



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 21, 2020
CITY ANNEX COUNCIL CHAMBERS, 310 NORTH MAIN STREET
6:00 PM

In accordance with social distancing guidelines, the City Council meeting will not be open to the public. Council Members will attend virtually.
The meeting will be streamed live at https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jTzA

Members of the public wishing to submit their written comments on a listed agenda item must submit their comments by emailing the city secretary at asanchez@ci.elgin.tx.us or by calling 512-229-3222 by 6:00 pm July 20, 2020.

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. Public Hearing On The Proposed 2020 Five-Year Capital Plan

Documents:

[EXSUMMARY - 5YRCP HEARING.PDF](#)

VI. PUBLIC COMMENT

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

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

VII. CITY MANAGERS REPORT

1. Update On City Of Elgin Coronavirus (COVID-19) Pandemic Response And/Or Impacts

Documents:

[EXSUMMARY - CORONAVIRUS REPORT 4.PDF](#)
[COVID19PLAN320.PDF](#)
[MEM4LEVEL62920.PDF](#)

2. Review Of City Bulk Trash Collection Services And Policies

Documents:

[EX SUMMARY - BULK TRASH REPORT.PDF](#)
[BULK TRASH MEMO_DODIE720.PDF](#)
[BULK DOS AND DONT.S.PDF](#)

3. DEPARTMENTAL MONTHLY REPORTS - JUNE

Documents:

[01 EXSUM MONTHLY REPORTS BY DEPARTMENT JUNE 2020.PDF](#)
[02 MONTHLY REPORTS JUNE DATA.PDF](#)

4. General Activity Report And/Or Project Update

Documents:

[EXSUMMARY - GENERAL ACTIVITY REPORT.PDF](#)

VIII. CONSENT AGENDA

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

1. CITY COUNCIL EMERGENCY SPECIAL VIRTUAL MEETING MINUTES - JULY 01, 2020

Documents:

[EXSUMMARY SHEET MINUTES.PDF](#)
[CITY COUNCIL EMERGENCY SPECIAL VIRTUAL MEETING.PDF](#)

IX. NEW BUSINESS

1. Review And Discussion Of The Proposed City Of Elgin 2020 Five-Year Capital Plan (5YRCP)

Documents:

[EXSUMMARY - 5YRCP DISCUSSION.PDF](#)

2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARING BIDS FOR PURCHASE OF PLAYGROUND EQUIPMENT AND SURFACING OF SAME IN ELGIN MEMORIAL PARK; AUTHORIZING STAFF TO REQUEST BIDS FOR ROAD AND TRAIL IMPROVEMENTS IN THE PARK AS WELL AS NEW RESTROOMS; AND APPROVING CERTAIN AMENITY ENHANCEMENTS AS PART OF A PARK REJUVENATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[01 EXEC SUMMARY EQUIPMENT RENOVATION MEMORIAL PARK UPDATED.PDF](#)
[02 RESOLUTION AWARD OF BIDS AND RFPS FOR PARK IMPROVEMENTS UPDATED.PDF](#)
[03 OFFICIAL BIDS FROM VENDORS.PDF](#)
[04 LIST OF CITY REQUIREMENTS FOR GRANT.PDF](#)
[05 SUMMARY OF EMP PARK IMPROVEMENTS PHASE I.PDF](#)

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING EXECUTION OF A LEASE WITH CAPITAL AREA RURAL TRANSIT AUTHORITY (CARTS) FOR 201 CENTRAL AVENUE.

Documents:

[EXECUTIVE SUMMARY CARTS LEASE RESOLUTION .PDF](#)
[RESOLUTION CARTS LEASE .PDF](#)
[CARTS SITE PLAN.PDF](#)
[CARTS LEASE TRACT ELGIN.PDF](#)
[CARTS 41720 SURVEY EXHIBIT.PDF](#)

4. Reappointment Of Thee Members To The Tax Increment Reinvestment Zone Board Of Directors Along With An Alternate.

- Mayor Chris Cannon
- Council Member Sue Brashar
- Council Member Jessica Bega
- Susie Arreaga (Alternate)

Documents:

[EX SUMMARY REAPPOINTMENTS 2020.PDF](#)

5. CONSIDER AND APPROVE A CONTRACT WITH BASTROP COUNTY FOR ELECTION SERVICES AND AGREEMENT TO CONDUCT JOINT ELECTION.

Documents:

[01 EXSUMMARY AGREEMENT BASTROP COUNTY ELECTION SERVICES.PDF](#)
[BASTROP CO EA_JOINT ELECTION CONTRACT_CITY OF ELGIN.PDF](#)

6. INTERLOCAL COOPERATIVE AGREEMENT BETWEEN BASTROP COUNTY, TEXAS AND THE CITY OF ELGIN, TEXAS PROVIDING THE TERMS PURSUANT TO WHICH THE COUNTY WILL SELL PROPERTY TO THE CITY; AND OTHER MATTERS IN CONNECTION THEREWITH.

Documents:

[01A EXSUM INTER LOCAL AGREEMENT WITH BASTROP CO CS MACHINE.PDF](#)
[02A INTERLOCAL AGREEMENT BASTROP COUNTY CITY OF ELGIN REVISED CRACKSEAL MACHINE.PDF](#)

X. EXECUTIVE SESSION

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

1. Adjourn Into Executive Session Pursuant To Section §551.071 Consultations With Attorney; To Deliberate With Legal Counsel Regarding The Trinity Ranch MUD Development Agreement

Documents:

[EXSUMMARY - EXECUTIVE SESSION5.PDF](#)

XI. RECONVENE

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

XII. ANNOUNCEMENTS

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

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing on the Proposed 2020 Five-Year Capital Plan

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested at this time; This item is to allow for public comments on the proposed 2020 Five-Year Capital Plan (5YRCP) for Capital Projects prior to its consideration for adoption by the City Council.

BACKGROUND:

Discussed at previous meetings; This hearing was scheduled as part of the 2020 Budget Development Calendar and represents a formative step in the final development of the FY19-20 Annual Budget.

The 5YRCP is a comprehensive financial planning document describing all currently proposed capital expenditures within all city departments and operations for each of the next five years. The 5YRCP is designed to provide operations managers with the opportunity to look beyond the standard 12-month governmental funding cycle; while also providing Council and the administration with information necessary to achieve effective long-term financial planning.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

N/A

ATTACHMENTS:

None (Council has already been provided copies of the documents, which are available for review by the public at City Hall or the Elgin Public Library; or on the city's website).

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Update on City of Elgin Coronavirus (COVID-19) Pandemic Response and/or Impacts

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed, requested, or believed necessary at this time; This item is for a briefing and general discussion with the City Council as to on-going operational response to the COVID-19 coronavirus.

BACKGROUND:

This item is for an informational report and general discussion of the City's on-going response to the Coronavirus from the

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of City on-going response to the Coronavirus Pandemic; and direction to staff, if any, regarding same.

ATTACHMENTS:

City of Elgin Coronavirus (COVID-19) Readiness Plan
6/29/20 Staff Memorandum

{ } 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.



City of Elgin

Office of the City Manager

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

CITY OF ELGIN

CORONAVIRUS (COVID-19) READINESS PLAN

March 18, 2020

The following plan has been developed to generally define the role of city operations and prepare the general citizenry for the potential impacts of the Coronavirus (COVID-19) Pandemic. The contents herein are a summary of more detailed plans that have been prepared for each organizational unit. City staff continues to monitor information provided by the Texas Department of State Health Services (DSHS), who is working closely with the Centers for Disease Control and Prevention (CDC) in monitoring this new disease that is causing an outbreak of respiratory illness worldwide.

Through the combined efforts of all city staff and departments, this plan has been developed to create a comprehensive *City of Elgin* response to the current pandemic that anticipates future scenarios and builds public confidence in our responding to this event appropriately. At the same time, the staff has also remained focused on not encouraging an overreaction to the situation.

It's assumed that most already have a tacit understanding of the basic Coronavirus Pandemic situation. If however, more basic information about the virus is desired, please refer to the DSHS website at <https://dshs.texas.gov/coronavirus/>

While the immediate Coronavirus risk to most Texans and Elginites remains low, steps are being taken to limit the spread of the virus, mitigate health and economic risk. City staff remains in touch with all appropriate local health authorities as well as county, state, and federal health agencies regarding the COVID-19 virus. We have also maintained regular, direct contact with the Bastrop County Judge, the City of Bastrop, the City of Smithville, and Travis County to properly coordinate consistent local efforts. We continue to seek the most up-to-date information in our efforts to help everyone stay informed and healthy.

The DSHS provides daily reports on additional cases of the Coronavirus and, as of the above date, reports a total of eighty-three (83) cases in Texas. Locally, four (4) of those cases have been attributed to being in Travis County and one (1) in Hays County. **There have been NO CASES of COVID-19 reported yet in Bastrop County and/or the City of Elgin.**

In reviewing the Readiness Threat Levels, it is important to note the following general conditions:

- The Levels provide a general plan for response; however, certain conditions may exist that could call for an advancement of response activity in individual situations or departments.
- While there are certain items listed therein as it relates to the Elgin Police Department, the EPD will strive to maintain routine operations and staffing throughout the event, with minimal, adverse impact on routine public safety services.

- Due to the critical nature of water and wastewater operations, particular emphasis has been placed on keeping treatment plant operations continuing irrespective of the Threat Level achieved.
- Trash & Recycling Curbside Collection services are also anticipated to maintain routine operations and staffing throughout the event.

Coronavirus Readiness Levels

Threat Level IV - Normal Conditions - Operations as usual but emphasis on hygiene and vigilance until threat is totally dissipated.

I. Employee Practices:

- (a) Wash hands often with soap and water or an alcohol-based hand sanitizer.
- (b) Avoid touching your eyes, nose, and mouth with unwashed hands.
- (c) Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- (d) Flu shots encouraged.

II. Operational Accommodations

- (a) Clean and disinfect workstations and frequently touched objects and surfaces.
- (b) Wipe down all counter spaces a minimum of two (2) times per day.
- (c) Monitor threat level conditions.
- (d) Follow normal operating procedures but focus on execution of critical issues to ensure continuing compliance with law.
- (e) All employees exhibiting flu-like symptoms are required to stay home.
- (f) Authorize changes to normal work schedule as necessary.
- (g) Encourage minimal participation at City Council Meetings, educating attendees to be mindful of recommended social distancing.

RECREATION CENTER

- (a) Cancel or reschedule all Spring Break and group programming
- (b) Modify senior programming to utilize social distancing of participants and limit contact to communal objects.
- (c) Cancel Passive Senior Programming for the month of March
- (d) Cancel programming and large-scale events at Elgin Recreation Center
- (e) Reschedule Community Movie Night
- (f) Reschedule Educational Sessions
- (g) Cancel fitness classes at instructor's discretion

III. Communications

- (a) Maintain routine updates of changing conditions to Council and/or staff as needed
- (b) Convene targeted staff members for meetings as needed to communicate changes in threat levels or discuss and solve any emerging operational issues.

- (c) Utilize City website, social media, and Elgin Courier to disseminate updated information to the general public.
- (d) Provide notice of changing Recreation Program conditions as needed
- (e) Monitor and respond to inquiries and/or notices on social media as appropriate.

Threat Level III – Increased Readiness - Increased response as appropriate if there is a greater than the normal threat of a contagious disease event. Initial conditions include confirmed cases and/or quarantine of unconfirmed instances within the Austin MSA and/or central Texas area.

I. *Continue all measures implemented under Level IV*

II. *Employee Practices:*

- (a) Practice social distancing (avoid an area within six-foot distance of others).
- (b) Self-quarantine, if possible.
- (c) All at-risk employees encouraged to work remotely or under staggered shifts.

III. *Operational Accommodations:*

GENERAL

- (a) Cancel/postpone all travel and training that is not necessary to facilitate immediate operational needs
- (b) If staffing becomes limited, arrange for coverage of critical duties and responsibilities
- (c) Monitor media to keep abreast of progress of pandemic at national, state, local level.

ADMINISTRATION

- (a) Schedule/conduct frequent staff meetings for updates on issues.
- (b) Reduce City Council Meeting schedule to one (1) per month
- (c) Coordinate time and attendance through HR for tracking purposes
- (d) Identify essential staff/operations

PUBLIC WORKS/UTILITIES

- (a) Begin rotation of maintenance crews; limit number of employees working at one time

COMMUNITY SERVICES

- (a) Cancel all programming through April 8 including Downtown Scoops, Local Lore and Sip Shop & Stroll.
- (b) Coordinate with Advocacy Outreach and Community Cupboard
- (c) Continue promoting Census 2020
- (d) Reschedule Friends of Elgin Parks Music in the Park Fridays
- (e) Develop strategy for or plans for Hip Hop Shop (Easter Weekend)
- (f) Develop strategy for or Plans for Art Studio Tour (May 29-30)
- (g) Cancel production of Spring issue Downtown 78621
- (h) Cancel event marketing and paid advertising for events
- (i) Work with Elgin Historical Association to determine appropriate the Depot Museum operational plan.

RECREATION CENTER

- (a) Cancel all fitness classes and additional programs
- (b) Cancel all private rentals, including all park facilities

LIBRARY

- (a) Establish limit of five (5) patrons at a time to search for and check out books
- (b) Cancel all spring break programming, and all regular programming
- (c) Social distancing computer use - five (5) workstations available to the public.
- (d) Rearrange employee work areas to maintain a 6-ft distance from others & the public.
- (e) Move Library Advisory Board meetings to Civic Center room
- (f) Friends of Elgin Library meetings will be electronic or use social distancing.

III. Communications

- (a) E-mail notice of changing conditions as needed to Council and/or staff.
- (b) Update COVID-19 link on City Website daily or as significant issues arise.
- (c) Update closure notices daily on web page and social media.
- (d) Collect links to Notices and announcements from staff as submitted.
- (e) Post links concerning COVID-19 from other local, state, federal agencies.

Threat Level II – High Readiness – Increased response as appropriate if there is an increased risk of a contagious disease incident. Initial conditions may include a number of confirmed cases within Bastrop County and/or eastern Travis County.

I. Continue all measures implemented under Levels III and IV**II. Employee Practices:**

- (a) Suspend all vacation requests.
- (b) All at risk, non-essential staff placed on admin leave or work remotely, if applicable
- (c) All non-essential staff encouraged to work remotely or staggered schedules
- (d) Arrange work areas to encourage social distance in the workspace

III. Operational Accommodations:ADMINISTRATION

- (a) City Hall closed to the general public; with Utility payments received at the drive-thru and Court payments at the City Hall Annex
- (b) Municipal Court canceled until further notice.
- (c) Reduce City Council Meeting schedule to as-needed Special Meetings.
- (d) Cancel or delay all non-essential meetings of City boards and advisory groups (Library Advisory Board, Parks & Recreation Advisory Board, TIRZ Board of Directors, Public Safety Advisory Committee, and Main Street Board of Directors).
- (e) Reduce schedule of mandatory City boards and advisory groups to as-needed only (Planning & Zoning Commission, Board of Adjustment, Economic Development Corporation Board of Directors, Historic Review Board, and Building Standards Commission).

POLICE

- (a) Identify leadership personnel to staff the Emergency Operations Center (EOC)
- (b) Create schedule for personnel to work at the EOC
- (c) Brief EOC personnel on current law enforcement operations
- (d) Front lobby of the EPD station closed to the general public.
- (e) Communications personnel sequestered
- (f) All walk-in complaints handled by on-duty patrol personnel
- (g) Identify and/or create potential day-care locations for dependents of emergency personnel who are deemed to be essential personnel

PUBLIC WORKS/UTILITIES

- (a) Initiate skeleton maintenance crews to begin. Crews working will put in normal 8-hour
- (b) No new construction projects, water, and/or sewer taps
- (c) Only required work will be done for necessary treatment plant operations

COMMUNITY SERVICES

- (a) Cancel all programming
- (b) Work with Juneteenth Festival Committee and Elgin Chamber of Commerce to develop plan for rescheduling June events
- (c) Develop plan for Hogeye Festival
- (d) Assess need and feasibility of staff support for mental health calls or coordinating mental health calls with volunteers

RECREATION CENTER

- (a) Close the Recreation Center to the general public
- (b) Coordinate with EPD opening of an Emergency Operations Center (EOC)
- (c) Continue staffing to ensure that Facility is ready to reopen and/or open as an emergency shelter

LIBRARY

- (a) Close the Library to the general public
- (b) Cancel all programming

IV. Communications

- (a) Conduct conference calls with the Mayor, City Council, and key staff members as warranted to provide updates on threat status and resolve emerging issues.
- (b) Enhance contact with school administration, fire department, county officials and state agencies as appropriate.
- (c) Prepare and ensure publishing of announcements for canceling City sponsored public meetings and or gatherings.
- (d) Coordinate and direct updates of social media outlets with webmaster

Threat Level I – Maximum Readiness – Increased response when there is a significant possibility of a contagious disease event within the city or immediately surrounding area. Initial conditions include confirmed case(s) of a contagious disease in the City of Elgin.

I. *Continue all measures implemented under Levels II, III, and IV*

II. *Employee Practices:*

- (a) Only authorized, essential staff report to work
- (b) Provide support to all Emergency Management operations as needed.

III. *Operational Accommodations:*

- (a) Close all city-owned buildings and facilities to the general public.
- (b) Maintain only essential city operations – Police, Water, Wastewater, Trash & Recycling and Administration

ADMINISTRATION

- (a) Reduce City Council Meeting schedule to Emergency Meetings only.
- (b) Cancel all non-essential meetings of City boards and advisory groups

POLICE

- (a) Open Emergency Operations Center (EOC) at the Recreation Center.
- (b) Alert staff of emergency operations. Notify identified essential personnel for increased staffing during primary vulnerability period
- (c) Activate minimum staffing plan for essential personnel and telecommuting for non-essential personnel
- (d) Place CID personnel in patrol rotation. Non-violent CID cases suspended.
- (e) Place executive staff in patrol rotation when not assigned to EOC
- (f) Initiate childcare plan for essential personnel
- (g) Initiate revised policy for response to calls for service:
- (h) Implement altered work schedules

PUBLIC WORKS/UTILITIES

- (a) One maintenance employee on call for each department

LIBRARY

- (a) Closed to the public and/or all patrons until further notice.
- (b) Implement organizational and facility deep cleaning

IV. *Communications*

- (a) Keep Council advised by e-mail of operational issues or changes in threat levels.
- (b) Conduct conference calls with key staff members to provide updates on threat status and resolve emerging issues.
- (c) Keep in reasonably frequent contact with school administration, fire department, county officials and state agencies as appropriate.
- (d) Issue public warnings and provide public information as necessary.

Memorandum

Date: June 29, 2020

To: Department Heads

Subject: Coronavirus (COVID-19) Readiness Plan
Update – Modified Level IV Status



In response to the recent spike in Coronavirus cases in Elgin, Bastrop County, and Texas in general, certain operational modifications to our current modified **Threat Level IV** of the Coronavirus (COVID-19) Readiness Plan are warranted. On **Tuesday June 30, 2020**, the following protocols and operational procedures will be implemented:

Threat Level IV (as modified) – Normal Conditions - *Operations as usual but emphasis on hygiene and vigilance until threat is totally dissipated. All operational practices and protocols as listed in the May 29 Memorandum will be maintained except as otherwise noted below:*

CITY HALL

- (a) *Closed to the general public*. In-person utility payments can be made at the drive-thru window during normal business hours. Court Fines can be paid by Money Order or Cashier Check and may be dropped off at the drive-thru window.
- (b) Full staffing, as well as routine operations and services, will be maintained.
- (c) General no-visitor policy to be maintained; Only authorized employees permitted in City Hall.
- (d) Exceptions to the no-visitor policy permitted when related to essential services. In such instances, authorized visitors are required to wear face covering upon entry.
- (e) Social distancing protocols to be maintained at all times.
- (f) Appropriate and effective use of face coverings by employees & authorized visitors required.
- (g) Engagement of Development Services staff by appointment only and on-line interaction will be strongly encouraged.

CITY HALL ANNEX

- (a) Municipal Court offices *closed to the general public*.
- (b) Court staff is available for consultation on any Court related issues by phone or e-mail during normal business hours.
- (c) Full staffing, as well as routine operations and services, will be maintained.
- (d) Same operational protocols as for City Hall.
- (e) City Council Chambers available for small, in-person staff meetings conforming with social distancing standards.

ADMINISTRATION

- (a) Full staffing, as well as routine operations and services will be maintained.
- (b) *City Council Meeting schedule reduced to one (1) per month by teleconference* (until such time that regular in-person meetings may be resumed).
- (c) City commissions, boards, & advisory groups meet as needed, and only through teleconferencing.

EPD STATION

- (a) *Closed to the general public*.

COMMUNITY LIBRARY

- (a) In-person, public use of library by reservation started on 6/15 *now closed to the general public*.
- (b) Computer lab available to the public through limited hours and by reservation only.
- (c) Social distancing protocols to be maintained at all times.
- (d) Sidewalk Deliveries Program continues (9:00am to 4:00pm, M-F)
- (e) Face coverings required; and generally recommended for safety of others.

RECREATION CENTER

- (a) Partial opening with very limited and controlled use.
- (b) Protective screens at all public counter space
- (c) Social distancing maintained with spacing markers provided.
- (d) Face coverings required in common areas; and generally recommended for safety of others.
- (e) Fitness room remains closed

FLEMING CENTER

- (a) Closed through July (City resources not available to maintain appropriate sanitization)

SWIMMING POOL

- (a) *Opening to general public for limited use on July 1.*
- (b) Face coverings required on pool deck/common areas; and generally recommended.
- (c) Pool will be divided into three (3) lanes with lap lane lines - kiddie pool open
- (d) Families/groups can reserve exclusive use for up to sixty (60) minutes
- (e) Pool capacity limited to maximum of twenty (20) persons.

CITY PARKS

- (a) *All facilities open to the public with social distancing*
- (b) Face coverings recommended for the safety of employees and others.
- (c) Playground equipment, sports courts, and pavilions open for general use with social distancing and at user's risk (City resources not available to assure on-going sanitization of equipment).
- (d) Restrooms will stay closed (City resources not available to maintain appropriate sanitization)

Employee Practices:

- (a) Full staffing, as well as routine operations and services, will be maintained.
- (b) Employees directed to not report to work if sick or show any signs or symptoms of illness.
- (c) Virtual and/or on-line remote meetings encouraged in all settings.
- (d) All employees are to continue to practice social distancing as applicable in all work settings (primarily avoiding an area within a six-foot distance of others).
- (e) Employees in work areas/break rooms that cannot social distance must wear face coverings.
- (f) All on-duty employees will have a face covering and gloves with them at all times and will wear them in the presence of other people when social distancing is not possible.

As the pandemic continues to be a very fluid situation, it is difficult to project when these restrictions will be lifted, but it is anticipated at this time that the modified Threat Level IV as described herein will remain in place at least *through Friday, July 10.*



Thomas L. Mattis
City Manager



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review of City bulk trash collection services and policies

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action is requested or anticipated at this time. This item is to allow for review and discussion with staff regarding the item as described.

BACKGROUND:

As part of residential curbside waste collection services, the City also provides periodic bulk trash collection services to every customer. For several years, the City provided this service twice each month. However, with the most recent renewal of the service provider contract (with Waste Management), the decision was made at that time (2018) that the most cost-effective option for city residents was to reduce this service to once-per-quarter instead of twice-per-month.

This change in service level saved each City customer approximately \$100 per year.

In recent weeks, however, some residents have expressed frustration regarding the limitations on the number of collections and the limit on maximum amount of trash that can be set out for bulk trash collection (3 cubic yards).

A review of this service and a clarification of related city policies has been requested to provide a common understanding of same.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Review and discussion; No Council action is requested or anticipated at this time; other than routine direction to staff, if any.

ATTACHMENTS: Staff memorandum

{ } 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.



Memorandum

Date: July 21, 2020

To: Mayor and City Council and City Manager

Subject: Bulk Trash Serviced Quarterly

I was asked to put together some information for review and possible discussion about the current bulk trash schedule. In years past the City experienced multiple issues with bulk trash being serviced every other week. This schedule had Code enforcement out patrolling frequently often finding bulk items in the right of way outside of a bulk service week. As this schedule continued the problems began to increase almost to a point where it was unmanageable for staff.

The current schedule runs one week each quarter in March, June, September, and December. The drivers follow the weekly trash route. There is not a time that a driver has ever told me they did not service someone because the “truck was full” or that they “ran out of time”. When stops are not serviced completely a green tag is left on the remaining items with the reason of why it was not serviced in its entirety. Often the reasons are that the items are not acceptable (construction debris, paint, tires, TVs) or items were more than the allowed 3 cubic yards.

I feel that customers are accustom to the quarterly schedule and we have minimal issues come up. The last quarter bulk in June was a tad different as we all know people were home for a few months so that lead to a “spring” clean for some. I strongly believe that is why there was more items out this time.

I asked Waste Management to give me some numbers on what it would cost if we increased the bulk service.

City Rates to Customers	
Current Rates	Monthly
Qrtly 4 per yr	\$ 20.69
Increased Services (estimated rates)	
Every other month	\$ 22.13
Twice per month	\$ 26.53
Once per month	\$ 28.77

I do not feel that the numbers above are outrageously high, but I also know that with the idea of increasing the service it will allow issues that we had in the past years resurface. Overall bulk in the right of way is far less than it has been in the past with a quarterly service. I have attached a Bulk Trash “do’s and don’ts” flyer that was mailed to all residential customers several years ago. This might be something that we want to send out again to re-educate customers on bulk trash.

Please let me know if you have any questions.

Dodie Navejas

Dodie Navejas
Utility Billing Supervisor



BULK TRASH

DO'S AND DON'T'S

A few key pointers to keep in mind when placing items out for bulk trash service.

Bulk is picked up on scheduled trash days in Elgin quarterly. Calendars are available at City Hall and on the City's website.



Do's

- Do: place items at your curb
- Do: place items away from fences and wires
- Do: place out no more than 3 cubic yards

Don'ts

- Don't: Place items in one pile with your neighbors
- Don't: put out tires/hazardous waste
- Don't: Put out more than 3 cubic yards

Picked up only on your trash day

Elgin
TEXAS
perfectly situated...

CITY OF ELGIN

310 N Main St
Elgin TX 78621
512-281-5724
elgintx.com

Dodie Navejas
Utility Billing Supervisor



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Departmental Monthly Report – Period ending June 30, 2020

DEPARTMENT: Administration

PROPOSED ACTION: No action required on this item.

BACKGROUND: Monthly Reports by Department

The attachment here includes data for the month ending May 31, 2020. Summary Comments by Dept.

HR- Decrease in YTD new hires and separations reflects diminished turnover compared to 2019.

Municipal Court- Decrease in new cases filed as expected, due to Covid-19. Y-t-d collections still up.

Develop. Serv.- Increases in number of permits issued (33%) and inspections (45%) reflects continued developmental activity.

Library- Slight activity in June reflects partial opening of facilities during the month.

Rec Center.- Use of rec center still down even with partial opening during month of June.

Public Works – Street crews working on extension of Roy Rivers in TIRZ. Not reflected in June reporting. Increase in drain cleaning during dry season.

Water – Revenue y-t-d up (5%) despite lower consumption (-5%). Fewer leaks detected and needing maintenance. Replacement of meters to new Neptune meters was 89 in June.

Wastewater – Avg. flows still down considerably from last year (19%) Revenue also down by 1%. Efforts are being made to identify problem areas that may be corrected by new or additional manholes being installed.

Trash Collect. - Revenue up 9%. Increase in number of customers. (+ 44 over last year)

Police – All Property Index Crimes are down from previous year. DUI's (up 6%) and aggravated assaults show increases over prior year. (NOTE: Statistics shown for the Police Department reflect fiscal year, that is from October 1st thru June 30th, rather than calendar year data.)

BUDGET/FINANCIAL IMPACT:

None

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

ATTACHMENTS: Summary Report of Operations – For the month of June, 2020 .

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

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

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

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



Monthly Report of Operations

As of June 30, 2020

Administration	June '19	June '20	%	YTD 6-30-19	YTD 6-30-20	%
Human Resources						
Total FTE - Filled Positions	-	104.0	→ 0%			
Vacancies - all funds	-	9	→ 0%			
New Hires	15	2	↓ -87%	57	16	↓ -72%
Separations	3	1	↓ -67%	23	14	↓ -39%
Municipal Court						
Total Active Cases Pending (beg. of Month)	15,880	15,904	↑ 0%			
New Cases Filed (incl reactivation of inactive)	375	99	↓ -74%	3,357	2,271	↓ -32%
# of Magistrations	46	44	↓ -4%	316	262	↓ -17%
Total Cases Disposed of	264	118	↓ -55%	2,069	2,195	↑ 6%
Cases placed on Inactive Status	102	-	↓ -100%	553	538	↓ -3%
Total Active Cases Pending (end of Month)	15,991	15,885	↓ -1%			→
Fines Collected	\$ 41,228	\$ 19,944	↓ -52%	\$ 375,931	\$ 358,742	↓ -5%
Retained by City	\$ 25,595	\$ 16,852	↓ -34%	\$ 229,213	\$ 274,472	↑ 20%
Development Services						
Construction Permits (all types)	38	75	↑ 97%	363	484	↑ 33%
Revenue from Bldg. Permits	\$ 20,894	\$ 2,991	↓ -86%	\$ 93,998	\$ 107,177	↑ 14%
Inspections (all types)	140	400	↑ 186%	1,443	2,091	↑ 45%
Revenue from Inspections	\$ 7,000	\$ 52,772	↑ 654%	40,060	227,639	↑ 468%
Housing Plats approved (number of lots)	110	96	↓ -13%	113	350	↑ 210%
Community Services						
Library-						
Materials circulated	7,456	2,703	↓ -64%	52,226	34,425	↓ -34%
# Visitors (incl. Progs)	4,333	4,259	↓ -2%	21,064	24,561	↑ 17%
Public Computer Use hrs.	642	51	↓ -92%	3,272	1,481	↓ -55%
Public Computer Use Persons	376	75	↓ -80%	4,443	2,546	↓ -43%
Civic Center - Rentals (all)	48	1	↓ -98%	309	138	↓ -55%
Recreation Program -						
Annual Memberships	18	-	↓ -100%	131	48	↓ -63%
Monthly Rec Memberships	224	5	↓ -98%	1,049	958	↓ -9%
Facility Rental Fleming Center	30	-	↓ -100%	110	251	↑ 128%
Facility Rental Recreation Center	8	-	↓ -100%	51	122	↑ 139%
Sponsored Events	\$ -	\$ 225	→ 0%	3,545	7,514	↑ 112%
Public Works						
Streets:						
Lane miles Inventoried	56.9	57.83	↑ 2%	455	463	↑ 2%
Pot holes patched - Square Yards		40	→ 0%	44	413	↑ 834%
Wide Area patching/renovation - SY	486.42	42	↓ -91%	1,482	496	↓ -67%
Crack Seal Lbs of Sealent	2250	60	↓ -97%	2,250	4,200	↑ 87%
Drainage:						
Linear feet of drains cleaned	8,780	14,311	↑ 63%	112,712	111,761	↓ -1%
# Culverts Cleared	10	-	→ 0%	16	3	↓ -81%
Parks:						
Acres Mowed/maintained	480	400	↓ -17%	N/A	700	→ 0%
Reserved Park Facilities	-	-	→ 0%	N/A	-	→ 0%
# Organized Sports Events	-	-	→ 0%	N/A	-	→ 0%



Monthly Report of Operations

As of June 30, 2020

Utilities	June '19	June '20	%	YTD 6-30-19	YTD 6-30-20	%
Water System:						
# Customers Total/Added by month *		(8)	→	3,378	(8)	
Amount Billed	\$240,495	\$247,961	↑ 3%	\$ 1,783,206	\$ 1,871,573	↑ 5%
Meters Replaced	-	89	→ 0%	30	324	↑ 980%
# Leaks Repaired	15	-	↓ -100%	145	22	↓ -85%
Vol. water produced (x1,000 gallons)	33,445	32,529	↓ -3%	299,773	284,041	↓ -5%
Main Line Breaks	2	-	→ 0%	20	9	↓ -55%
Service Line Breaks	2	-	↓ -100%	26	19	↓ -27%
Wastewater System:						
# Customers Total/Added by month *		(9)		3,064	(3)	
Amount Billed	\$ 155,484	\$ 159,385	↑ 3%	\$ 1,257,779	\$ 1,260,697	↑ 0.2%
Main Lines repaired	1	-	→ 0%	12	8	↓ -33%
Lines replaced (Linear Feet.)	10	-	→ 0%	65	132	↑ 103%
Manholes Cleaned	-	5	→ 0%	-	17	→ 0%
Average Daily Flow (MGD)	0.6023	0.5633	↓ -6%	0.7013	0.5704	↓ -19%
Total Monthly Flow (MGD)	18.6710	16.9098	↓ -9%	21.7413	17.6208	↓ -19%
Trash Collection:						
# Customers Total/Added by month *		(4)	→	3,211	44	↑ 1%
Amount Billed	\$ 92,506	\$ 97,925	↑ 6%	\$ 740,491	\$ 810,099	↑ 9%

* # Customers Total /Added by month - the purpose here is to track the increase or decrease of customers over the course of the year. **Current month** shows the number of customers added in the month. The amount in the first YTD column shows the current number of customers. The final column shows year to date additions.

Police Department	June '19	June '20	%	YTD 6-30-19	YTD 6-30-20	%
Part I Index Offenses						
Murder (# Victims)	-	-	→ 0%	-	-	→ 0%
Rape(# Victims)	-	1	→ 0%	9	6	↓ -33%
Robbery (# Victims)	-	1	→ 0%	5	6	↑ 20%
Aggravated Assault (# Victims)	1	1	→ 0%	6	9	↑ 50%
Total Violent Index Crimes*	1	3	↑ 200%	20	21	↑ 5%
Burglary (# premises entered)	3	2	→ 0%	29	13	↓ -55%
Theft (# offenses)	13	13	→ 0%	108	68	↓ -37%
Auto Theft (#vehicles)	3	3	→ 0%	9	7	↓ -22%
Arson (# premises)	-	-	→ 0%	-	2	→ 0%
Total Property Index Crimes*	19	18	↓ -5%	146	90	↓ -38%
Total Part I Index Crimes*	20	21	↑ 5%	166	111	↓ -33%
Part II Index Offenses						
Other Assaults	3	13	↑ 333%	56	85	↑ 52%
Weapons	1	-	↓ -100%	4	-	→ 0%
Narcotics	10	5	↓ -50%	51	26	↓ -49%
DUI	5	7	↑ 40%	36	40	↑ 11%
All Other Part II Offenses	49	42	↓ -14%	434	375	↓ -14%
Total Part II Index Crimes*	68	67	↓ -1%	581	526	↓ -9%
Total All Index Crimes*	89	88	↓ -1%	747	637	↓ -15%



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: City Council Emergency Virtual Special Meeting Minutes –July 01, 2020.

DEPARTMENT: Administration

PROPOSED ACTION:

Review and approve the July 01, 2020 Meeting Minutes.

BACKGROUND:

N/A

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the July 01, 2020 Meeting Minutes.

ATTACHMENTS: July 01, 2020 Meeting Minutes.

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

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

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

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

MINUTES
ELGIN CITY COUNCIL SPECIAL EMERGENCY VIRTUAL MEETING
CITY COUNCIL CHAMBERS ANNEX, 310 NORTH MAIN STREET
Wednesday, July 1, 2020

CALL TO ORDER

Mayor Cannon called the meeting to order at 4:31 p.m.

ROLL CALL

Present: Chris Cannon, Mayor
Jessica Bega, Mayor Pro Tem
Mary Penson, Council Member
Daniel Lopez, Council Member
Brad Jones, Council Member
Sue Brashar, Council Member
Forest Dennis, Council Member
Juan Gonzalez, Council Member
Susie Arreaga, Council Member

Mayor Canon certified there was a quorum and stated that Council Member Arreaga was absent.
Council Member Arreaga arrived at 4:33 p.m.

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Michael Gonzalez, Parks Director
Patrick South, Chief of Police
Amy Miller, Community
David Harrell, Planning Director
Charlie Crossfield, City Attorney

INVOCATION

Council Member Lopez gave the invocation.

Mayor Cannon stated that staff would be reading the public comments that were sent by email.

PUBLIC COMMENT

City Manager Thomas Mattis read the following comments.

1. Jeff Asmussen - I contacted Bastrop city manager and council about an aggressive customer at Lowes Garden Center disrespecting social distancing and masks accosting me for wearing one.

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 2

City Annex Council Chambers

Not only did they institute a policy I pointed to per the Governor's declarations allowing city and county self-regulations to be instituted, they did so and contacted our city and Smithville too. Thank you for taking our city's health and wellness seriously. This should de-fang the "political" nature of the debate as well.

2. Randy Krapf - This email is sent to serve as public comment for 7/1/20 Council Meeting on below agenda item. Face masks have been proven in studies to effectively control the spread of coronavirus and have been successfully used in other areas for that purpose. Considering the current local infection rates, I full support the proposed City Ordinance as written with stated face mask requirements and would like to thank the City of Elgin for taking this proactive measure to safeguard our community during this pandemic.

3. Jennifer Spills - I support the emergency ordinance for making the wearing of face masks mandatory in Elgin, Texas. Thank you for keeping our community safe.

4. Tommy and Sandy (Murphree) McCullough - To the Mayor and other officials: Tommy and I want to offer full support for establishing a mask requirement for everyone (children and adults) who are in any kind of public place. I would hope that the mayors and county judge would work together on this requirement for Bastrop County. The ramifications of ignoring the facts could be disastrous. We need to be safe, not sorry. The community will continue to support the businesses affected and we can pull together to get through this. Elgin's history has endured two World Wars, pandemics, polio, droughts, depressions and other difficult times.

5. Jason Tatum - I believe that it is necessary to require masks and social distancing in all businesses and community gathering areas. We need to close down playground equipment and sport courts. We need to STEP UP TO, not STEP ASIDE FOR the people in this community who say me first and me above others. If we really are OTOTOF we better start acting like it. We need to work together so that we can make a difference and keep our community safe from this very real and terrible virus. Wearing a mask now is the right thing to do. We will need enforcement of this order. We need to have a clear understanding of how we will enforce the ordinance and who will do the enforcing. To require something and then not enforce it puts a huge strain on the citizens who obey the law and creates opportunities for conflict that we must avoid. It is important that we allow people to have access to our businesses and community at large. We can support our community and be safe at the same time by practicing social distancing responsibly and supporting the businesses that make every effort to keep you safe while they serve you. From the hike and bike trails and parks to the coffee shops and hair salons. We can all do better and demand better safety and health practices. Wear a mask. Social distance. Have hand washing and sanitizing be a top priority.

6. Joy Casnovsky - I write to you today to urge you to enact mask-wearing *requirements* in Elgin. "Encouraging" mask-wearing among Elginites is not enough. The City of Elgin has some of the highest rates of Covid-19 in Bastrop County, and it's time that we enact common sense public health requirements like other towns surrounding Elgin like Bastrop, Taylor, Smithville, Round Rock and Hutto (to name a few).

7. Monica Nava-Barker - I'm not so much worried about the mask requirement controversy as I am the hand washing and sanitizing. I own a coffee shop on Main Street, Chemn Cafe, and I've experienced many people who do in fact wear masks upon entering and while in the shop, but there are too many who do not wash and sanitize their hands upon entering and leaving and I feel that this is just as important if not more. We have a hand sanitizer pump at a table upon entering and encourage everyone to use it,

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 3

City Annex Council Chambers

as well as selling small bottles and I would like to request this be mandatory stations as well as any other considerations for public safety.

8. Derrek Davis - I support the emergency ordinance for making the wearing of face masks mandatory in Elgin, Texas. However due to recent stories about certain businesses in town, I would like to see penalties applied to businesses who specifically seek to not follow the ordinance or require patrons to wear face masks where they are closed down for a minimum of 10 days for first offense, 20 for second and 30 for third and all subsequent offenses. Thank you for keeping our community safe.

9. Juanita Valarie Neidig - We have to protect our community and data shows we haven't done everything we could. Since COVID19 started, Elgin has been a leader in positive cases for Bastrop County. There should be no downplaying to wearing masks. This is not political; this is a health and human issue! Our city and county leaders can help take the guesswork out of what our local business owners can do and all be on the same playing field, all have the same rules, all know what we're going to do moving forward and enforce it properly. The main reason to wear face coverings is not to protect ourselves, it's to protect others from our spreading COVID should we have it but not realize it. We must slow down the spread. Lots of uncertainty remains about this virus. Yet face coverings have been certified to help, which gives us a small way of saving lives and saving our economy. Texas has four of the top five positivity rates in America over those seven days (As of June 30th, 2020). Austin is our neighbor and Elgin & Austin citizens intermingle each other everyday! Again, while we don't know a lot about COVID19, we know Cloth face coverings are recommended as a simple barrier to help prevent respiratory droplets from traveling into the air and onto other people when the person wearing the cloth face covering coughs, sneezes, talks, or raises their voice. ***This is called source control.*** ALL evidence points to this being an effective way to mitigate the spread of COVID 19. MAKE PEOPLE WEAR MASKS and TELL OUR LOCAL LEADERS THEY SHOULD BE WEARING THEM TOO! Lead by example.

10. Anne W. Spanyers - PLEASE require everyone to wear face masks.

11. Beth Rolingson - I am **Beth Rolingson**, director of Advocacy Outreach. We work with a broad range of Elgin and Bastrop County residents on a daily basis and I strongly recommend that the City mandate the wearing of face masks in all public places and businesses at this time. I don't have to cite the scientific research as I know our City leaders are aware that it is a fact that the wearing of masks works to slow and prevent COVID. We are in a very dangerous situation, currently, with our proximity to Austin/Travis County and our own hot spot in Elgin. The lack of a requirement that residents wear masks has contributed to the current spike and put us all at risk: I have personally encountered one person who tested positive for COVID within the last week and two others who were definitely exposed at their jobs and because of that I must work from home for a period of time. The lack of clarity on whether a person must wear a mask has resulted in everyone interpreting for themselves and has created a chaotic environment. I have avoided going into any place of business in Elgin and I make a longer drive to grocery stores where masks are required. This can't be good for Elgin, economically. We rely on leadership to guide us and at this time it is important that our City requires residents to protect each other through mask wearing. Thank you.

12. Benjamin Casey - I wish to express my support in favor of a mandatory mask requirement for the City of Elgin. I am the head pharmacist at Elgin Medicine Shop and have monitored the COVID issue since it first started in China. As soon as it hit the US, I implemented safety measures at our pharmacy;

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 4

City Annex Council Chambers

we do not allow any non-employees inside the store, and all employees are required to wear masks & gloves and maintain distance from customers. Payment transactions are made over the phone when possible, and if cash must be exchanged the cash is quarantined for 1 week before being handled. I have gone to great lengths to protect the community from the spread of the virus. I was greatly disheartened when Gov. Abbott made his decision to open up as soon as he did. I worried that this would lead to a spike in infections and another shutdown requirement. I hoped I was wrong, but the past few days have sadly proved my intuition was right once again. All of the hardship and sacrifice that we have all had to endure for the past few months has been essentially for nothing. The damage has been done. There is significant community spread. Masks MUST be made mandatory, and violations MUST be readily handled with appropriate consequences. I know the population of my patients. I know most of them are okay with following the rules, but I also know many of them will not. The only way we can get a handle on this virus is if we act together; it only takes a few violators to continue the spread. It is unfortunate that Gov. Abbott and other political leaders have emboldened some people to act as if a mask requirement is an infringement of their human rights, and as a result it is going to be difficult to enforce. I hope that the City of Elgin is prepared to handle the inevitable conflicts that lay ahead. If these actions are not taken and enforced rigorously, this virus will NOT leave our community.

13. Laura Handon - Please, please do the right and obvious thing for our safety by simply requiring people to wear masks in public. Elgin has WAY too many cases for its size. I live in McDade and in Elgin but as of today when I found Bastrop requires mask wearing and Elgin still does not, I plan to drive the extra distance to spend in Bastrop. My friends out here feel the same. Thank you.

14. Kelly Scaletta - To the Council and Mayor Cannon, It is imperative that we require every member of our community to wear masks while in public buildings. As you know, COVID cases are spiking in Texas. They are also rising quickly in our small corner of it. As of June 24, according to the Elgin Courier, we had 213 cases of coronavirus in the 78621 zip code (including the Travis portion). As of today, there are 130 in Elgin, 66 in 78621 unincorporated and 79 in the 78621 portions of Travis. That's a total of 278. That's an increase of 65--over 30 percent--in just one week. I recognize that the mask question has become politicized. But masks are not political. The virus is not political. Wearing a mask is a moral issue, and it is immoral to refuse to wear one. Would you wear a mask if you *knew* you had coronavirus? Of course, you would. Because that would be the moral thing to do. But the problem with this virus is you can have it and not know it yet. You can spread it *without knowing it*.

If you didn't wear a mask because you didn't think you had it, and it turned out you spread it, how is it any less immoral to not wear it knowing you *could* have it? Everyone must assume they have it. The idea of wearing one is *not* to keep from catching it. It is to keep from spreading it. I also want to point out a difference between two things. There are presymptomatic people and asymptomatic people. There are a lot of reports conflating these two things together. To be presymptomatic means you have the disease, and you will become symptomatic, but just haven't had symptoms yet. Asymptomatic means you had the disease and recovered, but never had symptoms. From my reading, I understand asymptomatic people can't spread the disease (but may catch it again). Presymptomatic people who do end up becoming symptomatic are *at their most contagious* in the two days before they show symptoms. A person who refuses to wear a mask could unintentionally be making people in our little neck of the woods sick. That's why it is imperative and moral for every person to wear a mask if they're inside. All the real science indicates this. I hope the council can recognize this and set aside the hysterics about how masks make people sick. That is very rare and never fatal. We've had over 125,000 people in our country die of coronavirus.

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CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

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City Annex Council Chambers

These are not equally weighted concerns, and Elgin should not risk the lives of some citizens because of the inane ranting YouTube-schooled junk scientists. Rather, the Council should direct such people to the facts. There are numerous fact checks available on the Internet. Also, as to the whole "freedom" aspect of this. I agree that people have the freedom to not wear masks. They can do that outside of public buildings. There is no "freedom" to be a public danger which is why we restrict people's "freedom" to do things like drink and drive.

I apologize if this is too long. I have one lung and don't want to die because someone who lives in Elgin thinks it's inconvenient to put on a mask when they go into HEB.

15. Dr. Jodi Duron - Thank you for the opportunity to submit my comments related to the ordinance requiring face coverings for individuals during this public health crisis. First and foremost, I wish to express my support for this ordinance, in the best interest and safety of our city and communities. Importantly, since the inception of COVID-19, what we have learned is that COVID-19 can be spread by people who are asymptomatic and do not know that they are infected. While this can create an added stress and threat to our personal safety and health, what we now know, based on the most recent research and science, is that one of the best and most effective methods for mitigating the spread of this virus is to implement universal face covering practices. Health authorities are now consistently reporting the following:

- ☐ Face coverings are likely to reduce the spread of the virus when widely used by people in public settings, especially by those who may already be infected. (Reference CDC guidelines)
- ☐ Evidence continues to mount on the importance of universal face coverings in interrupting the spread of COVID-19. (Reference American Academy of Pediatrics)
- ☐ Face coverings are a critical preventive measure and are most essential in times when social distancing is difficult. (Reference CDC and WHO)

Since April, we have seen the numbers in our county escalate from 18 confirmed cases to 439, including 6 deaths. Elgin (78621) carries the majority of the positive cases and reported deaths in Bastrop County within the combined incorporated and unincorporated areas of our city. This is a health crisis that requires action. Representing Elgin ISD, we face a similar challenge in needing to protect the safety and well-being of the families, staff, and communities we serve. To that end, we have recently announced our intent to require face coverings (masks and/or shields) for all students and staff when we return to school in August. This is not an easy decision, but we believe it is the right thing to do at this critical juncture. The bottom line is this. Unless and until we all do our part to protect ourselves and those around us, we will not be returning to normal anytime soon. Making these small adjustments to our daily behaviors and routines – such as wearing a face covering in public – will benefit us all in the long-term by providing added protections to mitigate the spread of the virus. It will also allow us to return to some sense of normalcy, sooner than later. This is a matter of public health and safety for all. Therefore, I respectfully request that you adopt the requirement of wearing face coverings, as defined in the ordinance. Thank you for your consideration and thank you for your leadership and service to our great City of Elgin during these uncertain times.

Mayor Cannon asked that the record show that Council Member Arreaga arrived at 4:33 p.m.

16. John Allgood - I would like to know why the government of Elgin is so bent on taking away my freedoms. If I don't want to wear a mask at work or other places I shouldn't have to. Others can wear masks to protect themselves (If you really believe masks protect you). Half the people I see don't wear them properly and I have heard that you initially touch your face more with a mask than without. In addition, there is no eye protection with a mask.

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 6

City Annex Council Chambers

As I understand it there is about 88K people in Bastrop County and between 9-10K in Elgin. The information I found shows the deaths are at 6 for Bastrop county. There are 440 cases in Bastrop County and 195 cases in Elgin. I don't know if that means there are that many today or since this all started. But assuming it is all now then .5% of the county has the Covid. In Bastrop county 1.36% of the ones with Covid have died from it. That is sad for those that have died but why all the PANIC? If 20-30% of the people had the virus and 40-50% of those were dying then let's panic but not for 1.36% of the **sick people**. Probably the number of people who have it is even higher which means the percent who die from it is even lower. And if the deaths are for older individuals, then maybe they died from something else and the organization knowing that if they classify a death as a covid death they could get paid more money from the government, they may inadvertently classify the cause of death as covid instead of another cause which may have been more relevant to the death. I think those who are susceptible to it should be free to take precautions but I don't understand why you want to take my freedoms away when the numbers are so low? Thank you for your service.

17. Margo Kirkpatrick - I would like to submit a comment by email to the Elgin City Council regarding the New Business on the 7/1/2010 Agenda that an emergency ordinance be adopted requiring the wearing of face coverings and repealing of any conflicting ordinances and resolutions.

18. Phyllis Ballon - Vote yes!

19. LaNaye Geiser - Please vote to wear face masks.

20. Kristin Broadus - City of Elgin I am a resident and a nurse. I take care of COVID ICU patients. I am a liability to the public. I would like to express my strong opinion and recommendation that enforcing the wearing of face coverings for businesses, their staff, and their patrons, should be mandated. [CDC masking recommendations](#) The pandemic and its effects in Texas and especially ours and surrounding counties is apparent. I understand the need to continue business operations for the benefit of the city and its residents. We can do this safely. Those that disagree should not be permitted to put the rest of us at risk. I currently only shop in other counties that mandate face coverings. I would rather put money into our economy but cannot do it and feel safe. Please strongly consider the safe and most viable option for the health, safety, and viability of our county and all concerned. Thank you.

21. Layla Emerson - Please require face masks when people are in public. Elgin has the highest case count in Bastrop county and it has been proven that the use of face masks, used in conjunction with other means of slowing the spread, is effective. The wearing of masks should not be politicized, this is not an ideological argument, the disease does not choose who to infect based on political affiliation. Mask wearing is the easiest and kindest thing a person can do to support our community. Thank you for your consideration in protecting the health and safety of the residents of Elgin and surrounding communities.

22. Sandy Doughty - I fully support wearing face masks for all. The virus is spread by contact through coughing and sneezing and face masks help contain those bodily fluids. It is also spread by people who have it but have no symptoms, so those people are spreading it without knowing they have it. If everyone was required to wear a mask the spread of the virus would diminish, and we would not continue to overwhelm hospitals. We also would not continue to put hospital staff, first responders, police and people with compromising conditions at risk.

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 7

City Annex Council Chambers

23. Cristin Embree -Adam King - I, Cristin Embree and my husband Adam King, are in support of the city enacting a mandate requiring businesses to enforce social distancing and mask-wearing among its customers.

24. Ashely Smith - As owner of Clever Tiger art gallery, Jack's Coworking, and as a concerned citizen, I would like to convey my support of a mask ordinance. The gallery has been closed to the public since 1st lockdown and we are unable to open since myself and many patrons are at risk and numerous individuals are not respecting social distance and mask rules. The few private lessons that I have had in the gallery have required locked door because people continuously attempt to come inside without masks. It has also been brought to my attention that some Elginites do not believe that the virus is real. This is very concerning and for the last month, my serious medical conditions have not been treated because of the overwhelming volume of covid patients in central Texas. Please consider a mask ordinance for businesses so that we may slow the spread, keep the community safe, and reopen to the public.

25. Mary Scaletta - To the Mayor and Council of the City of Elgin, I write in support of the measure to make masks in public mandatory. I don't know if anyone will speak out against them in this meeting but if social media is any indication of what might be said, here are my arguments against what many—although a minority—are expressing. As to the point that being mandated to wear a mask is taking away our freedom. We are mandated to do many things in society such as wear clothes in public, wear seatbelts, wear helmets on motorcycles and bikes, walk in crosswalks and not J-walk, etc. It is not unprecedented to have regulations for the sake of public safety. Many of those regulations I stated are mostly for the safety of the individual doing them. But as you know, the wearing of masks is more for the safety of others and thus should be even more important to be mandated by you. This complaint about the taking away of freedom by wearing a mask also does not speak to the freedoms then taken away from the people who aren't able to be around people who don't wear masks. My husband is 53 but has one lung. He is essentially on what feels like house arrest because we've both agreed that he is not allowed to go anywhere in public, especially to places where people aren't wearing masks. As to the point that masks will make you sick. Masks are not ideal but to me the temporary discomfort and temporarily not being able to breathe in the normal air that we have without the mask is far more preferable than getting the disease and—much more important to me—than spreading the disease. That said I am mindful of the workers that have to spend full shifts in masks. While I still feel the mandate is necessary, I hope that businesses can be encouraged to give workers more breaks to be able to go outside and breathe fresh, uncontaminated air. I also think businesses need to be encouraged to think creatively about solutions so that employees don't have to constantly be wearing masks like having cashiers encased in plexiglass similar to the way gas stations sometimes do for their workers' safety. I stand on the side of mandating masks because if you look at the data of the countries that mandated them from the beginning versus those that didn't and now the data coming out between the states that are mandating them versus the states that are not, the difference is vast and abundantly clear. Masks save lives! What's also clear is that people will not wear them always unless they are mandated. And because of that, your votes on this issue literally hold our lives in your hands. I beg you to stand with saving lives and vote to mandate the wearing of masks in the public places and stores of the city of Elgin.

26. Damian Clark - We must flatten this curve. In Texas 6975 people were tested positive for Covid-19 YESTERDAY. I fully and wholly support an Ordinance requiring the wearing of face coverings in response to safety concerns related to the COVID-19 pandemic.

CITY COUNCIL VIRTUAL SPECIAL EMERGENCY MEETING

July 1, 2020 – Page 8

City Annex Council Chambers

NEW BUSINESS

1. AN EMERGENCY ORDINANCE PURSUANT TO ARTICLE III, SECTION 13 OF THE ELGIN HOME RULE CHARTER, THIS IS AN EMERGENCY ORDINANCE DECLARING THAT A PUBLIC HEALTH EMERGENCY EXISTS BECAUSE OF THE WORLD-WIDE COVID-19 PANDEMIC; ESTABLISHING REQUIREMENTS RELATED TO THE POSTING OF A PUBLIC NOTICE BY COMMERCIAL ENTITIES AND THE WEARING OF FACE COVERINGS AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Council Member Brashar moved to approve the Emergency Ordinance as presented. Council Member Lopez seconds the motion. Motion carried 9-0.

ADJOURNMENT

Mayor Cannon adjourned the City Council Meeting at 5:49 pm.

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of the proposed City of Elgin 2019 Five-Year Capital Plan (5YRCP).

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested at this time; This item is for a wide-ranging discussion and Q&A between Council and the staff as it relates to the City of Elgin 2019 Five-Year Capital Plan (5YRCP) as proposed by the City Manager. The 5YRCP will be considered for formal adoption at a future date (tbd by Council).

BACKGROUND:

Discussed at previous meetings; The 5YRCP is a comprehensive financial planning document describing all currently proposed capital expenditures within all city departments and operations for each of the next five years. The 5YRCP is designed to provide operations managers with the opportunity to look beyond the standard 12-month governmental funding cycle; while also providing Council and the administration with information necessary to achieve effective long-term financial planning.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Full discussion and review of the proposed 2019 Five-Year Capital Plan; and direction to staff, if any, regarding same.

ATTACHMENTS:

None (*Council has already been provided copies of the 5YRCP, which are available for review by the public at City Hall or the Elgin Public Library or on the city website*).

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARDDING BIDS FOR PURCHASE OF PLAYGROUND EQUIPMENT AND SURFACING OF SAME IN ELGIN MEMORIAL PARK; AUTHORIZING STAFF TO REQUEST BIDS FOR ROAD AND TRAIL IMPROVEMENTS IN THE PARK AS WELL AS NEW RESTROOMS; AND APPROVING CERTAIN AMENITY ENHANCEMENTS AS PART OF A PARK REJUVENATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Parks and Recreation

PROPOSED ACTION: Award bids to KOMPAN Inc. (to install new playground equipment and fitness apparatus to replace existing equipment) and Fun Abounds (to install surfacing at the site); and direct staff to bid out construction of new restrooms and road and trail improvements in Elgin Memorial Park;

BACKGROUND: Pursuant to award of a \$199,909, "2019 Parks with Purpose Grant" by the St. David Foundation, the City requested proposals from qualified vendors to provide new playground equipment and fitness apparatus at the Elgin Memorial Park. A total of twelve bids were received for this project by April 15th. The most responsive bid for the playground equipment was Kompan Inc. for \$93,961.46 with the surfacing materials to be provided by Fun Abounds for \$106,206. The difference between the total bids and grant funding is \$258.46. This additional funding can be made up from Park Fees. A condition of the grant is to improve other amenities in the park. To satisfy these requirements authorization is sought to bid out new restrooms and road and trail improvements.

BUDGET/FINANCIAL IMPACT:

Funding for this item was { } included { } not included in the current-year budget {X} N/A
Funding is from a grant awarded on January 10, 2020.

RECOMMENDATION:

Staff recommends that KOMPAN Inc. from Austin be awarded the equipment supply portion of the project the surfacing be provided by Fun Abounds.

ATTACHMENTS:

Copies of proposals from KOMPAN Inc., and Fun Abounds; List of requirements for other improvements; Summary Listing of Improvements contemplated in Phase I for Elgin Memorial Park.

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARDING BIDS FOR PURCHASE OF PLAYGROUND EQUIPMENT AND SURFACING OF SAME IN ELGIN MEMORIAL PARK; AUTHORIZING STAFF TO REQUEST BIDS FOR ROAD AND TRAIL IMPROVEMENTS IN THE PARK AS WELL AS NEW RESTROOMS; AND APPROVING CERTAIN AMENITY ENHANCEMENTS AS PART OF A PARK REJUVENATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, the City of Elgin was awarded the 2019 Parks with a Purpose Grant Award on January 10, 2010 in the amount of \$199,909 from the St. David's foundation for acquisition of new playground equipment and resurfacing of the existing playscape; and

WHEREAS, conditions of the grant require that the City make other improvements beyond simply replacing the playground equipment, including installation of a ¼ mile jogging track, new restrooms, water fountains and other amenities; and

WHEREAS, the Covid-19 pandemic has delayed some aspects of the planned improvements but staff is now ready to proceed with the acquisition of the playground equipment and bidding of the restrooms; jogging track and internal road improvements;

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

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

Section 2. Award of bids. The City Council awards the Playground Equipment, Fitness Equipment and Shade Structure Bid to Kompan in the amount of \$93,961.48 and the Surfacing Bid to Fun Abounds in the amount of \$106,205.00.

Section 3. Authorize Requests for Proposals (RFP's). Staff is directed to request bids for replacement of restrooms in Memorial Park and re-construction of a portion of the internal park road and a ¼ mile jogging trail.

Section 4. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 5. Effective Date. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED THIS 21st day of July, 2020.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary



SALES PROPOSAL

KOMPAN, INC. * 605 W Howard Lane Ste 101, Austin, TX 78753 * Tel 1-800-426-9788 * Fax 1-866-943-6254 * www.kompan.com

Site Location:	C023441
Elgin Memorial Park (option 2)	
Elizabeth Marzec	
361 North TX-95	
Elgin, TX 78621	
United States	

Date	07/14/20
Expiration Date	
Proposal No.	SP74474
Project	Elgin Memorial Park (option 2)
Ship to State/Zip	TX 78621
Customer Service Representative	Nasira Khan
Sales Representative	Grant Maloney
Payment Terms	DEP50%&N30

Invoice-to:	C023441
Elgin Texas	
361 North TX-95	
Elgin, TX 78621	
United States	

Ship-to:	
Elgin Memorial Park (option 2)	
361 North TX-95	
Elgin, TX 78621	
United States	
Elizabeth Marzec	

Qty.	Item No.	Description	Net Price
1	FSW10401-0901	COMBI 4 ORANGE	6,349.50
1	NRO1019-1001	PLAY TOWER W/SLIDE, Natural,IG	11,232.00
1	NRO816-1003	6 SIDED CLIMBING STRUCTURE,IG	10,736.00
1	NRO120-0901	CAROUSEL WITH SEATS,IG	5,440.00
1	NRO820-0603	WATER LILY BALANCE 5 PCS,IG	848.00
1	NRO888-0601	DOUBLE BALANCE BEAM,IG, Natural	704.00
1	NRO911-1101	SINGLE SWING W/BASKET 1100,IG	3,512.00
1	A380544-99	SAFETY SIGN US	
1	FRT-KOMPAN INC	Freight from KOMPAN Inc	4,477.04
1	CUSTOMINSTALL	Install of KOMPAN Equipment	16,460.00
1	OTR-PROD	Provide & Install 35x35x10 Hip Shade includes freight and installation	34,202.92

***Demo and site prep will be done by others*

Total	93,961.46
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Comments:
Please read attached General Assumptions and Exclusion document for information on install/sitework.
Please allow 8-10 weeks for product delivery upon order placement.

Summary:

	Net Price
Subtotal - KOMPAN Products	38,821.50
Subtotal - Other Products	34,202.92
Subtotal - Surfacing	0.00
Subtotal - Installation & Other Services	16,460.00
Subtotal - Freight	4,477.04
Subtotal	93,961.46

Estimated Tax Rate	(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)	0.00
Total		93,961.46

Your acceptance of this proposal constitutes a valid order request and includes acceptance of KOMPAN's Terms and Conditions, receipt of which is hereby acknowledged by your signature.

To process your order, please sign and return a copy of this quote with the agreed upon deposit or purchase order for the full amount.

This quote may be withdrawn by us if not accepted by 09/11/20.

KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of the ARRA of 2009.

KOMPAN Authorized Signature:

Accepted By (signature): _____

Accepted By (please print): _____

Date: _____



General Assumptions:

- Pricing is based on all equipment being direct delivery to the project address identified in KOMPANs Sales Proposal (SP).
- Placement of order into fabrication is contingent with deposit being received by KOMPAN as agreed to during the pricing phase.
- If cost proposal is to be considered as Tax-Exempt a current tax exemption form must be provided or on file at KOMPAN main office.
- Customer shall provide a lay down area for deliveries of materials within proximity of final installation site. Site access must be clear and unobstructed with at least ten (10') foot wide access to allow delivery of materials. Any size restrictions contributing to additional handling or downsizing of deliver trucks shall be addressed as a change of conditions and will be invoiced as additional costs to the customer.
- Installation site must be level to no more than one (1") inch in then (10') feet slope or change in elevation over the full length and width of the playground area.
- Price assumes NO overhead obstructions within thirteen feet, six inches (13'-6") or lower and NO underground utilities or obstructions within the playground footprint.
- Soils are to be suitable for the installation of all playground equipment and surfacing and compacted to 95% compaction prior to installation crews arriving on-site.
- All underground utilities, boulders, rock ledge or other obstructions not visible without subsurface investigation shall be considered "unforeseen conditions", all costs shall be invoiced to the customer as a change order to the contract.
- All spoils generated during the excavation of footings shall be disposed of on site at no cost to KOMPAN.
- Customer to provide at no additional costs a 120 V (15 amp) power source and standard hose bib connection for water supply within one hundred (100') feet from work site.
- Customer shall have removed all existing equipment or obstacles from playground area prior to the arrival of the installation crews.
- Time is of the essence in the installation of all materials delivered to project site. KOMPAN shall have delivered all equipment and materials as scheduled to project site. If delays to the installation schedule accrue outside KOMPANs control equipment shall be delivered to project site as scheduled and equipment and materials invoiced at the time of delivery. Unless additional storage arrangements are made in writing between Customer and KOMPAN, additional costs may apply.
- Unloading of equipment and materials shall be performed by the installation crews at the time of installation. If site is not ready for installation by cause outside of KOMPAN, it will be the responsibility of the Customer to off load and store equipment and materials at the project site. KOMPAN shall not be held liable for offloading costs, storage fees or equipment damage.

- If site requires installation of a drainage system within the proposed playground area, playground equipment footing shall be installed prior to the installation of the drainage system and playground footing locations shall take precedence over drainage system requirements.
- Site layout and dimensions shall be based of KOMPANs 2D drawing or CAD drawings. Customer to provide site "bench mark" to be used for layout and final elevation calculations.
- Unless otherwise noted on KOMPAN's SP, proposal assumes that there are no Prevailing Wages requirement on the project.
- Any additional costs which maybe incurred during installation shall be negotiated between Customer and KOMPAN in writing prior to the start of additional work. If written approval is not received during the time the installation crews are on-site, additional mobilization costs will apply.

Exclusions (Unless Explicitly Stated in KOMPAN Sales Proposal):

- Stamped engineered drawings/calculations or costs to secure permits are not included, if required these costs will be added as a change order payable to Kompan.
- Demolition and off-site disposal of any existing equipment or site amenities.
- Any sitework, including but not limited to grading, excavation outside playground equipment footing and soils compaction and testing.
- Concrete work outside of play equipment footing requirements.
- Relocation of any existing equipment.
- Any required drainage system for playground area.
- Third party testing of materials and playground installation.
- Site landscaping or trimming of vegetation encroaching within the play equipment and safety zones.
- Play area surfacing and base materials if not noted in KOMPAN proposal.
- Installation of Poured in Place surfacing does not include the use of aliphatic binder, solid or custom colors.
- Site security during Poured in Place surfacing cure time and any vandalism which may accrue during surfacing cure time.
- Borders for play area surfacing containment.
- Any required retaining walls for proposed play area.
- Site storage for equipment.
- Site safety fencing beyond standard four (4') foot orange construction fencing.
- Utilities site location services and/or relocation of any underground utilities.
- On site dumpster for disposal of shipping containers and general construction debris.
- If applicable, primary electrical service, such as connection of primary power to KOMPANs ICON server box. Primary power is to be terminated within ICON server box by a licensed electrician.



"creating playground memories filled with fun"

fun abounds, inc.
114 Venice
Sugar Land, TX. 77478
855-226-8637 phone
281-265-0043 Fax
Leigh Walden, President
lwalden@fabplaygrounds.com
www.fabplaygrounds.com

Estimate

Date	Estimate #
7/1/2020	5831

Mike Giehl, VP of Sales
Austin, San Antonio, Laredo
and surrounding areas
mike@fabplaygrounds.com
512-636-8260

We are pleased to provide this estimate for

City of Elgin
310 N Main St
Elgin, TX 78621

Ship to:

1127 N Main St
Elgin, TX 78621

Rep	Terms	Project
MG	50% deposit on e...	Elgin Memorial ...

Item	Description	Qty	Rate	Total
Bonded Rubber	Playground/Fitness Surfacing Bonded Rubber Mulch Surfacing (Color TBD); Nominal 3.5" thickness (8' CFH); bondflex option	5,610	14.5303	81,515.00
Compacted Aggregate	Compacted Stone Aggregate Base; approx. 4" thick; includes dirt backfill of approx. 4-6" in depth to fill entire area BEFORE compacted aggregate is installed	5,610	5.29234	29,690.00
	ALL pea gravel must be removed and we must start from a durable/stable base; all playground/fitness equipment to be installed before our scope of work begins			
Dumpster	Dumpster Fee	1	600.00	600.00
	Subtotal of Features			111,805.00
Discount	Discount		-5,600.00	-5,600.00

Thank you for allowing us to submit this proposal.

Subtotal

**PLEASE NOTE: Order will be placed upon receipt of signed quote or
purchase order, color selections, and down payment.
Thank you! We appreciate the opportunity to earn your business!**

Sales Tax..

Total

City of Houston WBE
(Women's Business Enterprise)
Certificate #20-2-11596

Signature

**We are proud of a job well done and may spotlight your project on our
website or FaceBook. If we do not have your permission to do so,
please notify us. Thank you!**



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MG	50% deposit on e...	Elgin Memorial ...

Item	Description	Qty	Rate	Total
Note	Pricing is for the above listed equipment only, and does not include additional insured addendum, additional insurance, storage, security, or any applicable taxes, bonds, additional insurance or permits. Orders canceled after 5 days will be subject to a restocking fee and freight charges as applicable. Price valid for 30 days.		0.00	0.00
Poured In Place Notes	Purchaser shall be responsible for security, as needed, to prevent vandalism and/or damage of any type to the surface during the installation process, curing time and after the installation is complete.		0.00	0.00

Thank you for allowing us to submit this proposal.

Subtotal

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Item	Description	Qty	Rate	Total
Schedule	There are times due to weather or unforeseen circumstances that we might have to reschedule. In an effort to provide excellent customer service we will notify you should rescheduling be necessary. We appreciate your understanding as we pride ourselves on providing attention and detail to every project.		0.00	0.00
Site Access	If site access is restricted in any way there could be an additional charge.		0.00	0.00
Site Prep	Site must be within 1% of final grade prior to installation.		0.00	0.00
Credit Cards	Payments made with credit cards will require an additional 3% service fee.		0.00	0.00
Finance Charge	Accounts not paid within 30 days of the date of the invoice are subject to a 1.5% finance charge.		0.00	0.00

Thank you for allowing us to submit this proposal.

Subtotal

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Sales Tax..

Total

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(Women's Business Enterprise)
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Rep	Terms	Project
MG	50% deposit on e...	Elgin Memorial ...

Item	Description	Qty	Rate	Total
HUB Certificate	Certificate/VID Number: 1364766562200 File/Vendor Number: 496631 Approval Date: 25-MAR-2020 Scheduled Expiration Date: 25-MAR-2024		0.00	0.00

Thank you for allowing us to submit this proposal.

Subtotal \$106,205.00

PLEASE NOTE: Order will be placed upon receipt of signed quote or purchase order, color selections, and down payment.
Thank you! We appreciate the opportunity to earn your business!

Sales Tax.. \$0.00

Total \$106,205.00

City of Houston WBE
(Women's Business Enterprise)
Certificate #20-2-11596

Signature _____

We are proud of a job well done and may spotlight your project on our website or FaceBook. If we do not have your permission to do so, please notify us. Thank you!

Contingent upon receiving the grant, the phases of our proposed project would be as follows:

- Phase 1: January – February
 - Engineering and planning with the City of Elgin
- Phase 2: February – April
 - Remove current aging playscape and pea gravel
 - Add new pour in place rubberized flooring
 - Sidewalks and accessibility features provided by the City of Elgin
 - Short series of fitness classes on new rubberized program space
- Phase 3: May - July
 - New bathrooms and water fountains provided by the City of Elgin
 - Parking lot improvements provided by the City of Elgin
 - End of July ribbon cutting for new bathrooms and water fountains
- Phase 4: July - September
 - 1/4 Mile jogging track connecting the Elgin Recreation Center to the picnic areas, playscape, sport courts, bathrooms and grilling areas
 - New signs along path and at fitness equipment in English and Spanish
 - Body weight fitness rig installed
 - Shade sail installed over equipment
 - End of September “Play Day” in the park to encourage awareness of new equipment
- Phase 5: October – November
 - Fitness programs offered at new rubberized pad and fitness equipment to teach the community how to utilize the new features
- Phase 6: November
 - Fruit and shade trees planted at Texas Arbor Day Festival

Park improvements such as these are sure to attract visitors from a diverse population; senior citizens to families with young children, commuters to fitness buffs and more. One of the most vocal groups pushing for additional fitness equipment and walking trail are our Senior “Wildcat” Walkers. They are an established group of 36 seniors who meet at the Elgin Recreational Center to walk laps in the gymnasium Monday – Friday for an hour every morning. Many have expressed a desire to walk outside where they could interact with other people and surround themselves with more visual interest, however due to the uneven ground, they do not feel safe or comfortable doing so. Traditionally “park use is very low for older residents” with “two-thirds of those age 65 and over in Bastrop... seldom or never us[ing] the parks”⁶, but with a new track creating a level surface, the barrier hindering our active seniors will be removed, allowing them to exercise in our parks.

Our senior population is not the only one looking for a better way to walk through Elgin Memorial. Since Elgin does not have a dog park, many dog walkers choose Elgin Memorial as it is our largest park and has established trees throughout that provide shade. Increasing the biodiversity of our park will not only make the park more beautiful and pleasant to walk through, but will encourage wildlife to return to our parks making it a more invigorating experience for

⁶ “The Findings and Recommendations of the Healthy Parks Plan for Travis, Bastrop and Caldwell Counties.” Page 20. *The Findings and Recommendations of the Healthy Parks Plan for Travis, Bastrop and Caldwell Counties*, 2019, web.tplgis.org/tbchealthyparksecure/pdfs/Healthy_Parks_Plan_Final_Report.pdf.

Elgin Memorial Park Phase 1- Improvements

Phase 1 A	Improvements to Play Ground Area			
Funding Source:	Amount	Expense	Provider:	Description of Equipt./ Work
St. David's Foundation Park Fees	\$199,909	\$93,961	Kompan	New Playground Equipment, Fitness Rig, & Shade Cover
	\$257	\$106,205	Fun Abounds	Surfacing- Bonded Rubber Mulch
Phase 1 A Subtotal	\$200,166	\$ 200,166		

Phase 1 B	Improvements to Road and New Concrete Trail			
Funding Source:	Amount	Expense	Provider:	Description of Equipt./ Work
Side Walk Fund	\$39,700	\$39,700	To be bid	Park Road Improvements and Concrete Trail
Phase 1 B Subtotal	\$39,700	\$39,700		

Phase 1 C	Construct New Restroom to Replace Existing One			
Funding Source:	Amount	Expense	Provider:	Description of Equipt./ Work
CO 2016 CO	\$ 150,000	\$150,000	To be bid	New Restrooms to replace Existing
Phase 1 C Subtotal	\$ 150,000	\$150,000		

Phase 1 D	Install Water Fountain and Hand Wshing Station			
Funding Source:	Amount	Expense	Provider:	Description of Equipt./ Work
Park Fees	\$20,000	\$10,000	Park Warehouse	Water Fountains with Water Bottle Fill Station and Dog Bowl (2)
		\$10,000	GoVets	Outdoor Hand Washing Station - 8 Person
Phase 1 D Subtotal	\$20,000	\$20,000		

Phase 1 E	Miscellaneous Amenity Additions			
Funding Source:	Amount	Expense	Provider:	Description of Equipt./ Work
Donations *	\$2,400	\$2,400	Unknown	New Trees (30)
Donations *	\$2,000	\$2,000	Belson	Swinging Benches (2)
Donations *	\$4,000	\$4,000	The Bench Factory	Park Benches (4)
Park Fees	\$1,000	\$1,000	Grds./Maint.	Barrier
Park Fees	\$1,200	\$1,200	VackerSign	Interpretive Signage
Park Fees	\$1,000	\$1,000	Bernsten	Distance Markers (8)
Park Fees	\$7,000	\$7,000	TrekFit	Fitness Signs (6)
Park Fees	\$1,000	\$1,000	Uline	Bulletin Board (1)
Phase 1 E Subtotal	\$19,600	\$19,600		
	TOTAL	\$429,466		

* (Comm./FOEP)



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: CONSIDER A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING EXECUTION OF A LEASE WITH CAPITAL AREA RURAL TRANSIT AUTHORITY (CARTS) FOR 201 CENTRAL AVENUE.

DEPARTMENT: Community Services

PROPOSED ACTION: approve a Resolution of the city council of the City of Elgin, Texas authorizing execution of a lease with Capital Area Rural Transit Authority (CARTS) for 201 Central Avenue.

BACKGROUND

Located at 201 Central Avenue, the site is currently a vacant lot. CARTS has secured grant funding to build a facility for public transportation that would include permanent public restrooms, which would be managed and maintained by the City of Elgin. CARTS provides transportation to Austin via the Elgin Manor 990 Express Monday through Friday, and offers a variety of routes through the Interurban program as well as paratransit, and curb to curb programs for medical appointments. The permanent public restrooms would be maintained by the City of Elgin and would be open to the public on a schedule similar to the public restroom facilities at community parks. The City would provide utility infrastructure and extend the parking area related to the site in support of the overall project. The project is estimated at \$1.2 million. The location was a featured element in the Sustainable Places plan competed in 2014 where adding a permanent transit station was recommended for that site.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

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 NO: _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN,
TEXAS AUTHORIZING EXECUTION OF A LEASE WITH CAPITAL
AREA RURAL TRANSIT AUTHORITY (CARTS) FOR 201 CENTRAL
AVENUE.**

WHEREAS, Capital Area Rural Transit System has secured grant funding to build a facility for public transportation that would include permanent public restrooms in downtown Elgin; and

WHEREAS, the City of Elgin desires to have a permanent public transit stop and public restrooms downtown at 201 Central Avenue; and

WHEREAS, the Governing Body of the City of Elgin desires to reaffirm its support of the Project and approve and authorize the execution of a lease with Capital Area Rural Transit System .

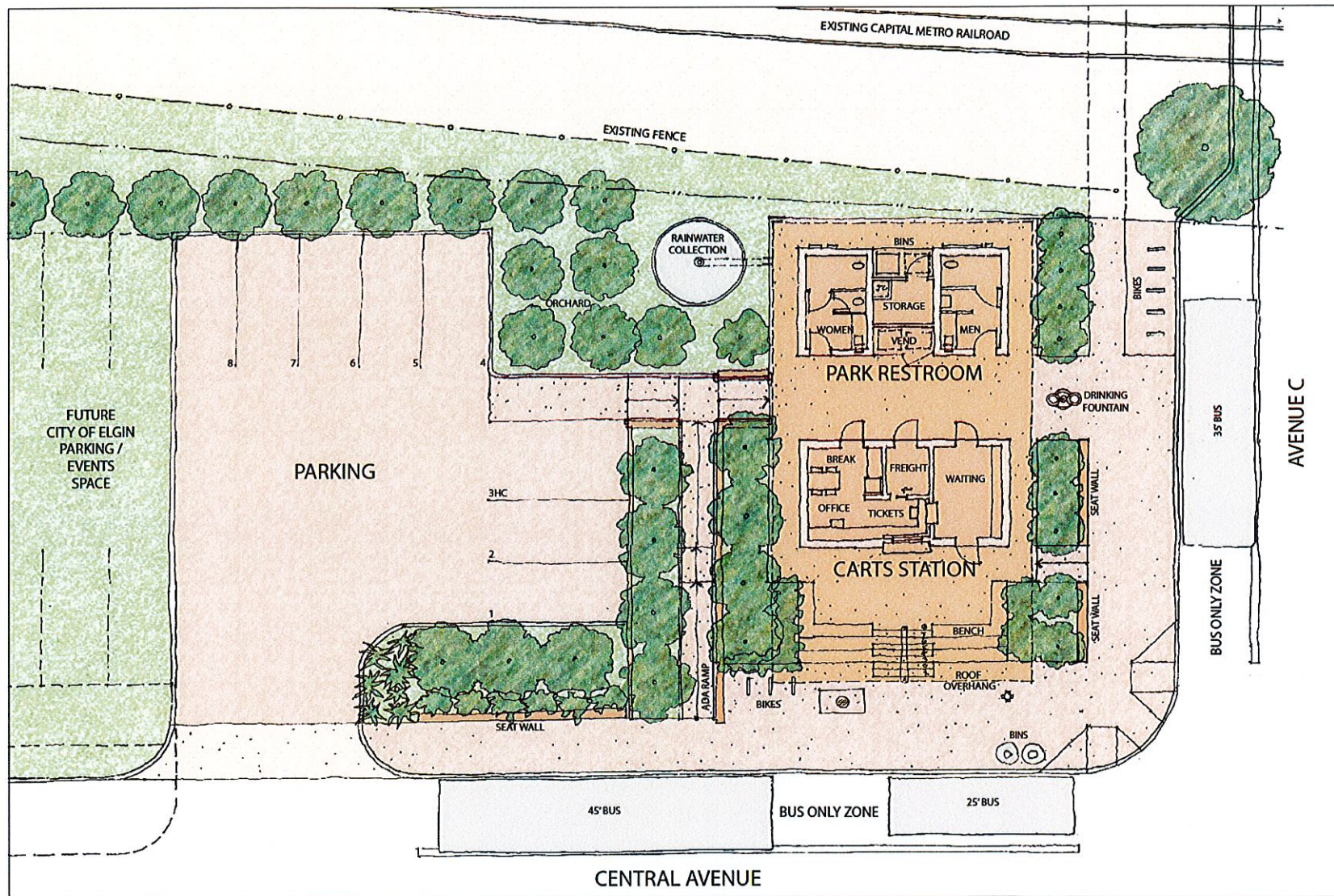
NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Elgin that Mayor Chris Cannon is authorized to enter into a lease agreement with Capital Area Rural Transit System for this Project.

**APPROVED AND RESOLVED BY THE CITY COUNCIL OF THE
CITY OF ELGIN, TEXAS ON THE 21st DAY OF JULY.**

Chris Cannon, Mayor

ATTEST:

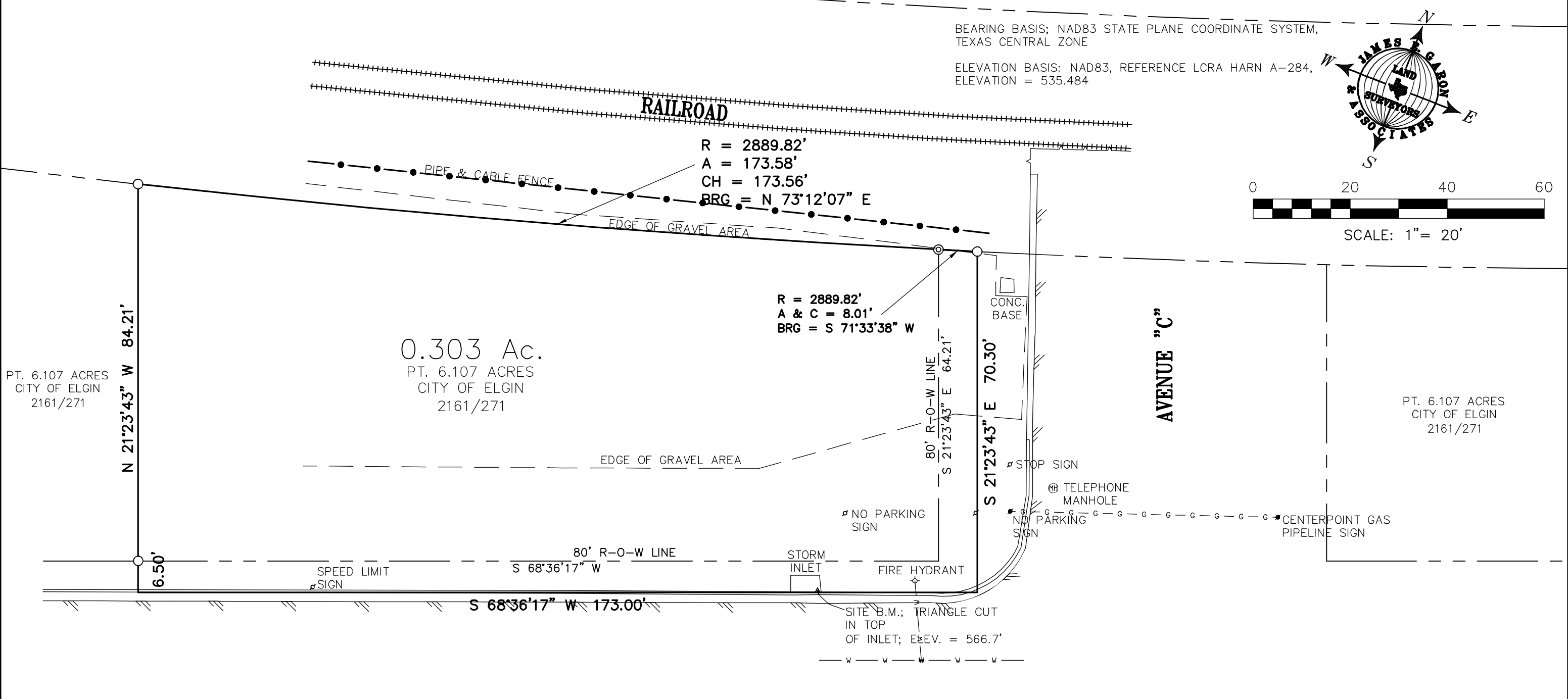
Amelia Sanchez, City Secretary



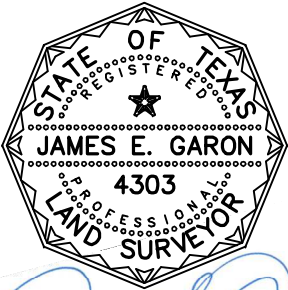
ELGIN STATION
 SITE AND FLOOR PLAN
 DRAFT - Prepared by MAS and H+UO for CARTS
 February 11, 2016

CARTS STATION SITE PLAN (FEB 2016)





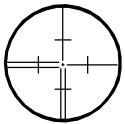
CENTRAL AVENUE



James E. Garon
JUNE 5, 2020

REFERENCE: CARTS STATION
ADDRESS: NW COR. CENTRAL AVE. & AVE. "C"; ELGIN, TEXAS
LEGAL DESCRIPTION 0.303 AC. PT. OF 6.107 ACRE TRACT
CONVEYED TO THE CITY OF ELGIN FROM UNION
PACIFIC RAILROAD CO.. DEED RECORDED IN
VOLUME. 2161, PAGE. 271 OFFICIAL RECORDS,
BASTROP COUNTY, TEXAS.

FILE: Co\BASTROP\ELGIN\ ORIG. TOWNSITE\41720



JAMES E. GARON & ASSOC.

LAND SURVEYORS & CIVIL ENGINEERS
Firm Reg. #10058400 & F-20386
185 McAllister Road
Bastrop, Texas 78602
(512) 303-4185
jgaron@austin.rr.com
www.jamesegaron.com



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Reappointment of three members to the Tax Increment Reinvestment Zone Board of Directors along with an alternate. Mayor Chris Cannon, Council Member Sue Brashar, Council Member Jessica Bega. Alternate Susie Arreaga

DEPARTMENT: Economic Development

PROPOSED ACTION: Approve the reappointments

BACKGROUND: The TIRZ board is made up of six members. Three members are appointed by the Elgin City Council and three members are appointed by Bastrop County. The terms for the Elgin members will expire in December 2021.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approve the reappointments

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.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AND AGREEMENT WITH THE BASTROP COUNTY ELECTIONS ADMINISTRATOR FOR THE ELECTION SERVICE FOR THE NOVEMBER 3, 2020 GENERAL ELECTION AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Administration

PROPOSED ACTION: Consideration of an agreement with the Bastrop County Elections Administrator for services related to the upcoming election in November and authorizing to execute same election services.

BACKGROUND: Bastrop County will be conducting general and special elections for the Participating Entities, including the City of Elgin on November 3, 2020. Under Section 271.002, Texas Election Code, Texas's political subdivisions are authorized to hold elections jointly in voting precincts that common polling places can serve, in all or part of the same territory. Texas Government Code Chapter 791 authorizes local governments to contract with one another and with stated agencies for various governmental functions, including those in which the contracting parties are mutually interested. The Resolution to be considered here authorizes the City of Elgin to enter into an Agreement with Travis County to allow participation in such joint election.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of Resolution, contract for election services and authorization for the City Manager to execute same with the Bastrop County Administrator.

ATTACHMENTS: Resolution
Agreement

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

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

**CONTRACT FOR ELECTION SERVICES
AND
AGREEMENT TO CONDUCT JOINT ELECTION**

**THE STATE OF TEXAS §
 §
COUNTY OF BASTROP §**

This Contract for Election Services and Agreement to Conduct Joint Election (this “**Contract**”) is entered into by and among BASTROP COUNTY, a political subdivision of the State of Texas (the “**COUNTY**”), the BASTROP COUNTY ELECTIONS ADMINISTRATOR (“**ADMINISTRATOR**”), and the CITY OF ELGIN (the “**CITY**”), a political subdivision of the State of Texas, individually, a “**Party**” or, collectively, the “**Parties**,” pursuant to Section 31.092 and Chapter 271 of the Texas Election Code.

RECITALS

WHEREAS, the CITY and the COUNTY each expect to call an election to be held on November 3, 2020; and

WHEREAS, the CITY and the COUNTY desire to conduct such elections jointly pursuant to Chapter 271 of the Texas Election Code, and the CITY desires that certain election services for the CITY’S election be provided by ADMINISTRATOR through the COUNTY’S Elections Department pursuant to Chapter 31, Subchapter D of the Texas Election Code; and

WHEREAS, ADMINISTRATOR has provided a cost estimate for election services to be rendered by her office under this Contract, which estimate is set out on **Exhibit “A”** attached hereto and made a part hereof; and

WHEREAS, the COUNTY, ADMINISTRATOR, and the CITY 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 November 3, 2020, and for certain election services to be provided to the CITY in connection with its election. 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 CITY.

**ARTICLE II
JOINT ELECTION**

2.01 The COUNTY and the CITY agree to conduct their respective November 3, 2020 elections jointly pursuant to Chapter 271 of the Texas Election Code. ADMINISTRATOR is hereby appointed to serve as the CITY’S Election Officer and Early Voting Clerk to conduct the CITY’S November 3, 2020 election. As CITY’S Election Officer and Early Voting Clerk, ADMINISTRATOR will coordinate, supervise, and conduct all aspects of administering voting in connection with the CITY’S November 3, 2020 election in compliance with all applicable law, as provided in Article III hereof.

ARTICLE III

ELECTION SERVICES

3.01 ADMINISTRATOR agrees to provide to the CITY the following general election services with respect to the CITY'S November 3, 2020 election, including early voting, regular Election Day voting, and any resulting run-off:

- (A) Procure and distribute election supplies, including, but not limited to, the preparation, printing, and distribution of ballots and sample ballots, provided that the CITY will prepare the text of such ballots as set forth in Section 5.01(C) below;
- (B) Procure election judges and clerks for early voting and Election Day voting;
- (C) Procure early voting polling places and Election Day polling places. The ADMINISTRATOR will arrange for the use of all Election Day polling places and will 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. The ADMINISTRATOR will provide the CITY with a list for presentation to the governing body of the CITY, containing a list of places, times, and dates of early voting suitable for consideration and adoption by the governing body in accordance with Texas Election Code Chapter 85. The ADMINISTRATOR will designate and confirm all Election Day polling place locations and present the list to the governing body of the CITY for approval;
- (D) Procure, prepare, and distribute adequate election equipment and transport equipment to and from all polling locations, including early voting polling locations, for the CITY;
- (E) Distribute the lists of registered voters to be used in conducting the election, as provided by Bastrop County Voter Registration;
- (F) Pay election day and early voting judges and clerks;
- (G) Pay the judges for election night returns and early voting returns;
- (H) Provide training and information for all election officers;
- (I) Provide general overall supervision of the election and advisory services;
- (J) Prepare writ of election to election officers and notice of appointment to Presiding and Alternate judges, as required by law;
- (K) Conduct election day voting and early voting, in person and by mail, for the CITY;
- (L) Establish a Central Counting Station for the purpose of tabulating ballots. The Tabulation Supervisor will be responsible for handling ballot tabulation in accordance with statutory requirements and county policies, under the auspices of ADMINISTRATOR, and will, thereafter, transport all election records to the ADMINISTRATOR. The ADMINISTRATOR will 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 will be submitted to the Secretary of State as required by Section 127.201(E) of the aforementioned code. The ADMINISTRATOR will prepare the unofficial tabulation of precinct results under Section 66.056(a) of the Texas Election Code and will provide a copy of the tabulation to the CITY as soon as possible after the ADMINISTRATOR has received the precinct returns on election day night;

(M) Provide such incidental related services as may be necessary to effect the Election;

(N) At each polling location, provide at least one voting station with a voting system that:

(i) fully complies with applicable law relating to accessible voting systems which make voting accessible for disabled voters; and (ii) provides a practical and effective means for voters with physical disabilities to cast a secret ballot;

(O) Provide for Central Count Tabulation(s), including:

- a. Preparation and programming of the ballots on the ES&S 850 Optical Scanner; and
- b. Preparation and programming of the ES&S ExpressVote voting system;

(P) Serve as “regular early voting clerk” for the CITY to receive requests for applications for early voting ballots to be voted by mail. Applications for early voting ballots to be voted by mail will be processed in accordance with Title 7 of the Texas Election Code. Applications for early voting ballots to be voted by mail received by the CITY will be faxed as promptly as possible to ADMINISTRATOR for processing. The original application will then be forwarded to ADMINISTRATOR for proper retention.

(Q) Serve as the custodian of voted ballots and other election records and preserve all election records in accordance with the Texas Election Code. After the applicable retention period, ADMINISTRATOR will forward all election records to the CITY.

ARTICLE IV SCHEDULE FOR PERFORMANCE OF ELECTION SERVICES

4.01 ADMINISTRATOR will perform all election services in accordance and compliance with the time requirements set out in the Texas Election Code.

ARTICLE V SERVICES NOT PROVIDED BY COUNTY

5.01 The CITY will be responsible for:

(A) preparing, adopting, publishing all required election orders, resolutions, notices, and other documents, including bilingual materials, evidencing action by the governing authority of the CITY necessary to the conduct of the election;

(B) preparing the text for the CITY’S official ballot in English and Spanish, or other languages as required by law;

(C) on or before August 18, 2020, providing ADMINISTRATOR with a copy of a document showing the propositions/places that are to appear on the official ballot for the

CITY;

- (D) conducting the official canvass of the CITY'S election;
- (E) having a CITY representative serve as the custodian of its election records; and
- (F) filing the CITY'S annual voting system report to the Secretary of State as required under Chapter 123 et seq. of the Texas Election Code.

5.02 Pursuant to Section 271.006(c), the CITY designates ADMINISTRATOR to serve as "regular early voting clerk" for the CITY to receive requests for applications for early voting ballots.

5.03 The Secretary of the governing body of the CITY will serve as the Custodian of Records for the CITY to complete those tasks in the Election Code that ADMINISTRATOR will not perform.

ARTICLE VI TERM

6.01 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 and the election held and administered by ADMINISTRATOR for the CITY hereunder have been completed.

ARTICLE VII COST OF SERVICE AND BILLING

7.01 In consideration for the services provided hereunder by ADMINISTRATOR, the CITY agrees to pay ADMINISTRATOR its pro rata share of performing the services, including any overtime incurred by ADMINISTRATOR'S employees. A cost estimate for election expenses is attached hereto and made a part of this contract as **Exhibit "A"**. The Parties agree that this is an estimate only and that the CITY is obligated to pay the actual expenses of the election as set forth herein. ADMINISTRATOR agrees to advise the CITY if it appears that the actual expenses incurred by ADMINISTRATOR will exceed by 20% or more the estimated expenses to be paid initially by the ADMINISTRATOR and reimbursed by the CITY. The CITY shall also pay ADMINISTRATOR an administrative fee equal to 10% of the actual costs set forth in Section 7.02(a) below, as permitted under Section 31.100(d) of the Texas Election Code.

7.02 As soon as reasonably possible after the election, ADMINISTRATOR will submit an itemized invoice to the CITY for (a) actual expenses directly attributable to the coordination, supervision, and running of the election and incurred on behalf of the CITY by ADMINISTRATOR, including expenses for supplies in connection with the election school(s), election supplies, wages paid to ADMINISTRATOR'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 direct recording electronic voting devices and audio ballots, and (b) an administrative fee as provided in Section 7.01 above. 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 ADMINISTRATOR'S stock of election supplies shall be supported by ADMINISTRATOR'S certificate about the number of items used and the unit cost therefore according to the vendor's standard price list. The total amount due according to these invoices shall be offset by any payments previously made pursuant to this Contract.

7.03 The CITY shall pay ADMINISTRATOR'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.

7.04 Payments made by the CITY in meeting its obligations under this Contract shall be made from current revenue funds available to the governing body of the CITY.

ARTICLE VIII GENERAL PROVISIONS

8.01 In accordance with Section 31.096 of the Texas Election Code, nothing in this contract shall be construed as changing

- a) the authority with whom applications of candidates for a place on the ballot are filed;
- b) the authority with whom documents relating to political funds and campaigns under Title 15 of the Texas Election Code are filed; or
- c) the authority to serve as custodian of voted ballots or other election records, except that the ADMINISTRATOR, if requested in writing by the CITY, will become the custodian of the voted ballots.

8.02 The parties acknowledge that the ADMINISTRATOR may contract with other entities holding elections at the same time as the CITY on November 3, 2020.

8.03 If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the ADMINISTRATOR 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 ADMINISTRATOR shall submit an invoice for such expenses as soon as reasonably possible after the cancellation and the CITY shall make payment therefore in a manner similar to that set forth in 7.03 above. The ADMINISTRATOR 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 ADMINISTRATOR in conducting the November 3, 2020 Joint Election.

8.04 In accordance with Section 31.099 of the Texas Election Code, the ADMINISTRATOR agrees to file copies of this contract with the County Treasurer of Bastrop County, Texas and the County Auditor of Bastrop County, Texas.

8.05 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.

8.06 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.

8.07 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.

8.08 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.

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

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

COUNTY and ADMINISTRATOR:

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

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.

COUNTY:

BY: _____
Paul Pape
County Judge
Bastrop County, Texas

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

ADMINISTRATOR:

BY: _____
Kristin Miles
Elections Administrator
Bastrop County, Texas

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

CITY:

BY: _____

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

EXHIBIT “A”

ESTIMATED COST FOR CITY OF ELGIN

Election Expenses	\$ 6,626.47
Election Kits & other precinct supplies	\$ 200.00
SUBTOTAL	\$ 6,826.47
10% ADMINISTRATIVE FEE	<u>\$ 682.65</u>
TOTAL	<u>\$ 7,509.12</u>



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: CITY COUNCIL TO CONSIDER INTERLOCAL COOPERATIVE AGREEMENT BETWEEN BASTROP COUNTY, TEXAS AND THE CITY OF ELGIN, TEXAS PROVIDING THE TERMS PURSUANT TO WHICH THE COUNTY WILL SELL PROPERTY TO THE CITY; AND OTHER MATTERS IN CONNECTION THEREWITH

DEPARTMENT: Administration

PROPOSED ACTION: Approve Interlocal Agreement with Bastrop County to accept terms and conditions of the transfer of ownership of equipment specified in the Agreement.

BACKGROUND: Earlier in the year, Bastrop County offered to donate certain road maintenance equipment to the City of Elgin, subject to certain terms and conditions. City staff revised certain sections of the Agreement and requested that it be reconsidered by the County before the City would agree to its terms. The County agreed to the changes offered by the City and has requested that the City Council approve the revised Agreement as attached herein.

BUDGET/FINANCIAL IMPACT:

None

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

ATTACHMENTS: Copy of Interlocal Agreement.

- { } 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.

INTERLOCAL COOPERATIVE AGREEMENT BETWEEN BASTROP COUNTY, TEXAS AND THE CITY OF ELGIN, TEXAS PROVIDING THE TERMS PURSUANT TO WHICH THE COUNTY WILL SELL PROPERTY TO THE CITY; AND OTHER MATTERS IN CONNECTION THEREWITH

This interlocal cooperative agreement (the *Agreement*) is made to be effective as of the 21st day of July, 2020 by and between Bastrop County, Texas, a political subdivision of the State of Texas (the *County*) and the City of Elgin, Texas, a general law municipality and political subdivision of the State of Texas (the *City*). The County and the City may be referred to individually as a party or collectively as the *Parties*.

RECITALS

WHEREAS, the County purchased a Cimline Crack Sealer in 2000 for approximately \$23,000 (the *Property*); and

WHEREAS, the County and the City previously agreed that the City could use the Property in exchange for the City agreeing to maintain the Property and use the Property to maintain County and City roads within the City limits; and

WHEREAS, the Property is beyond its useful life and the County does not have any current need for it; and

WHEREAS, the City still uses the Property and anticipates continued use of the Property into the foreseeable future; and

WHEREAS, the Parties have determined to enter into this Agreement to memorialize the terms by which the County will sell the Property for a nominal value plus other good and valuable consideration and the terms by which the City will acquire the Property from the County; and

WHEREAS, Sec. 263.152. of the Local Government Code states that

(a) The commissioners court of a county may:

(1) periodically sell the county's surplus or salvage property by competitive bid or auction, except that competitive bidding or an auction is not necessary if the purchaser is another county or a political subdivision within the county that is selling the surplus or salvage property; and

WHEREAS, the County has determined that sale of the Property to the City to be in the best interest of the residents of the County and the City;

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follow:

SECTION 1: Definition and Use of Terms. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, (a) all references in this Agreement to designated *Sections, Schedules, Exhibits*, and other subdivisions are to the designated Sections, Schedules, Exhibits, and other subdivisions of this Agreement as originally adopted; and (b) the words *herein, hereof, and hereunder* and other words of similar import refer to this Agreement as a whole and not to any particular Section or other subdivisions.

SECTION 2: Representations. Representation of County. County hereby represents to the City that:

2.1 The County is a political subdivision under the laws of the State of Texas and is duly qualified and authorized to carry out the disposal of its surplus Property as contemplated by this Agreement.

(a) The County has the power, authority, and legal right to enter into and perform under this Agreement and the execution, delivery, and performance hereof have been duly authorized.

(b) The County has the authority to dispose of the Property pursuant to Chapter 263, as amended, Texas Local Government Code.

(d) This Agreement has been duly authorized, executed, and delivered and constitutes a legal, valid, and binding obligation of County enforceable in accordance with its terms.

2.2 Representations of City. City hereby represents to the County that:

(a) The City is a political subdivision and a general law municipality under laws of the State of Texas and is duly qualified and authorized to carry out the governmental functions and operations as contemplated by this Agreement.

(b) The City has the power, authority, and legal right to enter into and perform under this Agreement and the execution, delivery and performance hereof have been duly authorized.

(c) The City has the authority to purchase, own, operate, and maintain the Property within the City pursuant to Chapter 252, as amended. Texas Local Government Code Sec 252.022. "GENERAL EXEMPTIONS.

(d) This Agreement has been duly authorized, executed and delivered and constitutes a legal, valid and binding obligation of City enforceable in accordance with its terms.

SECTION 3: Findings. Each of the Parties hereby find that ~~the~~ sale of the Property to the City for the City's use is for the benefit of the residents of the County and the City.

SECTION 4: Agreement of the Parties. The Parties hereby agree that the County will sell the Property to the City in exchange for \$1.00 and other good and valuable consideration, consisting of the City's agreement to continue to use the Property to maintain roads, including certain County roads located within the City, if specifically requested by the appropriate County authority and so long as such requests are in conjunction with City's regularly scheduled maintenance program, for the remainder of the time that the Property remains operational. Other than the consideration referenced in this section no additional consideration will be required in connection with such conveyance.

SECTION 5: Term of this Agreement. This Agreement shall continue for so long as the Property remains operational.

SECTION 6: Obligations of the City. At its own discretion the City shall dispose of the Property in accordance with Chapter 263, as amended, of the Texas Local Government Code.

SECTION 7: Liability of City and County. To the extent not limited by State law, neither the City, County, or any director, officer, employee or agent of either shall be responsible for any liability arising from the use of the Property or this Agreement.

SECTION 8: Amendment. This Agreement may be amended, modified, revised or changed by written instrument executed by all the Parties.

SECTION 9: Addresses and Notice. Unless otherwise provided herein, any notice, communication request, reply, or advice (herein severally and collectively, for convenience, called *Notice*) herein provided or permitted to be given, made or accepted by any party to any other party must be in writing and may be given or be served by depositing the same in the United States mail postpaid and registered or certified and addressed to the party to be notified, with return receipt requested, or by delivering the same to an officer of such party, or by prepaid telegram when appropriate, addressed to the party to be notified. Notice deposited in the mail in the manner hereinabove described shall be conclusively deemed to be effective unless otherwise stated herein, from and after the expiration of three days after it is so deposited. Notice given in any other manner shall be effective only if and when received by the party to be notified. For the purposes of notice, the addresses of the parties hereto shall be, until changed as hereinafter provided as follows:

A. If to the County to:
Bastrop County
Attn: County Judge
804 Pecan Street
Bastrop, Texas 78602
Facsimile: (512) 581-7100

With a copy to:
Norton Rose Fulbright US LLP
Attn: Stephanie Leibe
98 San Jacinto Blvd. Suite 1100
Austin, Texas 78701
Facsimile: (512) 536-4598

B. If to the City,
to: City of Elgin
Attn: City Manager
310 N. Main Street
Elgin, Texas 78621
Facsimile: (512) 281-5724

The Parties hereto shall have the right from time to time and at any time to change their respective addresses and each shall have the right to specify as its address any other address by at least ten (10) days' written notice to the other Parties hereto.

SECTION 10 : Counterparts. This Agreement may be executed in any number of counterparts, each of such counterparts shall for all purposes deemed to be an original, and all such counterparts shall together constitute one and the same instrument.

SECTION 11: Entire Agreement. This Agreement contains the entire agreement between the Parties pertaining to the subject matter hereof and fully supersedes all prior agreements and understandings between the parties pertaining to such subject matter.

SECTION 12: Captions. The section headings appearing in this Agreement are for convenience of reference only and are not intended, to any extent and for any purpose, to limit or define the text of any section or any subsection hereof

SECTION 13: Incorporation of the Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Agreement for all purposes and are adopted as a part of the judgment and findings of the respective governing bodies of each party hereto.

SECTION 14: Inconsistent Provisions. All orders or resolutions, or parts thereof which are in conflict or inconsistent with any provision of this Agreement are hereby repealed to the extent of such conflict and the provisions of this Agreement shall be and remain controlling as to the matters provided herein.

SECTION 15: Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 16: Venue. Venue for any action to enforce or construe this Agreement shall be in Bastrop County, Texas.

SECTION 17: Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall be held invalid, the remainder of this Agreement and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Parties hereby declare that this Agreement would have been enacted without such invalid provision.

SECTION 18: Construction. Unless the context requires otherwise, words of the masculine gender shall be construed to include correlative words of the feminine and neuter genders and vice versa, and words of the singular number shall be construed to include correlative words of the plural number and vice versa. This Agreement and all the terms and provisions hereof shall be constructed to effectuate the purposes set forth herein and to sustain the validity of this Agreement. .

SECTION 19: Compliance with Texas Open Meetings Act. It is officially found determined and declared that the meeting of each of the governing body of the Parties at which this Agreement was adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Agreement was given all that is required by Chapter 551, as amended, Texas Government Code.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the date and year first above written.

BASTROP COUNTY

County Judge

ATTEST:

County Clerk and Ex-Officio
Clerk of the Commissioners Court

(SEAL OF THE COMMISSIONERS COURT)

Signature Page to Interlocal Agreement Bastrop County, Texas

CITY OF ELGIN, TEXAS

Mayor, Chris Cannon

ATTEST:

City Secretary, Amelia Sanchez

(CITY SEAL)

Signature Page to Interlocal Agreement
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Adjourn into Executive Session pursuant to Section §551.071 Consultations with Attorney; to deliberate with legal counsel regarding the Trinity Ranch MUD Development Agreement

DEPARTMENT: City Council

PROPOSED ACTION:

Consider information presented in Executive Session.

BACKGROUND:

Under Texas Open Meetings law, there are seven exceptions that generally authorize closed meetings, also known as “Executive Sessions.” The exceptions include discussions involving: (1) purchase or lease of real property; (2) security measures; (3) receipt of gifts; (4) consultation with attorney; (5) personnel matters; (6) economic development; and (7) certain homeland security matters. However, any and all final actions, decisions, or votes of the Elgin City Council related to such Executive Session items will be made in an open meeting

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consider information presented in Executive Session; and direction to staff, if any, as appropriate.

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