/Emergency Management Coordinator or designee
 - ii. The Fire Chief or designee
 - iii. The Elgin Rural Fire Protection District designated by the board
 - iv. A representative from the Elgin School District designated by the Superintendent
 - v. A representative from Austin Community College designated by the College President.
 - vi. A representative from the Chamber of Commerce designated by the Chamber board.

- c. The Committee may involve additional people as adjunct, non-voting advisors for special projects based on expertise.
- d. The Public Safety Advisory Committee members shall be appointed for staggered terms of two years beginning January 1st.
Vacancies can be filled at any time to complete a given term.
- e. The City Council will select one of its members to serve as its non-voting liaison to the Committee.

2. Chairperson:

- a. The chairperson, vice chairperson, and Secretary of the Committee shall be elected annually in January by the Committee following new or continuing appointments to the PSAC by the City Council. The chairperson is accountable to the Committee for the following designated functions in all respects. Specific responsibilities of the chairperson may be changed by Committee action at any time by majority vote of the entire membership.
- b. The routine functions and responsibilities of the chairperson shall include:
 - i. Developing a written agenda in sufficient time to allow for distribution to the Committee prior to any regular meeting. The agenda should identify items requiring a vote by members, so members can vote per paragraph 5.b. below with prior approval of the chairperson.
 - ii. Chairing all meetings. In the event the chairperson cannot be present the vice chairperson shall assume these duties.
 - iii. Presenting the yearly major activity report to the Council. The report will be written and presented orally in a public forum with the assistance of staff.
 - iv. Establishing the dates and times for regular and special meetings.
 - v. Facilitating a formal review of the Committee's mission and vision every four years. The strategic plan will be reviewed and updated as needed every year.

3. Meetings (Regular and Special).

- a. The Committee shall meet at least quarterly and shall meet on the call of the chairperson or on a call by the majority of its members. The committee shall meet with advance notice posted in accordance with amended (article 6252-17, V.T.C.S.). Special meetings may be called by vote of the Committee at any regular meeting, by the chairperson, by request from the Council's liaison, or by written petition by three or more members. All regular and special meetings are open to the public in accordance with Texas Open Meeting Law, as Citizens in attendance shall be given an opportunity to participate, without vote, in any discussion.
- b. Authority to Bind: The Committee as a whole, or any member or members individually or collectively, shall not exercise authority to bind the city, its officers or agents to financial commitment or obligations. Any funding for projects must be budgeted by the Council and authorized expenditures presented to the staff for payment. The City may enter into agreements with other public agencies, associations and individuals for services, which will assist the Committee.
- c. The City will provide for necessary staff support for the Committee including, but not limited to, postage, meeting place, secretarial service, etc.
- d. It (the Committee) may solicit for the City gifts, revenues, bequests, or endowments of money or property as donations or grants from person, firms, or corporations, subject to the approval and acceptance by the City Council.
- e. Meeting attendance is an expectation of Committee service. Absences known in advance should be communicated to the Chairperson as soon as possible. Should a Committee member miss three consecutive meetings without reasonable cause, the Chairperson may, after consultation with the member, recommend to the City Council that the member be removed from the Committee.

4. Quorum:

- a. A majority of the voting members of PSAC as appointed by Council.

5. Voting and Decision Making:

- a. Consensus will be used during the meetings where possible or feasible. Any member may object to the use of a consensus decision at any time on any given issue. If there is an objection, the chairperson shall commit the issue to a vote by the Committee.
- b. Decisions by voting shall be decided by a majority of those voting members present so long as a quorum of at least 4 voting members exists. With prior approval of the chairperson, voting via teleconference or email is permissible if such votes are cast either before or at the time of the meeting and are reliably documented.
- c. A change in the voting procedure described in previous item 5. b. may be used on any specific item if the Committee, prior to the vote, agrees by consensus or vote to require more than a majority for passage.
- d. The chairperson has the right to vote whenever a vote is cast. In case of a tie vote with the chairperson voting, the motion fails.

6. Role of Council Liaison to PSAC:

- a. Council's liaison shall have the freedom of the floor at all times to present Council's views and to comment, recommend, or suggest actions to the PSAC.
- b. Council's liaison shall not vote at PSAC meetings.
- c. Council's liaison is responsible to convey the majority and/or the minority PSAC actions and recommendations to the Council.
- d. Further, the liaison is not obligated to support PSAC opinions and recommendations during formal meetings of the Council.

Section V - Issues:

The rules contained in Robert's Rules of Order Newly Revised shall govern this Committee in all cases where these by-laws are insufficient in specification of procedure. The PSAC will operate in the general public interest serving the community as a whole. The PSAC will serve

no special interests and will not endorse any commercial product or enterprise.

Section VI - Amending the PSAC By-Laws:

A majority of all members must vote affirmatively to modify the committee's bylaws on at least two separate regular meetings. Final decisions on a by-law change shall not be made until at least the next regular meeting following the introduction of the motion. All by-law changes/revisions adopted by the PSAC must be approved by Council. Bylaws shall be reviewed annually in January.

EXHIBIT B

Resolution No. _____

City of Elgin

Public Safety Advisory Committee

Strategic Plan 2019-2020



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: City Manager

PROPOSED ACTION:

Review and consideration of a Resolution formally casting votes for the Board of Directors of the Bastrop Central Appraisal District for a two -year term to begin January 1, 2020.

BACKGROUND:

As a member of and taxing unit within Bastrop Central Appraisal District (BCAD), the City retains a designated number of votes utilized to select members of the BCAD's governing body, the Board of Directors. The BCAD provides property appraisal services to the City for purposes related to assessing ad valorem taxes on City property owners.

The proposed action is for purposes of casting the City's designated number of votes for the incoming Board of Directors, whose member's terms begin January 1, 2020 and end December 31, 2021. The City of Elgin has 121 votes out of a total of 5,000 to cast for the nominated candidate(s) as listed in the Resolution.

Each voting unit must cast its vote by written resolution and submit it to the Chief Appraiser before December 15, 2019.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of the Resolution casting votes for the votes for the Board of Directors of the Bastrop Central Appraisal District for a two -year term to begin January 1, 2020; and direction to staff, if any, as deemed appropriate.

ATTACHMENTS: Resolution

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, CASTING ITS VOTES FOR THE BASTROP CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Elgin is a taxing unit within the Bastrop Central Appraisal District (BCAD); and,

WHEREAS, the Chapter 6 of the Texas Property Tax Code allows each tax such unit to cast votes for the Board of Directors of the Bastrop Central Appraisal District in proportion to their tax levy; and,

WHEREAS, the City of Elgin is allocated a total of one hundred twenty-one (121) votes for the Board of Directors of the Bastrop Central Appraisal District based on the 2018 ad valorem tax levy.

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

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

Section 2. Votes for BCAD Board of Directors. The Mayor and City Council do hereby cast votes for the following person or persons to the Board of Directors of the Bastrop Central Appraisal District for a two -year term to begin January 1, 2020.

Nominee:	Votes Cast For:
Emanuel, Roderick	_____
Glass, David	_____
Hector, Bill	_____
Redd, David	_____
Snyder, Dennis	_____

Section 3. Open Meetings. That 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.

PASSED AND ADOPTED this ____th day of _____, 2019

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary