AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 21, 2020
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 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.

VI. **PRESENTATION**

1. **BLACK HISTORY MONTH PROCLAMATION**

Documents:

EXECUTIVE SUMMARY PROCLAMATION BLACK HISTORY MONTH.PDF
BLACK HISTORY MONTH PROC 2020.PDF

2. **Mayoral Proclamation Recognizing January 26, 2020 – February 1, 2020 As City Of Elgin School Choice Week**

Documents:

PROCLAMATION.PDF

VII. **CITY MANAGERS REPORT**

1. **General Activity Report And/Or Project Update**

Documents:

EXSUMMARY - GENERAL ACTIVITY REPORT.PDF

2. **Departmental Monthly Reports - November, December**

Documents:

EX SUMMARY MONTHLY REPORT NOV AND DEC 2019.PDF
DEPARTMENT MONTHLY REPORTS 2019.PDF

VIII. **NEW BUSINESS**

1. **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING AN ELECTION ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION.**

Documents:

EXSUMMARY COVER ELECTION.PDF
ORD CALLING ELECTION.PDF
SPANISH -ORD2020 CALLING GENERAL ELECTION (1).PDF
EA CONTRACT FOR MAY 2ND 2020 COE.PDF
JOINT AGREEMENT COE_EISD.PDF

2. **RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE 2021/2022 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT FUND PROJECT.**

Documents:

EXECUTIVE SUMMARY CDBG GRANTADMIN.PDF
RESOLUTION ADMINISTRATIVE SVCSCDBG.PDF

3. **AN ORDINANCE SETTING THE TIME AND PLACE OF THE REGULAR MONTHLY MEETING OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE**

Documents:

EXSUMMARY COVER SHEET MTG.PDF
ORDMTGSCHED.PDF

4. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS ESTABLISHING OFFICIAL CITY OF ELGIN HOLIDAYS FOR THE PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2020; AND PROVIDING FOR RELATED MATTERS**

Documents:

EX SUMMARY - HOLIDAY SCHEDULE.PDF
RESOHOLIDAYSCHED120.PDF

5. **Appointment Of Member To The Library Advisory Board.**

Documents:

EXSUMMARY- LIBRARY APPOINTMENT.PDF
SANDY OTT EMAIL REGARDING KATIE CLARK.PDF
LEVI BANNIGAN 2.PDF
NICOLAS LEALOS.PDF

IX. 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.

X. RECONVENE

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

XI. ANNOUNCEMENTS

XII. ADJOURMENT

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, January 17, 2020, in accordance with Chapter 551 of the Texas Government Code.

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Amelia Sanchez, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: PROCLAMATION FOR NATIONAL BLACK HISTORY MONTH 2020.

DEPARTMENT: Community Services

PROPOSED ACTION: Approve proclamation for National Black History Month 2020 and have a photo with volunteers.

BACKGROUND:
The City of Elgin, the NAACP Elgin Branch Number 6174 and the Elgin Juneteenth Organization, work together to celebrate National Black History Month.

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

RECOMMENDATION: Approve proclamation for National Black History Month 2020 and have a photo with volunteers.

ATTACHMENTS:
{ } 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.

Mayoral Proclamation

National Black History Month 2020

Whereas, during National African American History Month, the NAACP Elgin Branch Number 6174, the Elgin Juneteenth Organization, Elgin Pastors, Ministers, and the City of Elgin pause to recognize, celebrate, and remember the history and contributions of African Americans; and,

Whereas, the Black History Month 2020 theme, "African Americans and the Vote," is in honor of the centennial anniversary of the Nineteenth Amendment and the sesquicentennial of the Fifteenth Amendment (1870). Therefore, as we focus on the ongoing struggle at the polls, where we know prejudice cannot hide; and,

Whereas, Elgin history brims with the stories of African Americans who forever changed their community, will commemorate Elgin's own icons, Mrs. Gladys Ward, Mrs. Bettye Bishop Lofton and Mr. Byron Caldwell for their spirit and determination to bring attention to generations that have embodied the shared progress of our city, county and state on February 1at 6:30in the evening at the Elgin Library Civic Center; and,

Whereas, Sister Sheryl Harrison, the Elect Lady of Pleasant Bethany Missionary Baptist Church, Reverend Louis Harrison, Pastor, will be honored on February 1, at ten o'clock the morning, at the Elgin Public Library, with the ***Hatitude Event***, in recognition of her calling to Christian Education, and applying the Word of God to the lives of young women and girls with Sister Diane Sadberry – Garner, is the Keynote speaker; and,

Whereas, local churches will present Black History programs throughout the month; and,

Whereas, African Americans made their voices heard as to the importance of the vote. Indeed, the fight for black voting rights continues in the courts today. The theme of the vote should also include the rise of black elected and appointed officials at the local and national levels, campaigns for equal rights legislation, as well as the role of blacks in traditional and alternative political parties; and,

Whereas, African Americans in Elgin and all cities of America have come to remember, learn from, and build on the past, so that, together, we can build a better and more prosperous future for all Americans;

NOW, THEREFORE*, I, Chris Cannon, Mayor of Elgin, Texas, by* the authority vested in me by the citizens of city of Elgin, do hereby proclaim February 2020 as National African American History Month in the city of Elgin. I call upon public officials, educators, librarians, and all the citizens to observe this month by participating and supporting all festivities celebrating the proud heritage of African Americans.

_____

Chris Cannon, Mayor
City of Elgin, Texas
January 21, 2020

PROCLAMATION

CITY OF ELGIN SCHOOL CHOICE WEEK

WHEREAS, all children in the City of Elgin should have access to the highest quality education possible; and,

WHEREAS, the City of Elgin recognizes the important role that an effective education plays in preparing all students in the City of Elgin to be successful adults; and,

WHEREAS, quality education is critically important to the economic vitality of the City of Elgin; and,

WHEREAS, the City of Elgin is home to a multitude of high-quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS, the City of Elgin has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Chris Cannon, Mayor of the City of Elgin, do here by recognize January 26, 2020 – February 1, 2020 as City of Elgin School Choice Week, and I call this observance to the attention of all our citizens.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Elgin, Texas to be affixed this 21st day of January 2020.

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Chris Cannon, Mayor

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: **Departmental Monthly Report – November and December 2019**

DEPARTMENT: Administration

PROPOSED ACTION: No action required on this item.

BACKGROUND: Monthly Reports by Department

The attachments for this item include data for the months of November and December. For the month of December, we have taken the liberty of highlighting items in yellow that show particular improvements from month to month and the previous year.

BUDGET/FINANCIAL IMPACT:
None

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

ATTACHMENTS: Summary Report of Operations – For the months of November and December.

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

Monthly Report of Operations

As of November 30, 2019

Administration	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Human Resources						
Total FTE - Filled Positions	93.0	102.5	10%			
Vacancies - all funds	-	4	0%			
New Hires	1	6.5	550%	4	8	88%
Separations	2	2	0%	3	5	67%
Muncipal Court						
Total Active Cases Pending (beg. of Month)	15,630	16,244	4%			
New Cases Filed (incl reactivation of inactive)	367	338	-8%	612	828	35%
# of Magistrations	40	25	-38%	84	76	-10%
Total Cases Disposed of	191	257	35%	339	625	84%
Cases placed on Inactive Status	31	121	290%	62	294	374%
Total Active Cases Pending (end of Month)	15,763	16,276	3%	31,393	32,520	4%
Fines Collected	$ 32,757	$ 50,206	53%	$ 54,489	$ 121,864	124%
Retained by City	$ 17,337	$ 35,387	104%	$ 30,953	$ 82,318	166%

Development Services	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Construction Permits (all types)	40	65	63%	76	122	61%
Revenue from Bldg. Permits	$ 3,894	$ 18,233	368%	$ 8,190	$ 29,330	258%
Inspections (all types)	217	176	-19%	420	439	5%
Revenue from Inspections	$ 6,710	$ 33,477	399%	$ 9,400	$ 46,886	399%
Housing Plats approved (number of lots)	-	2	0%	-	2	0%

Community Services	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Library-						
Materials circulated	6,434	5,535	-14%	14,306	12,859	-10%
# Visitors (incl. Progs)	3,572	3,654	2%	7,625	7,566	-1%
Public Computer Use hrs.	307	304	-1%	700	734	5%
Public Computer Use Persons	464	483	4%	1,047	1,152	10%
Civic Center - Rentals (all)	32	28	-13%	63	64	2%
Recreation Program -						
Annual Memberships	-	4	0%	9	19	111%
Monthly Rec Memberships	-	149	0%	112	298	166%
Facility Rental Fleming Center	-	15	0%	-	208	0%
Facility Rental Recreation Center	-	12	0%	-	105	0%
Sponsored Events	-	$ 38	0%	$ 3,190	$ 6,045	89%

Public Works	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Streets:						
Lane miles Inventoried	56.9	57.8	2%	114	116	2%
Pot holes patched - Square Yards	-	55	0%	-	105	0%
Wide Area patching/renovation - SY	4	71	#####	4	124	2702%
Lane Miles Overlayed'	-	-	0%	-	-	0%
Drainage:						
Linear feet of drains cleaned	23,972	1,140	-95%	24,812	3,578	-86%
# Culverts Cleared	-	-	0%	4	-	-100%
Parks:						
Acres Mowed/maintained	-	140	0%	N/A	348	0%
Reserved Park Facilities	-	-	0%	N/A	44	0%
# Organized Sports Events	-	-	0%	N/A	93	0%

Monthly Report of Operations

As of November 30, 2019

Utilities	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Water System:						
# Customers	3,356	3,367	0%	6,716	6,730	0%
Amount Billed	222,916	233,499	5%	$ 452,794	$ 503,122	11%
Meters Replaced	7	45	543%	23	122	430%
# Leaks Repaired	15	3	-80%	35	3	-91%
Vol. water produced (x1,000 gallons)	31,308	29,615	-5%	64,732	65,628	1%
Main Line Breaks	4	1	-75%	8	1	-88%
Service Line Breaks	4	2	-50%	6	2	-67%
Wastewater System:						
# Customers	3,037	3,063	1%	6,075	6,121	1%
Amount Billed	$ 159,284	$ 157,439	-1%	$ 320,660	$ 318,548	-1%
Main Lines repaired	2	-	0%	4	-	-100%
Lines replaced (Linear Feet.)	8	-	0%	15	-	-100%
Manholes Cleaned	-	-	0%	-	4	0%
Average Daily Flow (MGD)	0.620	0.497	-20%	1.3717	1.5582	14%
Total Monthly Flow (MGD)	19.22	15.41	-20%	42.5223	48.303	14%
Trash Collection:						
# Customers	3,097	3,168	2%	6,192	6,329	2%
Amount Billed	$ 92,743	$ 101,567	10%	$ 184,893	$ 203,134	10%

Police Department	Nov '18	Nov '19	%	YTD 11-30-18	YTD 11-30-19	%
Part I Index Offenses						
Murder (# Victims)	-	-	0%	-	-	0%
Rape(# Victims)	2	-	-100%	2	-	-100%
Robbery (# Victims)	-	-	0%	1	-	-100%
Aggrivated Assault (# Victims)	-	2	0%	-	3	0%
Total Violent Index Crimes*	2	2	0%	3	3	0%
Burglary (# premises entered)	3	1	-67%	3	3	0%
Theft (# offenses)	9	10	11%	22	23	5%
Auto Theft (#vehicles)	1	-	-100%	2	1	-50%
Arson (# premises)	-	-	0%	-	-	0%
Total Property Index Crimes*	13	11	-15%	27	27	0%
Total Part I Index Crimes*	15	13	-13%	30	30	0%
Part II Index Offenses						
Other Assaults	6	9	50%	16	15	-6%
Weapons	-	-	0%	-	-	0%
Narcotics	-	5	0%	5	9	80%
DUI	3	4	33%	6	10	67%
All Other Part II Offenses	39	49	26%	89	93	4%
Total Part II Index Crimes*	48	67	40%	116	127	9%
Total All Index Crimes*	63	80	27%	146	157	8%

Monthly Report of Operations

As of Dec 31, 2019

Administration	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Human Resources						
Total FTE - Filled Positions	95.0	100.5	6%			
Vacancies - all funds	-	6	0%			
New Hires	3	0	-100%	14	8	-43%
Separations	3	1	-67%	6	6	0%
Muncipal Court						
Total Active Cases Pending (beg. of Month)	15,763	16,276	3%			
New Cases Filed (incl reactivation of inactive)	192	240	25%	804	1,068	33%
# of Magistrations	17	28	65%	101	104	3%
Total Cases Disposed of	166	234	41%	505	859	70%
Cases placed on Inactive Status	44	36	-18%	106	330	211%
Total Active Cases Pending (end of Month)	15,749	16,237	3%	47,142	48,757	3%
Fines Collected	$ 31,729	$ 42,145	33%	$ 86,218	$ 164,009	90%
Retained by City	$ 17,598	$ 29,803	69%	$ 48,551	$ 112,120	131%

Development Services	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Construction Permits (all types)	37	64	73%	73	121	66%
Revenue from Bldg. Permits	$ 12,290	$ 21,434	74%	$ 16,586	$ 32,530	96%
Inspections (all types)	185	210	862%	605	649	7%
Revenue from Inspections	$ 3,500	$ 33,673	0%	$ 12,900	$ 67,150	421%
Housing Plats approved (number of lots)	-	-	0%	-	2	0%

Community Services	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Library-						
Materials circulated	5,347	5,472	2%	13,219	12,796	-3%
# Visitors (incl. Progs)	3,656	3,781	3%	7,709	7,693	0%
Public Computer Use hrs.	292	292	0%	685	722	5%
Public Computer Use Persons	456	486	7%	1,039	1,155	11%
Civic Center - Rentals (all)	41	27	-34%	72	63	-13%
Recreation Program -						
Annual Memberships	-	10	0%	9	29	222%
Monthly Rec Memberships	-	135	0%	112	433	287%
Facility Rental Fleming Center	-	18	0%	-	226	0%
Facility Rental Recreation Center	-	10	0%	-	115	0%
Sponsored Events	-	$ 285	0%	$ 3,190	$ 6,330	98%

Public Works	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Streets:						
Lane miles Inventoried	56.9	57.8	2%	171	173	2%
Pot holes patched - Square Yards	-	91	0%	-	196	0%
Wide Area patching/renovation - SY	65	33	-49%	69	158	128%
Lane Miles Overlayed'	-	-	0%	-	-	0%
Drainage:						
Linear feet of drains cleaned	14,420	16,600	15%	39,232	20,178	-49%
# Culverts Cleared	-	-	0%	4	-	-100%
Parks:						
Acres Mowed/maintained	-	260	0%	N/A	468	0%
Reserved Park Facilities	-	-	0%	N/A	44	0%
# Organized Sports Events	-	-	0%	N/A	93	0%

Monthly Report of Operations

As of Dec 31, 2019

Utilities	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Water System:						
# Customers	3,356	3,367	0%	10,072	10,097	0%
Amount Billed	$ 222,916	$ 233,499	5%	$ 675,709	$ 736,621	9%
Meters Replaced	7	45	543%	30	167	457%
# Leaks Repaired	20	5	-75%	55	8	-85%
Vol. water produced (x1,000 gallons)	48,057	29,683	-38%	112,789	95,311	-15%
Main Line Breaks	2	2	0%	10	3	-70%
Service Line Breaks	4	12	200%	10	14	40%
Wastewater System:						
# Customers	3,037	3,063	1%	9,112	9,184	1%
Amount Billed	$ 159,284	$ 157,439	-1%	479,945	475,987	-1%
Main Lines repaired	3	2	-33%	7	2	-71%
Lines replaced (Linear Feet.)	10	12	20%	25	12	-52%
Manholes Cleaned	-	4	0%	-	4	0%
Average Daily Flow (MGD)	0.8359	0.5132	-39%	2.208	1.558	-29%
Total Monthly Flow (MGD)	25.9125	15.9102	-39%	68.435	48.303	-29%
Trash Collection:						
# Customers	3,097	3,168	2%	9,289	9,497	2%
Amount Billed	$ 92,743	$ 101,567	10%	$ 277,636	$ 304,701	10%

Police Department	Dec '18	Dec '19	%	YTD 12-31-18	YTD 12-31-19	%
Part I Index Offenses						
Murder (# Victims)	-	-	0%	-	-	0%
Rape(# Victims)	1	3	200%	3	3	0%
Robbery (# Victims)	-	2	0%	1	2	100%
Aggrivated Assault (# Victims)	1	1	0%	1	4	300%
Total Violent Index Crimes*	2	6	200%	5	9	80%
Burglary (# premises entered)	2	4	100%	7	5	-29%
Theft (# offenses)	15	8	-47%	37	31	-16%
Auto Theft (#vehicles)	-	-	0%	2	1	-50%
Arson (# premises)	-	-	0%	-	-	0%
Total Property Index Crimes*	17	12	-29%	46	37	-20%
Total Part I Index Crimes*	19	18	-5%	51	46	-10%
Part II Index Offenses						
Other Assaults	8	4	-50%	20	23	15%
Weapons	1	-	-100%	1	-	-100%
Narcotics	3	2	-33%	7	12	71%
DUI	3	5	67%	12	12	0%
All Other Part II Offenses	46	43	-7%	135	136	1%
Total Part II Index Crimes*	61	54	-11%	175	183	5%
Total All Index Crimes*	80	72	-10%	226	229	1%

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING AN ELECTION ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION.**

DEPARTMENT:
Administration

PROPOSED ACTION:
Formal authorization and approval to call for a General Election to be held on May 2, 2020 to fill expired terms.

BACKGROUND:
The terms for Council seats for Mayor, Wards 1, 2, 3, and 4 will expire in May of 2020 and a General Election will be held on May 2, 2020 to fill the expired terms.

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

RECOMMENDATION:
Approval of the Ordinance and Order calling the General Election as presented.

ATTACHMENTS: Ordinance (English and Spanish) Exhibit "A "Order of Election, Exhibit "B", the Early Voting Dates and Times, Exhibit "C", City of Elgin Election Day Polling Location, the Contract for Election Services with the Bastrop County Elections Administrator, and the Joint Election Agreement with Elgin ISD.

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

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

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, CALLING AN ELECTION ON MAY 2, 2020 FOR THE PURPOSE OF ELECTING CERTAIN CITY OFFICIALS; DESIGNATING ELECTION PRECINCTS AND POLLING PLACES; PROVIDING FOR EARLY VOTING AND ELECTION DAY VOTING; PROVIDING FOR PERFORMANCE OF REQUIRED ADMINISTRATIVE DUTIES; MAKING PROVISIONS FOR THE CONDUCT OF SUCH ELECTION; CERTIFYING PROVISION OF REQUIRED ACCESSIBLE VOTING SYSTEMS AT EACH POLLING PLACE; AND PROVIDING FOR OTHER MATTERS RELATING TO SUCH CITY ELECTION.

WHEREAS, the City Council of the City of Elgin, Texas, wishes to order a general city election on May 2, 2020 for the purpose of electing Members for Mayor At Large, Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council has determined that May 2, 2020 is the appropriate date for holding the election for electing Members for Mayor AT Large, Ward 1, Ward 2, Ward 3, and Ward 4; and

WHEREAS, the City Council wishes to encourage all registered voters in the city to vote in this election; Now, Therefore,

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

Section 1. ELECTION DATE, PRECINCTS AND POLLING PLACES, AND ELECTION JUDGES.

Election Date. An election shall be held on Saturday, May 2, 2020 in accordance with the attached Order of Election, which Order of Election is labeled as Exhibit "A" and incorporated herein by reference for all purposes.

Precincts and Polling Places. The City hereby designates the election precincts and polling places designated by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court, for such Election Day voting. Further, the City hereby designates the early voting polling places and the temporary polling places designated by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court, for early voting in such election. (Exhibit "C").

Election Judges. The Bastrop County Elections Administrator is conducting such election for the City pursuant to the terms of an Election Services Contract. The City Council hereby appoints, for the term of such election, the presiding election judge(s) and alternate election judge(s) as being those designated by the Bastrop County Elections Administrator.

Section 2. ELECTION CLERKS.

The presiding election judge is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the election, and such election clerks shall be qualified voters of the City of Elgin, Texas. If the election is conducted by the regularly appointed presiding election judge, then the alternate presiding election judge shall be appointed to serve as one of the clerks. The appointment of such clerks shall include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election.

Section 3. EARLY VOTING.

Early Voting Clerk. The City Council hereby appoints the Bastrop County Elections Administrator as the City of Elgin Election Officer and Early Voting Clerk. The Early Voting Clerk's mailing address to which ballot applications and ballots to be voted by mail may be sent is as follows:

Kristin Miles
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballots by mail must be received no later than 5:00 p.m. on Monday, April 20, 2020.

Dates for Early Voting. Early voting shall commence on Monday, April 20, 2020 and continue through Tuesday, April 28, 2020, as provided by the Texas Election Code and as shown on attached exhibits. (Exhibit "B").

Places for Early Voting. Early voting shall be conducted by personal appearance at the Elgin Public Library, 404 North Main Street, Elgin, Texas, and/or at such other places as shall be designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court.

Times for Early Voting. During the period in which early voting is required or permitted by law, that being April 20, 2020 through April 28, 2020 the hours designated for early voting by personal appearance shall be designated in writing by the Bastrop County Elections Administrator, and approved by the Bastrop County Commissioners Court.

Section 4. EARLY VOTING BALLOT BOARD.

An Early Voting Ballot Board is hereby created to process early voting results, and the City hereby appoints the presiding judge of the Early Voting Ballot Board as appointed by the Bastrop County Elections Administrator. Such presiding judge shall appoint not less than two (2) other qualified members to serve on such Board.

Section 5. CUSTODIAN OF ELECTION RECORDS.

Pursuant to the Texas Election Code and the applicable Election Services Contract**,** the Bastrop County Elections Administrator shall serve as the custodian of voted ballots, and the City Secretary of Elgin, Texas shall be appointed as custodian of all other election records.

Section 6. CANDIDATE FILING PERIOD.

In accordance with Section 143.007 of the Texas Election Code, the first day of filing is 8:00 a.m. Wednesday, January 15, 2020 and the deadline for filing an application for a place on the ballot for this election is declared to be 5:00 p.m. Friday, February 14, 2020.

Section 7. VOTERS.

All resident, qualified voters of the City shall be entitled to vote at the election.

Section 8. NOTICE.

Posting. Notice of this election, including a Spanish translation hereof, shall be given by posting the appropriate documentation on the bulletin board used for posting notices of City Council meetings, and same shall be posted not later than Saturday, April 11, 2020 and shall remain posted through Election Day.

Publication. Notice of this election, including a Spanish translation hereof, shall be published once in a newspaper of general circulation in the City, the publication to appear not earlier than April 2, 2020 nor later than April 22, 2020.

Authorization to City Secretary. The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

Section 9. VOTING DEVICES.

Pursuant to the Election Code and the applicable Election Services Contract**,** the Bastrop County Elections Administrator may use electronic voting systems and corresponding voting devices and equipment in conducting the election. The Bastrop County Elections Administrator is currently using election systems and software certified by the Texas Secretary of State.

The City Council of the City of Elgin, Texas, finds as follows:

Section 61.012, Texas Election Code, requires that at least one accessible voting station must be provided in each polling place used in a Texas election on or after January 1, 2006. Such system must comply with state and federal laws setting the requirements for voting systems that (i) fully comply with applicable laws relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provide a practical and effective means for voters with physical disabilities to cast a secret ballot. The Office of the

Texas Secretary of State has certified that the DRE - Election Systems and Software iVotronic is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035, Texas Election Code, authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts relating to the acquisition of such voting systems. As chief elections officer for the City of Elgin, the Bastrop County Elections Administrator shall provide at least one DRE - Election Systems and Software iVotronic in each polling place at every polling location used to conduct any election ordered on or after January 1, 2006. The DRE - Election Systems and Software iVotronic may be acquired by any legal means available to the City of Elgin, including but not limited to lease or rental from Bastrop County or from any other legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

The Bastrop County Elections Administrator may also utilize a central counting station as provided by Texas Election Code § 127.000 *et seq*., as amended.

Section 10. CONDUCT ACCORDING TO STATUTES.

In all substantive respects, the election shall be conducted in accordance with applicable provisions of the Texas Election Code, any other applicable statutes, and the City of Elgin's Home Rule Charter.

Section 11. ELECTION RESULTS.

The Bastrop County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on May 2, 2020. The official canvass, tabulation and declaration of the results of the election shall be conducted by the City Council at a regular or special council meeting held in accordance with provisions of the Texas Election Code.

Section 12. MISCELLANEOUS.

The provisions of this ordinance are severable; and in case any one or more of the provisions of this ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

By motion duly made, seconded and passed with an affirmative vote of the City Council members present, the requirement for reading this ordinance was dispensed.
READ, PASSED and **ADOPTED** on first reading on this 21st day of January 2020.

_____
Mayor, City of Elgin, Texas

ATTEST:

_____
City Secretary, City of Elgin, Texas

EXHIBIT "A"
ORDER OF ELECTION

CITY OF ELGIN, TEXAS

An Election is hereby ordered to be held on May 2, 2020 for the purpose of electing Members for Mayor At Large, Ward 1, Ward 2, Ward 3, and Ward 4.

Applications for a place on the ballot will be accepted beginning 8:00 a.m. on January 15, 2020 and must be received no later than 5:00 p.m. on February 14, 2020.

Election Day voting shall be conducted at the polling places for the precincts designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are shown on "Exhibit A to the Order of Election" which is incorporated herein by reference and made a part hereof for all intents and purposes. The polls at the designated polling places shall be open on Election Day from 7:00 a.m. to 7:00 p.m.

The Bastrop County Elections Administrator is hereby appointed as the Election Officer and Early Voting Clerk and Custodian of Election Records for this election. The presiding judge(s) for each of said polling places are those designated by the Bastrop County Elections Administrator, and they are hereby authorized to appoint additional election clerks (not less than two and not more than six) to assist in conducting said election.

Early voting by personal appearance will be conducted at the locations designated by the Bastrop County Elections Administrator and approved by the Bastrop County Commissioners Court, all as are delineated on the attached "Exhibit B to the Order of Election" which is incorporated herein by reference and made a part hereof for all intents and purposes.

Applications for a ballot by mail shall be mailed to:

Kristin Miles
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Applications for ballots by mail must be received no later than 5:00 pm on Monday, April 20, 2020.

Issued this the 21st day of January 2020.

_____
Chris Cannon, Mayor City of Elgin, Texas

EXHIBIT "B"

EARLY VOTING DATES, TIMES, AND LOCATIONS

Time Period:

Monday, April 20, 2020 through Tuesday, April 28, 2020.

Main Location:

City of Elgin Public Library, 404 N. Main St., Elgin, TX 78621

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
20 **8:00 am – 5:00 pm**	**21** **8:00 am – 5:00 pm**	**22** **8:00 am – 5:00 pm**	**23** **8:00 am – 5:00 pm**	**24** **8:00 am – 5:00 pm**
27 **7:00 am – 7:00 pm**	**28** **7:00 am – 7:00 pm**	**29**	**30**	**1**

Issued this the 21st day of January 2020.

_____

Chris Cannon, Mayor City of Elgin, Texas

EXHIBIT "C"

CITY OF ELGIN ELECTION DAY POLLING LOCATION

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

ORDENANZA NO.

ORDENANZA DE LA CIUDAD DE ELGIN, TEXAS, CONVOCANDO UNA ELECCIÓN QUE SE LLEVARÁ A CABO EL 2 DE MAYO, 2020 CON EL PROPÓSITO DE ELEGIR CIERTOS OFICIALES DE LA CIUDAD, PARA DESIGNAR PRECINTOS ELECTORALES Y SITIOS DE VOTACIÓN; DISPOSICIONES PARA LA VOTACIÓN ADELANTADA Y VOTACIÓN EN EL DÍA DE ELECCIONES; DISPOSICIONES TOCANTES EL DESEMPEÑO DE DEBERES ADMINISTRATIVOS REQUERIDOS; DISPONER PROVISIONES PARA LLEVAR A CABO DICHA ELECCIÓN; DISPONER LA CERTIFICACIÓN DE SISTEMAS ACCESIBLES PARA VOTAR EN CADA SITIO DE VOTACIÓN; Y PROVISIONES PARA OTROS ASUNTOS RELACIONADOS CON DICHA ELECCIÓN DE LA CIUDAD.

POR CUANTO, el Consejo de la Ciudad de Elgin, Texas desea ordenar una elección general de la ciudad el 2 de mayo, 2020 con el propósito de elegir el alcalde con la votación de la Ciudad en General, y a Concejales para el Distrito Electoral 1, Distrito Electoral 2, Distrito Electoral 3, y Distrito Electoral 4; y

POR CUANTO, el Consejo de la Ciudad ha determinado que el 2 de mayo, 2020 es fecha apropiada para llevar a cabo la elección para elegir el alcalde con la votación de la Ciudad en General, y a Concejales para el Distrito Electoral 1, Distrito Electoral 2, Distrito Electoral 3, y Distrito Electoral 4; y

POR CUANTO, el Consejo de la Ciudad desea motivar a todos los votantes registrados de la Ciudad para que voten en esta elección; Ahora, Por lo tanto,

ORDÉNESE POR EL CONSEJO DE LA CIUDAD DE ELGIN, TEXAS, QUE:

Sección 1. <u>FECHA DE LA ELECCIÓN, PRECINTOS Y SITIOS DE VOTACIÓN, Y JUECES ELECTORALES.</u>

<u>Fecha de la Elección.</u> Se llevará a cabo una elección el sábado 2 de mayo, 2020 de acuerdo con la Orden de Elección adjunta, que se ha titulado (Adjunto "A") y que se ha incorporado a lo presente por referencia para todo propósito.

<u>Precintos y Sitios de Votación.</u> La Ciudad por lo presente designa los precintos electorales y sitios de votación designados por el/la Administrador/a Electoral del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop para la votación durante el Día de Elecciones. Además, la Ciudad por lo presente designa los sitios de la votación adelantada y los sitios temporales para la votación que se hayan designado por el/la Administrador/a Electoral del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop para la votación adelantada en dicha elección. (Adjunto "C").

Jueces Electorales. El/la Administrador/a Electoral del Condado de Bastrop llevará a cabo la elección de la Ciudad de acuerdo con los términos del Contrato de Servicios Electorales. El Consejo de la Ciudad por lo presente nombra, para que actúen durante el plazo de dicha elección al juez (jueces) presidente(s) electorales y al juez (jueces) alternos electorales que hayan sido designados por el/la Administrador/a Electoral del Condado de Bastrop.

Sección 2. SECRETARIOS ELECTORALES.

El juez presidente electoral por lo presente es autorizado para nombrar el número de secretarios electorales necesario para asistir en la administración apropiada de la elección y dichos secretarios electorales serán votantes calificados de la Ciudad de Elgin, Texas. Si la elección es llevada a cabo por el juez presidente electoral nombrado, entonces el juez alterno electoral será nombrado a uno de los puestos de secretario. El nombramiento de dichos secretarios incluirá una persona que domine el idioma español para el puesto de secretario quien dará asistencia oral en español a cualquier votante que desea tal asistencia en los sitios de votación el día de la elección.

Sección 3. VOTACIÓN ADELANTADA.

Secretario/a de la Votación Adelantada. El Consejo Municipal por lo presente nombra a el/la Administrador/a Electoral del Condado de Bastrop para que actué de Oficial Electoral de la Ciudad de Elgin y de Secretario/a de la Votación Adelantada. La dirección postal del/la Secretario/a de la Votación Adelantada a cual se deberán enviar las solicitudes para boletas por correo es la siguiente:

Kristin Miles
Administradora Electoral del Condado de Bastrop
804 Pecan St.
Bastrop, TX 78602

Solicitudes para boletas por correo deberán ser recibidas a no más tardar de las 5:00 p.m. el lunes, 20 de abril, 2020.

Fechas de la Votación Adelantada. La votación adelantada principiará el lunes, 20 de abril, 2020 y continúa hasta el martes, 28 de abril, 2020 de acuerdo con el Código Electoral de Texas y con lo detallado en los adjuntos adjuntados. (Adjunto "B")

Sitios de la Votación Adelantada. La votación adelantada será llevada a cabo en persona en Elgin Public Library, 404 North Main Street, Elgin, Texas, y/o en otros sitios de votación adelantada designados por el/la Administrador/a Electoral del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop.

Horario de la Votación Adelantada. Durante el periodo en cual la votación adelantada se requiere o se permite por ley, que es del 20 de abril, 2020 hasta el 28 de abril, 2020, las horas

designadas para la votación adelantada en persona serán indicadas por escrito por el/la Administrador/a Electoral del Condado de Bastrop y aprobadas por la Corte de Comisionados del Condado de Bastrop.

Sección 4. JUNTA DE BOLETAS DE LA VOTACIÓN ADELANTADA.

Por lo presente se instituye una Junta de Boletas de la Votación Adelantada para procesar los resultados de la votación adelantada, y la Ciudad por lo presente nombra al juez presidente de la Junta de Boletas de la Votación Adelantada que sea el/la mismo/a que haya sido nombrado/a por el/la Administrador/a Electoral del Condado de Bastrop. Dicho juez presidente nombrará a no menos de dos (2) otros miembros calificados que actúen en dicha Junta.

Sección 5. GUARDÍAN DE RÉCORDS ELECTORALES.

De acuerdo con el Código Electoral de Texas y con el Contrato de Servicios Electorales aplicable, el/la Administrador/a Electoral del Condado de Bastrop actuará de guardián de las boletas emitidas (votadas), y el/la Secretario/a de la Ciudad de Elgin, Texas será nombrado/a guardián de todos los demás récords electorales.

Sección 6. PERIODO PARA ARCHIVAR CANDIDATURAS.

De acuerdo con la Sección 143.007 del Código Electoral de Texas, la primera fecha y hora en que se pueden archivar candidaturas será a las 8:00 a.m., el miércoles, 15 de enero, 2020.

Sección 7. VOTANTES.

Todo residente, votante calificado de la Ciudad tendrá el derecho de votar en la elección.

Sección 8. AVISO.

Fijar Aviso. Aviso de esta elección, incluyendo una traducción al español del mismo, será dado fijando la documentación apropiada en el tablón de boletines usado para fijar avisos de las reuniones del Consejo de la Ciudad, y el mismo será fijado a no más tardar el sábado 11 de abril, 2020 y permanecerá fijado hasta el Día de la Elección.

Publicación. Aviso de esta elección, incluyendo una traducción al español del mismo será publicado una vez en un periódico de circulación general en la Ciudad, y dicha publicación no será antes del 2 de abril, 2020 ni después del 22 de abril, 2020.

Autorización para la Secretaria de la Ciudad. El/la Secretario/a de la Ciudad por lo presente es autorizado/a y se le encomienda que publique y fije los avisos requeridos en la manera y durante los periodos requeridos por ley.

Sección 9. EQUIPO DE VOTACIÓN.

De acuerdo con el Código Electoral y con el Contrato de Servicios Electorales aplicable, el/la Administrador/a Electoral del Condado de Bastrop podrá usar sistemas de votar electrónicos y aparatos/equipo de votación correspondientes para llevar acabo la elección. El/la Administrador/a Electoral del Condado de Bastrop actualmente usa sistemas electorales y programas de software certificados por el/la Secretario/a de Estado de Texas.

El Consejo de la Ciudad de Elgin, Texas, determina lo siguiente:

La Sección 61.012, del Código Electoral de Texas desde la fecha del 1 de enero, 2006 y después ha requerido que al menos se provee un lugar de votar accesible en cada sitio de votación que se utilice en elecciones de Texas. Dicho sistema deberá cumplir con las leyes estatales y federales que estatuyen los requisitos de sistemas de votación que (i) plenamente cumplen con las leyes aplicables pertinentes a sistemas de votación accesibles para votantes discapacitados; y (ii) proveen medios prácticos y eficaces para que votantes con discapacidades físicas emitan su boleta secreta. La oficina del/la Secretario/a de Estado de Texas ha certificado que el Sistema Electoral DRE y su programa de software iVotronic es sistema de votación accesible que se permite usar legalmente en elecciones en Texas.

Las Secciones 123.032 y 123.035, del Código Electoral de Texas autorizan la adquisición de sistemas de votación por subdivisiones políticas locales y además ordena ciertos requisitos mínimos para contratos relacionados a la adquisición de dichos sistemas de votación. En su puesto de oficial electoral de la Ciudad de Elgin, el/la Administrador/a Electoral del Condado de Bastrop deberá proporcionar al menos un Sistema Electoral DRE y el programa Software iVotronic en cada sitio de votación usado para llevar a cabo cualquier elección ordenada en la fecha del 1 de enero, 2006 o después. El Sistema Electoral DRE y el programa Software iVotronic se permitirá ser adquirido por cualquier medida legal disponible a la Ciudad de Elgin, incluyendo pero sin limitarse a alquilar o rentar del Condado de Bastrop o de alguna otra fuente legal de acuerdo con la autorización de las Secciones 123.032 y 123.035 del Código Electoral de Texas.

El/la Administrador/a Electoral del Condado de Bastrop además podrá utilizar un sitio central para contar votos de acuerdo con las provisiones del Código Electoral de Texas, Sección 127.000 *et seq.*, con sus enmiendas.

Sección 10. <u>ADMINISTRACIÓN DE ACUERDO CON LOS ESTATUTOS.</u>

En todo aspecto substantivo, la elección se llevará a cabo de acuerdo con provisiones aplicables del Código Electoral de Texas, de otros estatutos aplicables, y de la Carta de Autonomía de la Ciudad de Elgin.

Sección 11. RESULTADOS DE LA ELECCIÓN.

El/la Administrador/a Electoral del Condado de Bastrop llevará a cabo la cuenta no oficial de los resultados después de cerrarse los sitios de votación el día 2 de mayo, 2020. El repaso oficial, la cuenta y declaración de los resultados de la elección se llevarán a cabo por el Consejo de la Ciudad en su reunión regular o especial efectuada de acuerdo con provisiones del Código Electoral de Texas.

Sección 12. MISCELÁNEO.

Las disposiciones de esta Ordenanza son divisibles; y en caso de que alguna o más de las disposiciones de esta Ordenanza o de la aplicación de la misma a cualquier persona o circunstancia se determine ser invalida, inconstitucional, o ineficaz en el caso de cualquier persona o circunstancia, de todas maneras el resto de esta Ordenanza será válido, y la aplicación de tal disposición invalida a personas o circunstancias que no sean las que hayan sido afectadas por cierta invalidez no serían afectadas por lo mismo.

Con una moción debidamente hecha, secundada y aprobada con el voto afirmativo de los miembros del Consejo presentes de la Ciudad, se cumplió el requisito de dar lectura a esta ordenanza.
LEIDA, APROBADA Y ADOPTADA en su primera lectura este día 21 de enero, 2020.

_____
CHRIS CANNON, Alcalde
Ciudad de Elgin, Texas

CERTIFICO:

_____
Amelia Sanchez
Secretaria de la Ciudad

ADJUNTO "A"

ORDEN DE ELECCIÓN

CIUDAD DE ELGIN, TEXAS

Por lo presente se ordena una elección que se llevará a cabo el 2 de mayo, 2020 con el propósito de elegir el Alcalde con la votación de la Ciudad en General, y a Concejales para el Distrito Electoral 1, Distrito Electoral 2, Distrito Electoral 3, y Distrito Electoral 4; y

Solicitudes para boletas serán aceptadas principiando a las 8:00 a.m. el 15 de enero, 2020 y deberán ser recibidas a no más tardar de las 5:00 p.m. el 14 de febrero, 2020.

La votación el Día de Elecciones será llevada a cabo en los sitios de votación para los precintos designados por el/la Administrador/a Electoral del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop de acuerdo con lo detallado en el Adjunto "A" de la Orden de la Elección" que está incorporado a lo presente por referencia y que por lo tanto es parte de lo presente para todo propósito. Las casillas electorales en los sitios de votación designados estarán abiertas el Día de Elecciones desde las 7:00 a.m. a 7:00 p.m.

El/la Administrador/a Electoral del Condado de Bastrop por lo presente es nombrado/a para el puesto de Oficial Electoral y de Secretario/a de la Votación Adelantada y de Guardián de los Records de la Elección para esta elección. El/la juez (jueces) presidente(s) electorales para cada uno de dichos sitios de votación serán lo que hayan sido designados por el/la Administrador/a Electoral del Condado de Bastrop, y por lo presente serán autorizados para nombrar secretarios electorales adicionales (no menos de dos ni más de seis) para asistir en la administración de dicha elección.

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La votación adelantada en persona será llevada a cabo en los sitios designados por el/la Administrador/a Electoral del Condado de Bastrop y aprobados por la Corte de Comisionados del Condado de Bastrop, todos detallados en el "Adjunto B de la Orden de la Elección" que ha sido incorporado a lo presente por referencia y que por lo tanto es parte de lo presente para todos los efectos y propósitos.

Las solicitudes para boletas por correo serán enviadas a;

Bridgette Escobedo
Administradora Electoral del Condado de Bastrop
804 Pecan St.
Bastrop, TX 78602

Solicitudes para boletas por correo deberán ser recibidas a no más tardar de las 5:00 p.m. el lunes, 20 de abril, 2020.

Se permitirá someter solicitudes completas escaneadas para boletas por correo con la firma original del solicitante sometidas en formato electrónico a kristin.miles@co.bastrop.tx.us. Y por correo:

Kristin Miles
Bastrop County Elections Administrator
804 Pecan Street
Bastrop, TX 78602

Emitida este día 21 de enero, 2020.

_____
Chris Cannon, Alcalde
Ciudad de Elgin, Texas

ADJUNTO "B"

FECHAS, HORAS Y UBICACIONES DE LA VOTACION ADELANTADA

Periodo de Votación Adelantada:

Lunes, 20 de abril, 2020 a martes, 28 de abril, 2020.

Ubicación Principal:

City of Elgin Public Library, 404 N. Main St., Elgin, TX 78621

LUNES	MARTES	MIÉRCOLES	JUEVES	VIERNES
20 8:00 am – 5:00 pm	**21** 8:00 am – 5:00 pm	**22** 8:00 am – 5:00 pm	**23** 8:00 am – 5:00 pm	**24** 8:00 am – 5:00 pm
27 7:00 am – 7:00 pm	**28** 7:00 am – 7:00 pm	**29**	**30**	**1**

Emitido este día 21 de enero, 2020.

_____

Chris Cannon, Alcalde, Ciudad de Elgin, Texas

ADJUNTO "C"

SITIO DE VOTACIÓN DE LA CIUDAD DE ELGIN PARA EL DÍA DE ELECCIONES

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

CONTRACT FOR ELECTION SERVICES

BETWEEN

THE ELECTIONS ADMINISTRATOR OF BASTROP COUNTY

AND

THE CITY OF ELGIN

FOR THE MAY 2, 2020 ELECTION

THIS CONTRACT is made and entered into by and between Kristin Miles, the Elections Administrator of Bastrop County, Texas, hereinafter referred to as "Contracting Officer," and the City of Elgin, hereinafter referred to as the "CITY," pursuant to the authority under Section 31.092(a) of the Texas Election Code and Chapter 791 of the Texas Government Code. In consideration of the mutual covenants and promises hereinafter set forth, the parties agree to this interlocal agreement with regard to the coordination, supervision, and running of the CITY's May 2, 2020 Election, hereinafter referred to as "the election". The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places and election procedures to assist the voters of the CITY.

I. RESPONSIBILITIES OF CONTRACTING OFFICER. The Contracting Officer shall be responsible for performing the following services and furnishing the following materials and equipment in connection with the election:

A. ***Notification to Presiding and Alternate Judges; Appointment of Clerks.***

1. The Contracting Officer shall notify each presiding judge and alternate judge of his or her appointment. The notification will also include the assigned polling location, the date of the election school(s), the eligibility requirements that pertain to them and to the selection of election day clerks, the date and time of the election, the rate of compensation, the number of election clerks the presiding judge may appoint, and the name of the presiding or alternate judge, as appropriate.

2. The Contracting Officer shall ensure that the presiding judges make the appropriate election clerk appointments and notify the clerks of their appointments. The recommendations of the CITY will be the accepted guidelines for the number of clerks secured to work in each polling place. The presiding election judge of each polling place, however, will use his/her discretion to determine when additional manpower is needed during peak voting hours. Election judges shall be secured by the Contracting Officer with the approval of the CITY.

3. The Contracting Officer shall notify the CITY of the list of election judges and alternate judges for election day, so that the CITY may approve by written order.

4. Notification to the election judges and alternates shall be made no later than April 17, 2020.

B. ***Contracting with Third Parties.*** In accordance with Section 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third persons for election services and supplies. The cost of such third-person services and supplies will be paid by the Contracting Officer and reimbursed by the CITY as agreed upon on Exhibit "C" or Exhibit "C-1", whichever is applicable.

C. ***Election School(s).*** The Contracting Officer shall be responsible for conducting one or more, at her discretion, election schools to train the presiding judges, alternate judges, election clerks, and early voting clerks, and Early Voting Ballot Board members in the conduct of elections, including qualifying voters, provisional voting, and the counting of ballots. The Contracting Officer shall determine the date, time, and place for such school(s) and notify the presiding judges, alternate judges, and election clerks of such. The Contracting Officer may hold the election school(s) on a Saturday in order to increase its availability to election workers who are employed during the regular work week. If at all possible, such election schools shall be conducted within the CITY territory.

D. ***Election Supplies.*** The Contracting Officer shall procure, prepare, and distribute to the presiding judges for use at the polling locations on Election Day and the Early Voting Ballot Board (and to the Deputy Early Voting Clerks during Early Voting) the following election supplies: election kits from third-party vendors (including the appropriate envelopes, sample ballots, lists, forms, name tags, posters, and signage described in Chapters 51, 61, and 62, and Subchapter B of Chapter 66 of the Texas Election Code); pens; pencils; tape; markers; paper clips; ballot box seals; sample ballots; tacks, and all consumable-type office supplies necessary to hold an election.

E. ***Registered Voter List.*** The Contracting Officer shall provide all lists of registered voters required for use on Election Day and for the early voting period required by law. The Election Day list of registered voters shall be arranged in alphabetical order by each precinct.

F. ***Ballots.*** The Contracting Officer shall be responsible for the programming of the direct recording electronic voting devices (referred to as DRE's) and the printing of ballots requested by mail or used for early voting or election day. The Contracting Officer shall be responsible for distributing the DRE's along with the election supplies.

G. ***Early Voting.*** In accordance with Section 31.094, of the Texas Election Code, the Contracting Officer will serve as Early Voting Clerk for the election, subject to Sections 31.096 and 31.097(b).

1. As Early Voting clerk, the Contracting Officer shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. The Contracting Officer shall work with the CITY in securing personnel to serve as Early Voting Deputies.

The Contracting Officer shall, upon request, provide the CITY a copy of the early voting report on a daily basis and a cumulative final early voting report following the election.

2. Early Voting by personal appearance for the election shall be conducted during the hours and time period and at the locations listed in Exhibit "A," attached hereto and made a part of this contract.

3. The Contracting Officer shall receive mail ballot applications on behalf of the CITY. All applications for mail ballots shall be processed in accordance with Title 7 of the Texas Election Code by the Contracting Officer or her deputies at 804 Pecan Street, Bastrop, Texas 78602. Any requests for early voting ballots to be voted by mail received by the CITY shall be forwarded immediately to the Contracting Officer for processing.

4. All Early Voting ballots (those cast by mail and those cast by personal appearance) shall be secured and maintained by the Contracting Officer and delivered by her or her deputy for counting in accordance with Chapter 87 of the Texas Election Code to the Early Voting Ballot Board at the Bastrop County Courthouse on Election Day, May 2, 2020.

H. ***Election Day Polling Locations.*** The Election Day polling locations are those listed in Exhibit "B," attached hereto and made a part of this contract. The Contracting Officer shall arrange for the use of all Election Day polling places and shall arrange for the setting up of all polling locations for Election Day, including ensuring that each polling location has the necessary tables, chairs, and voting booths.

I. ***Central Counting Station.*** The Contracting Officer shall be responsible for establishing and operating the Central Counting Station to receive and tally the voted ballots in accordance with Section 127.001 of the Election Code and of this agreement. Counting Station Manager and Central Count Judge shall be Kristin Miles. The Tabulation Supervisor shall be Kristin Miles. The tabulation supervisor shall handle ballot tabulation in accordance with statutory requirements and county policies, under the auspices of the Contracting Officer.

Election night reports will be available to the CITY at the Central Counting Station on election night and will provide individual polling location totals.

J. ***Manual Counting.*** The Contracting Officer shall conduct a manual count as prescribed by Section 127.201 of the Texas Election Code and submit a written report to the CITY in a timely manner. The Secretary of State may waive this requirement. If applicable, a written report shall be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code.

K. ***Election Reports.*** The Contracting Officer shall prepare the unofficial tabulation of precinct results under Section 66.056(a) of the Texas Election Code and shall provide a copy of the tabulation to the CITY as soon as possible after the Contracting Officer has received the precinct returns on Election Day night. Provisional ballots will be tabulated after election night in accordance with state laws.

L. ***Custodian of Voted Ballots.*** The Contracting Officer is hereby appointed the custodian of voted ballots and shall preserve them in accordance with Chapter 66 of the Texas Election Code and other applicable law.

II. **RESPONSIBILITIES OF THE CITY**. The CITY shall assume the following responsibilities:

A. ***Election School(s).*** At the request of the Contracting Officer, and at no cost to the Contracting Officer, the CITY will make available space in an CITY building to hold the election school(s), if applicable.

B. ***Polling Locations.*** The CITY shall pay the respective cost of all employee services required to provide access, security, or custodial services for the polling locations.

C. ***Applications for Mail Ballots.*** The CITY shall date stamp and then immediately hand deliver to the Contracting Officer all original mail ballot applications for mail ballots that it receives.

D. ***Election Orders, Election Notices, Canvass***. The CITY shall prepare the election order, resolutions, notices, official canvass, and other pertinent documents for adoption by the CITY's governing body. The CITY shall be responsible for having the required election notice under Section 4.003(a)(1) of the Texas Election Code published in the newspaper as required by State law. The CITY shall also be responsible for posting the notice required under Section 4.003(b) of the Texas Election Code as required by law. Promptly after approval of election order, resolutions, notices, official canvass, and other pertinent documents by the CITY's governing body and within such time so as not to impede the orderly conduct of the election, the CITY shall return said documents

to the Contracting Officer for proper recordkeeping. The CITY assumes the responsibility of promoting the schedules for Early Voting and Election Day.

The CITY will provide for the appointment of the Contracting Officer as the early voting clerk for the election in the orders calling the election. The orders will also include approval of election day polling places; times, dates and places for early voting; and appointment of precinct judges.

E. ***Paper Ballots.*** In advance of the March 18, 2020 date on which the Texas Secretary of State's Office encourages the mailing out of ballots for early voting by mail, the Contracting Officer shall arrange with a third party to prepare the necessary optical paper ballots for the election. The ballots shall be in English with the Spanish translation included.

The CITY shall furnish the Contracting Officer a list of candidates and/or propositions showing the order and the exact manner in which their names or proposition(s) are to appear on the official ballot (including bilingual titles and text). This list shall be delivered to the Contracting Officer as soon as possible after ballot positions have been determined. The CITY shall perform the duties required for drawing for place on the ballot by candidates. The CITY shall be responsible for proofreading and approving the ballot insofar as it pertains to the authority's candidates and/or propositions.

III. SPECIAL PROVISIONS RELATING TO ELECTION WORKERS

A. ***Compensation.*** The parties agree that presiding judges and alternate judges will be compensated at a rate of $12.00/hr., and election clerks will be compensated at a rate of $10.00/hr. They will be compensated for all hours actually worked, including the time to set up the polling location and the time to complete the counting and to wrap up the paper work, but not to exceed one hour before and two hours after the polling location is open for voting. The presiding judge, or the election worker at the polling location that he or she designates, who picks up the election supplies on May 2, 2020 from the Contracting Officer and who returns the remaining supplies, ballot boxes, and all other election records from the polling location to the Contracting Officer will be compensated with a delivery fee of $25 at the same time that payment is made for the hours worked. The Contracting Officer will pay the election workers directly and be reimbursed for such by the CITY.

B. ***Number of Election Workers.*** The parties agree that at all polling locations there will be a minimum of three election workers, consisting of the presiding judge, alternate judge, and one clerk.

IV. JOINT EXPENSES AND PAYMENT

A. ***Expenses Incurred and Billing.*** The participating authorities agree to share actual costs incurred to the extent that the costs and expenses are incurred in connection with a polling location used by more than one local political subdivision, such as (without limitation) the cost of renting polling locations and voting equipment, programming the voting equipment, supplies needed for the polling place, wages and salaries of election workers. Election expenses shall be pro-rated equally among the participants.

The parties agree, for those polling locations used solely by the CITY and not shared by any other participating authority, that the CITY will pay the wages, salaries, and other applicable election costs and expenses directly related to such polling location.

It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of Bastrop County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to Bastrop County by the participating authorities.

B. ***Billing.*** As soon as reasonably possible after Election Day, the Contracting Officer will submit an itemized invoice to the CITY for (1) actual expenses directly attributable to the coordination, supervision, and running of the election and incurred on behalf of the CITY by the Contracting Officer, including expenses for supplies in connection with the election school(s), publication and printing of election notices, election supplies, wages paid to the Contracting Officer's employees for services under this contract performed outside of normal business hours, election workers, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of DREs and audio ballots, and (2) the Contracting Officer's fee under Section 31.100(d) of the Texas Election Code and as provided in Section IV.E below. Expenses related to wages shall be supported by compensation sheets. Other expenses shall be supported by invoices or receipts, except that the price of items coming out of the Contracting Officer's stock of election supplies shall be supported by the Contracting Officer's certificate about the number of items used and the unit cost therefore according to the vendor's standard price list.

C. ***Payment.*** The CITY shall pay the Contracting Officer's invoice within 30 days from the date of receipt to: **Bastrop County, Attn: Kristin Miles, Elections Administrator, 804 Pecan Street, Bastrop, TX 78602.** If the CITY disputes any portion of the invoice, the CITY shall pay the undisputed portion of the invoice, and the parties will discuss in good faith a resolution of the disputed portion. All payments shall be made from current revenues available to the CITY.

D. ***Expense Item Larger than $500.*** If a single election expense exceeds $500, the Contracting Officer reserves the right to invoice the CITY for such expense at the time it is incurred, supported by an invoice or receipt, rather than waiting until after Election Day. The CITY shall pay such invoice within 30 days from the date of receipt.

E. ***Estimated Cost of Services.*** A cost estimate for election expenses is attached hereto and made a part of this contract as Exhibit "C" or Exhibit "C-1", whichever is applicable. The parties agree that these are an estimate only and that the CITY is obligated to pay their respective portion of the actual expenses of the election as set forth herein. The Contracting Officer agrees to advise the CITY if it appears that the actual expenses incurred by the Contracting Officer will exceed by 20% or more the estimated expenses to be paid initially by the Contracting Officer and reimbursed jointly by the CITY.

F. ***Administrative Fee.*** The CITY shall pay the Contracting Officer a 10 % administrative fee, pursuant to the Texas Election Code, Section 31.100.

V. GENERAL PROVISIONS

A. ***Nontransferable Functions.*** In accordance with Section 31.096 of the Texas Election Code, nothing in this contract shall be construed as changing

1. the authority with whom applications of candidates for a place on the ballot are filed;

2. the authority with whom documents relating to political funds and campaigns under Title 15 of the Texas Election Code are filed; or

B. ***Joint Election.*** The parties acknowledge that the Contracting Officer may contract with other entities holding elections at the same time as the CITY on May 2, 2020. If another election occurs in territory of the CITY, Bastrop County will notify the CITY of the existence of the situation and provide a joint election agreement.

C. ***Cancellation of Election.*** If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the Contracting Officer shall only be entitled to receive the actual expenses incurred before the date of cancellation in connection with the election and an administrative fee of $75. The Contracting Officer shall submit an invoice for such expenses (properly supported as described in **IV. PAYMENT** above) as soon as reasonably possible after the cancellation and the CITY shall make payment therefore in a manner similar to that set forth in **IV. PAYMENT** above. The Contracting Officer agrees to use reasonable diligence not to incur major costs in connection with election preparations until it is known that the election will be held, unless the CITY authorizes such major costs in writing. An entity canceling an election will not be

liable for any further costs incurred by the Contracting Officer in conducting the May 2, 2020 Joint Election.

D. ***Contract Copies to Treasurer and Auditor.*** In accordance with Section 31.099 of the Texas Election Code, the Contracting Officer agrees to file copies of this contract with the County Treasurer of Bastrop County, Texas and the County Auditor of Bastrop County, Texas.

E. ***Representatives.*** For purposes of implementing this contract and coordinating activities hereunder, the CITY and the Contracting Officer designate the following individuals, and whenever the contract requires submission of information or documents or notice to the CITY or the Contracting Officer, respectively, submission or notice shall be to these individuals:

For the CITY:

Chris Cannon
Mayor At-Large
City of Elgin
310 N. Main St./PO Box 591
Elgin, TX 78621
Tel: (512) 281-5724
Fax: (512) 285-5962
Email: mayor@ci.elgin.tx.us

For the Contracting Officer:

Kristin Miles
Elections Administrator
Bastrop County
804 Pecan Street
Bastrop, TX 78602
Tel: (512) 581-7160
Fax: (512) 581-4260
Email: elections@co.bastrop.tx.us

F. ***Amendment/Modification.*** Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing, duly executed by the parties hereto. No official, representative, agent, or employee of Bastrop County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Bastrop County, Texas. No official, representative, agent, or employee of the CITY has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the CITY. Both the Contracting Officer and the CITY may propose necessary amendments or modifications to this Agreement in writing in order to conduct the Election smoothly and efficiently.

G. ***Entire Agreement.*** This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force and effect. Any oral representations or modifications concerning this

Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

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

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

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

WITNESS BY MY HAND THIS THE 21st DAY OF January, 2020.

_____

Chris Cannon
Mayor At-Large
City of Elgin
Elgin, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2020.

_____
Paul Pape
County Judge
Bastrop County, Texas

WITNESS BY MY HAND THIS THE _____ DAY OF _____, 2020.

_____
Kristin Miles
Elections Administrator
Bastrop County, Texas

EXHIBIT "A"

EARLY VOTING DATES, TIMES, AND LOCATIONS

Time Period:

Monday, April 20, 2020 through Tuesday, April 28, 2020.

Main Location:

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
20 **8:00 am – 5:00 pm**	**21** **8:00 am – 5:00 pm**	**22** **8:00 am – 5:00 pm**	**23** **8:00 am – 5:00 pm**	**24** **8:00 am – 5:00 pm**
27 **7:00 am – 7:00 pm**	**28** **7:00 am – 7:00 pm**	**29**	**30**	**1**

Voting by Mail:

Kristin Miles, Bastrop County Elections Administrator, 804 Pecan Street, Bastrop, TX 78602

EXHIBIT "B"

CITY OF ELGIN ELECTION DAY POLLING LOCATION

City of Elgin Public Library, 404 N. Main Street, Elgin, TX 78621

EXHIBIT "C"

ESTIMATED COST OF MAY 2, 2020 ELECTION

JOINT ELECTION *WITH* ELGIN ISD

CITY OF ELGIN

Optical Ballots and Programming Expenses	**$ 1,736.41**
Rental Fee for ExpressVote and Vote Tabulator (voting equipment)	**$ 3,905.70**
Staff Time and Mileage, Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	**$ 200.00**
SUBTOTAL	**$ 5,842.11**
10% ADMINISTRATIVE FEE	**$ 584.21**
TOTAL	**$ 6,426.33**

EXHIBIT "C-1"

ESTIMATED COST OF MAY 2, 2020 ELECTION

***WITHOUT* JOINT ELECTION**

CITY OF ELGIN

Optical Ballots and Programming Expenses	**$ 1,736.41**
Rental Fee for ExpressVote and Vote Tabulator (voting equipment)	**$ 10,415.21**
Staff Time and Mileage, Early Voting Clerks, Election Judges & Clerks, and Ballot Board	
Election Kits & other precinct supplies	**$ 200.00**
SUBTOTAL	**$ 12,351.62**
10% ADMINISTRATIVE FEE	**$ 1,235.16**
TOTAL	**$ 13,586.78**

AGREEMENT TO CONDUCT JOINT ELECTION BETWEEN

THE CITY OF ELGIN AND

ELGIN INDEPENDENT SCHOOL DISTRICT

FOR THE MAY 2, 2020 ELECTION

THE STATE OF TEXAS §
§
COUNTY OF BASTROP §

This Agreement to Conduct Joint Election (this "**Contract**") is entered into by and among City of Elgin, a political subdivision of the State of Texas (the "**CITY**"), and Elgin Independent School District, a political subdivision of the State of Texas, (the "**ISD**"), each individually, a "**Party**" or, collectively, the "**Parties**," pursuant to Chapter 271 of the Texas Election Code.

RECITALS

WHEREAS, the CITY and the ISD each expect to call an election to be held on May 2, 2020; and

WHEREAS, the CITY and the ISD desire to conduct such elections jointly pursuant to Chapter 271 of the Texas Election Code, and

WHEREAS, the CITY and the ISD desire to enter into a contract setting out the respective responsibilities of the Parties;

NOW, THEREFORE, the Parties agree as follows:

ARTICLE I
PURPOSE

1.01 The Parties have entered into this Contract to conduct a joint election on May 2, 2020. The purpose of this agreement is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of the Parties.

ARTICLE II
JOINT ELECTION

2.01 The Parties agree to conduct their respective May 2, 2020 elections jointly pursuant to Chapter 271 of the Texas Election Code. Specifically, the Parties agree to the use of common polling places for both early voting and election day. The Parties also agree that the election officers may be appointed to serve both elections and that a common ballot may be used where appropriate and that common equipment and ballot boxes may be used for both elections for all relevant purposes as provided in Chapter 271.

ARTICLE III.
TERM

3.01 Except as hereinafter set out, the term of this Contract shall be from the time of execution until all items with respect to this Contract have been completed.

ARTICLE IV
EACH PARTY RESPONSIBLE FOR ITS PRO RATA COST OF SERVICE AS BILLED

4.01 The Parties acknowledge that they have each separately contracted for election services to be provided by Bastrop County Elections Administrator for the elections. All costs incurred by the Parties attributable to the coordination, supervision, and running of the election and incurred on behalf of the Parties, including expenses for supplies in connection with the election school(s), election supplies, wages paid for election workers, any paper ballots to be used for the election, and any other expenses reasonably and directly related to the election, including, without limitation, rental and programming of direct recording electronic voting devices and audio ballots shall be borne by the Parties based on their respective Election Services Agreement with the County Elections Administrator, and each Party will be responsible for their pro rata portion.

ARTICLE V
GENERAL PROVISIONS

5.01 This Contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Bastrop County, Texas.

5.02 In case any one or more of the provisions contained in this Contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision, and this Contract shall be construed as if the invalid, illegal, or unenforceable provision had never been a part of the Contract.

5.03 This Contract constitutes the only agreement of the Parties hereto and supersedes any prior understanding or written or oral agreement between the parties respecting the written subject matter.

5.04 No amendment, modification, or alteration of this Contract shall be binding unless it is in writing, dated subsequent to the date of the Contract and duly executed by all of the Parties.

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

ISD:

Dr. Jodi Duron
Superintendent of Schools
Elgin Independent School District
PO Box 351
Elgin, TX 78621

CITY:

Chris Cannon
Mayor
City of Elgin
PO Box 591
Elgin, TX 78621

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

Executed to be effective the ____ day of _____, 2020.

DISTRICT:

BY:_____
Dr. Jodi Duron, Superintendent
Elgin Independent School District

Executed to be effective the ____ day of _____, 2020.

CITY:

BY:_____
Chris Cannon, Mayor
City of Elgin

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE 2021/2022 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT FUND PROJECT.

DEPARTMENT: Community Services, Finance

PROPOSED ACTION: Consideration and approval of a resolution to authorize an administrative service provider for the 2021/2022 Texas CDBG Community Development Fund application services.

BACKGROUND: The Texas Department of Agriculture requires that proposal requests be sent to three prequalified administrative services firms and a committee including at least one city council member review request for proposals for grant administration services for the Community Development Block grant program. RFP requests were sent to GrantWorks, Inc - Austin (Small business) Rhonda G Stastny (small and women owned) Grant Development Services, Gandolf Burrus - Austin (women owned). The Review committee included Juan Gonzalez, Sue Brashar, Amy Miller and Charles Cunningham. They recommend GrantWorks a firm founded in LaPorte Texas in 1979 and headquartered in Austin. They have secured and administered more than $1.3 billion in assistance for hundreds of localities through thousands of grant contracts. With 140 employees including twenty project managers and AICP Certified planners, they will provide high quality professional services in the development and administration of CDBG community development fund for the City. If the City receives a Community Development Fund award for program year 2021-2022, the GrantWorks fee will be 9.5% of the total grant award. This administrative fee would be included in the overall grant. No fee shall be charged for application services whether or not a grant award is made to the City.

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

RECOMMENDATION: Approval of the resolution to authorize GrantWorks as the administrative service provider for the 2021/2022 Texas CDBG Community Development Fund application services.

ATTACHMENTS:
{ } 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

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE 2021/2022 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY DEVELOPMENT FUND PROJECT.

WHEREAS, the 2021/2022 TxCDBG Community Development Fund contract requires implementation by professionals experienced in the administration of federally-funded community development projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration services has been completed in accordance with Texas CDBG requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for professional services;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That GrantWorks be awarded a contract to provide Texas CDBG application and project-related **administration services** for the 2021/2022 Community Development Fund project.

Section 2. That any and all contracts or commitments made with the above-named services providers are dependent on the successful negotiation of a contract with the service provider;

PASSED AND APPROVED ON JANUARY 21, 2020

APPROVED:

_____
Chris Cannon, Mayor

ATTEST:

_____
Amelia Sanchez, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: **AN ORDINANCE SETTING THE TIME AND PLACE OF REGULAR MONTHLY MEETINGS OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE.**

DEPARTMENT: Administration

PROPOSED ACTION: Adopt the proposed Ordinance, with modifications if any, as determined during discussion and consideration by the Council of this agenda item that sets the dates, time and place of regular meetings for the City Council for Calendar year 2020.

BACKGROUND: The Elgin City Charter contains a provision (Article IV, Section 10) that requires the City Council to hold at least one regular meeting each month and as many additional meetings as needed during the year. It further requires that the Council pass an Ordinance specifying the days and times of such meetings, presumably at the beginning of the year. The Ordinance presented here is intended to fulfill the requirements of this provision of the Charter.

You will note that the specific date for such meetings in October and November have been left blank. The meeting in October would conflict with "National Night Out", and November 3rd is Election day, so other dates may be considered by Council for these meetings.

BUDGET/FINANCIAL IMPACT:

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

STAFF RECOMMENDATION: Adopt the proposed Ordinance as presented.

ATTACHMENTS:

Ordinance

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

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

ORDINANCE NO. 2020-_____

AN ORDINANCE SETTING THE TIME AND PLACE OF THE REGULAR MONTHLY MEETING OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE

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

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

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

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

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

Section 2 – Regular Meetings – The dates for all Regular Meetings of the Elgin City Council for calendar year 2020 shall be as follows:

Tuesday, January 7, 2020	Tuesday, July 7, 2020
Tuesday, February 4, 2020	Tuesday, August 4, 2020
Tuesday, March 3, 2020	Tuesday, September 1, 2020
Tuesday, April 7, 2020	October, _____ 2020
Tuesday, May 5, 2020	November, _____ 2020
Tuesday, June 2, 2020	Tuesday, December 1, 2020

Section 3 – Meeting Time – Each regular meeting of the Elgin City Council shall convene at 7:00PM CST at a location that shall be fixed by Council and posted upon the agenda of said meeting.

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

READ, **PASSED**, and **ADOPTED** on first reading this ____day of _____, 2020.

_____
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 ESTABLISHING OFFICIAL CITY OF ELGIN HOLIDAYS FOR THE PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2020; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: Human Resources

PROPOSED ACTION:

Consideration and approval of a Resolution formally authorizing and establishing the Official City of Elgin Holiday Schedule for calendar year 2020.

BACKGROUND:

The City of Elgin has for many years recognized traditional annual holidays for all city operations and employees, consistent with those holidays typically observed by other area local governments.

As part of the staff's on-going analysis of compensation levels, it was discovered that all primary local government entities in Bastrop County – the Cities of Smithville and Bastrop, as well as Bastrop County – provide a net total of fourteen (14) holidays to their employees. In the past, the City of Elgin has not recognized Columbus Day or Texas Independence Day as holidays as these other entities do; so it is proposed that we add those at this time.

On both of these days, however, operations would be organized so that skeleton crews would be on duty and operations would continue. As such, the staff would receive an additional holiday, but the public would not lose a day of services as the City would remain "open of business".

One other proposed change would be a "swap" of the current Veterans' Day holiday for two (2) half-days – the day before Thanksgiving and the day before the Christmas holiday. This change would actually result in an overall reduction of "lost service days" for the public, as the City would remain open for business the entirety of each of those days.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the Resolution authorizing and establishing the Official City of Elgin Holiday Schedule for calendar year 2020 as described; and routine direction to staff, if any.

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 ESTABLISHING OFFICIAL CITY OF ELGIN HOLIDAYS FOR THE PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2020; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Elgin recognizes traditional annual holidays for all city operations as part of the City's compensation plan and to provide opportunities for employees to share such holidays with their family and friends; and,

WHEREAS, the City of Elgin provides fourteen (14) paid holidays per year for all regular, full time employees; and

WHEREAS, all City of Elgin employees are paid for designated holidays at their regular rate of pay, regardless of the number of hours in an employee's workday.

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

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

Section 1. The City of Elgin Official Holidays for 2020 shall be as follows:

New Year's Day, Wednesday January 1

Martin Luther King Jr. Day, Monday January 20

President's Day, Monday, February 17

Texas Independence Day, Monday March 2

Good Friday, Friday, April 10

Memorial Day, Monday, May 25

Independence Day, Friday, July 3

Labor Day, Monday, September 7

Columbus Day, Monday, October 12

Thanksgiving

Wednesday, November 25 (1/2 day)

Thursday, November 26

Friday, November 27

Christmas

Wednesday, December 23 (1/2 day)

Thursday, December 24

Friday, December 25

Section 3. The City Council hereby finds and declares 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 Gov't Code.

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

PASSED AND ADOPTED this 21st day of January, 2020

_____

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

_____

AMELIA SANCHEZ, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Appointment of member to the Library Advisory Board.

DEPARTMENTS: Library.

PROPOSED ACTION: Appointment/reappointment of a member to the Library Advisory Board.

BACKGROUND: Following up on appointment of members to various Boards and Commissions that the Council considered and approved at their last meeting, one vacancy for the Library Advisory Board was not filled. In order to complete the appointment process, Council is requested to consider reappointment of Katie Clark or consider Nicholas Lealos or Levi Bannigan to fill this position.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Appointment/re-appointment of a member to the Library Advisory Board.

ATTACHMENTS: Applications for each of the prospective members.
Levi Bannigan
Nicholas Lealos

{ } 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.

-----Original Message-----
From: Sandy Ott <SOtt@ci.elgin.tx.us>
Sent: Friday, January 10, 2020 10:23 AM
To: Amy Miller <amiller@ci.elgin.tx.us>
Subject: RE: Library advisory board

Yes, Katie Clark responded finally and said she wanted to be re-appointed. She had replied but it had no reply.

-----Original Message-----
From: Amy Miller <amiller@ci.elgin.tx.us>
Sent: Friday, January 10, 2020 9:13 AM
To: Sandy Ott <SOtt@ci.elgin.tx.us>
Cc: Amelia Sanchez <asanchez@ci.elgin.tx.us>
Subject: RE: Library advisory board

Sandy
Based on this note - did we miss Katie Clark - does she need to be reappointed?
Library Advisory Board:
Council re-appointed Michelle Austino, Christy Taylor and appointed Denise Halter.

From: noreply@civicplus.com
To: Amelia Sanchez
Subject: Online Form Submittal: Application for Community Boards
Date: Tuesday, January 14, 2020 1:21:36 PM

Application for Community Boards

Step 1

First Name	Levi
Last Name	Bannigan
Telephone	5125731520
Telephone	*Field not completed.*
Telephone	*Field not completed.*
Address	118 Blue Ridge Trl
City	Elgin
State	Texas
Zip Code	78621
Mailing Address	118 Blue Ridge Trl
City	Elgin
State	Texas
Zip Code	78621
Email Address	Levi.Bannigan@gmail.com
Is email a way of contacting you promptly?	Yes
If not, how?	*Field not completed.*
Which of the Following Boards or Commissions Would You Like to Serve On	Board of Adjustment, Planning and Zoning Commission, Building Standards Commission, Public Safety Advisory Committee, Economic Development Corporation, Envision Elgin, Main Street Board, Historic Review Board, Parks and Recreation Board, Library Advisory Board
If you apply for multiple	Only preferences are public safety, economic development or planning and zoning. Others I will be

boards/commissions, please rank your preferences as 1st, 2nd, 3rd, etc.	more than happy to join if there is a spot open.
	(Section Break)
Reference 1	*Field not completed.*
Email Address	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Phone Number	*Field not completed.*
Fax Number	*Field not completed.*
	(Section Break)
Reference 2	*Field not completed.*
Email Address	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*
Zip Code	*Field not completed.*
Phone Number	*Field not completed.*
Fax Number	*Field not completed.*
	(Section Break)
Reference 3	*Field not completed.*
Email Address	*Field not completed.*
Address	*Field not completed.*
City	*Field not completed.*
State	*Field not completed.*

Zip Code	*Field not completed.*
Phone Number	*Field not completed.*
Fax Number	*Field not completed.*
	(Section Break)
Occupation and/or Area(s) of Expertise	Information technology/military and leadership/security/project management/athletics
Education	Bachelors degree in business administration - IT Management
Additional Information	
Do you reside within the City Limits of Elgin?	Yes
If yes, how long?	1 year
What Ward?	3
Do you reside within the Elgin Independent School District?	Yes
Do you own property or a business in the Elgin Area?	No
If yes, please specify business name and/or property location	*Field not completed.*
Are you a registered voter?	Yes
Are you currently serving on any other City of Elgin Board/Commission/Committee?	No
If yes, please indicate name	*Field not completed.*
Recognizing that serving on a Board or Commission is often time consuming, are you committed to attending all regularly scheduled meetings?	Yes
If not, why?	*Field not completed.*
Why would you like to serve on the selected Board or	I want to be involved in the decision making in my city and eventually run for city council.

Commission?	
Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest?	No
Do you have your employer's support to serve on a Board or Commission?	Yes
Board members are required to participate in training and obtain a certificate of completion for the Texas Open Meetings Act and Public Information Act within 90 days after date of appointment.	
Do you agree to complete any training necessary for the Board or Commission?	Yes
How did you hear of the available position(s)?	Online
Completing and submitting this application does not guarantee your placement on a city board. Your application will be reviewed and kept on file for 2 years for possible placement of an opening on a Board or Commission.	
Signature of Applicant	Levi Bannigan
Date	1/14/2020

Email not displaying correctly? View it in your browser.

From: noreply@civicplus.com
To: Amelia Sanchez
Subject: Online Form Submittal: Application for Community Boards
Date: Thursday, April 4, 2019 10:36:51 PM

Application for Community Boards

Step 1

First Name	Nicholas
Last Name	Lealos
Telephone	5124922424
Telephone	5124922424
Telephone	5124922424
Address	112 Kendall Cv
City	Elgin
State	Tx
Zip Code	78621
Mailing Address	112 Kendall Cv
City	Elgin
State	Tx
Zip Code	78621
Email Address	nrlealoswork@gmail.com
Is email a way of contacting you promptly?	Yes
If not, how?	*Field not completed.*
Which of the Following Boards or Commissions Would You Like to Serve On	Board of Adjustment, Planning and Zoning Commission, Public Safety Advisory Committee, Economic Development Corporation, Envision Elgin, Main Street Board, Parks and Recreation Board, Library Advisory Board
If you apply for multiple boards/commissions, please	Planning and Zoning, Public Safety, Economic Development, Envision Elgin, Main Street, Adjustment, Parks and Recreation, Library Advisory

rank your preferences as 1st, 2nd, 3rd, etc.

Reference 1	Hon. John Bucy III
Email Address	johnbucy@bucyfortexas.com
Address	*Field not completed.*
City	Austin
State	Texas
Zip Code	78778
Phone Number	*Field not completed.*
Fax Number	*Field not completed.*
Reference 2	Connor McGee
Email Address	groovyconnor@gmail.com
Address	*Field not completed.*
City	Austin
State	Texas
Zip Code	78750
Phone Number	5124974304
Fax Number	*Field not completed.*
Reference 3	Seneca Savoie
Email Address	selfcritical@gmail.com
Address	*Field not completed.*
City	Austin
State	Texas
Zip Code	*Field not completed.*
Phone Number	5125737364
Fax Number	*Field not completed.*

Occupation and/or Area(s) of Expertise	Attorney for the State of Texas specializing in Public Information & Open Meetings Act/Administrative & Regulatory law
Education	B.A./J.D.
Additional Pertinent Information	
Do you reside within the City Limits of Elgin?	Yes
If yes, how long?	1 month
What Ward?	*Field not completed.*
Do you reside within the Elgin Independent School District?	Yes
Do you own property or a business in the Elgin Area?	Yes
If yes, please specify business name and/or property location	112 Kendall Cv.
Are you a registered voter?	Yes
Are you currently serving on any other City of Elgin Board/Commission/Committee?	No
If yes, please indicate name	*Field not completed.*
Recognizing that serving on a Board or Commission is often time consuming, are you committed to attending all regularly scheduled meetings?	Yes
If not, why?	*Field not completed.*
Why would you like to serve on the selected Board or Commission?	I have a long record of policy and legal expertise, and have completed an accelerator program on municipal government and policy.
Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest?	No
Do you have your employer's	No

support to serve on a Board or Commission?	

Board members are required to participate in training and obtain a certificate of completion for the Texas Open Meetings Act and Public Information Act within 90 days after date of appointment.

Do you agree to complete any training necessary for the Board or Commission?	Yes
How did you hear of the available position(s)?	*Field not completed.*

Completing and submitting this application does not guarantee your placement on a city board. Your application will be reviewed and kept on file for 2 years for possible placement of an opening on a Board or Commission.

Signature of Applicant	Nicholas Lealos
Date	4/4/2019

Email not displaying correctly? View it in your browser.