



AGENDA
ELGIN CITY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 1, 2020
ELGIN PUBLIC LIBRARY ANNEX, 404 N MAIN ST.
7:00 PM

Pursuant to the suspension of various provisions of the Texas Open Meetings Act implemented by Governor Greg Abbott on March 16, 2020 due to the Coronavirus Disease (COVID-19), the Elgin City Council will be simultaneously conducting its meeting both in-person and virtually by video/audio conferencing. Members of the public may attend the meeting in person, but overall attendance may be limited due to social distancing requirements. Members of the public may also watch the virtual meeting at https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jTzA

Members of the public who wish to address the Council under Public Comments or on a particular agenda item may do so in person. Members of the public may also submit their written comments on a particular agenda item or under Public Comments in advance of the meeting by emailing asanchez@ci.elgin.tx.us by 6:00 pm August 31, 2020.

All such comments will be entered into the record at the meeting. Members of the public having any questions in this regard should call 512-229-3222.

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. Public Hearing On The Proposed FY20-21 Annual Budget And Ad Valorem (Property) Tax Rate For The City Of Elgin

Documents:

[EXSUMMARY - BUDGET HEARING.PDF](#)
[NOTICE OF PUB HEARING 2021 TAX RATE.PDF](#)

2. Public Hearing On An Ordinance Amending Chapter 46, Article IV, Code Of Ordinances, City Of Elgin, Texas By Amending Division 9, "I" General Industrial District; And Providing For A Savings Clause And Repealing Conflicting Ordinances Or Resolutions.

Documents:

[PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

3. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone To "I" General Industrial District The Property Being Approximately 66.22 Acres In Elgin Business Park Part III, Block A, Lot 2 & The Property Being 14.73 Acres Out Of The A59 Elizabeth Standifer Survey, Said Tracts Being More Particularly Described In Exhibits "A - C"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Documents:

[PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

VI. PUBLIC COMMENT

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

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

1. Public Comments - Cheryl Reese

Documents:

[EX SUMMARY - PUBLIC COMMENTS.PDF](#)
[EMAIL CHERYL REESE.PDF](#)
[AMENDED HOLIDAYS.PDF](#)

VII. CITY MANAGERS REPORT

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

Documents:

[EXSUMMARY - CORONAVIRUS REPORT 4.PDF](#)
[MEM4LEVEL82120.PDF](#)
[COVID19PLAN320.PDF](#)

2. Review And Discussion Of Schedule For Adoption Of The FY2020-21 Annual Budget And Property Tax Rate

Documents:

[EXSUMMARY - BUDGET SCHEDULE.PDF](#)
[MEMBUDGCAL42020.PDF](#)

3. Departmental Monthly Reports - July

Documents:

[01 EXSUM MONTHLY REPORTS BY DEPARTMENT JULY 2020.PDF](#)
[02 MONTHLY REPORT JULY 31.PDF](#)

4. General Activity Report And/Or Project Update

Documents:

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

VIII. NEW BUSINESS

1. A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF AN ENGINEERING SERVICE PROVIDER CONTRACT FOR PROVIDING PLANNING, ENGINEERING, SURVEYING, GEOTECHNICAL BIDDING AND CONSTRUCTION SUPERVISION SERVICES RELATIVE TO THE COUNTY LINE ROAD RECONSTRUCTION AND IMPROVEMENT PHASE I PROJECT.

Documents:

[01A EXSUMMARY AWARD CLR ENGINEERING BID.PDF](#)
[02A RESOLUTION AWARDING ENGINEERING SERVICES CLROAD.PDF](#)
[RFQ SUBMITS-BID TAB CCL-PHASE 1.XLSX](#)

2. CONSIDER/ADOPT A CITIZENS PARTICIPATION PLAN FOR THE TEXAS GENERAL LAND OFFICE MITIGATION STATE COMPETITION FOR 2015, 2016, AND HURRICANE HARVEY GRANT(S), (GLO-MIT).

Documents:

[01 EXSUM CITIZENS PARTICIPATION PLAN GLO-MIT.PDF](#)
[02 ELGIN CITIZEN PARTICIPATION PLAN \(ENGLISH SPANISH\) NEW VERSION.PDF](#)

3. AN ORDINANCE AMENDING CHAPTER 46, ARTICLE IV, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY AMENDING DIVISION 9, "I" GENERAL INDUSTRIAL DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Documents:

[COUNCIL COVERSHEET.PDF](#)
[STAFF PACKET FOR ORDINANCE CHANGE REGARDING I ZONING DISTRICT.PDF](#)

4. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE TO "I" GENERAL INDUSTRIAL DISTRICT THE PROPERTY BEING APPROXIMATELY 66.22 ACRES IN ELGIN BUSINESS PARK PART III, BLOCK A, LOT 2 & THE PROPERTY BEING 14.73 ACRES OUT OF THE A59 ELIZABETH STANDIFER SURVEY, SAID TRACTS BEING MORE PATRICULARLY DESCRIBED IN EXHIBITS "A" - "C"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

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

5. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND YERICO MANUFACTURING, INC AND AUTHORIZING THE MAYOR TO APPROVE THE AGREEMENT.

Documents:

[EXSUMMARY.PDF](#)
[RESOLUTION FOR YERICO ED AGREEMENT.PDF](#)
[YERICO EDC AGREEMENT FINAL.PDF](#)

IX. EXECUTIVE SESSION

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

1. Adjourn Into Executive Session Pursuant To (1) Section §551.072 Deliberations About Real Property: To Receive A Staff Briefing And Deliberate The Purchase, Exchange, Lease, Or Value Of Certain Real Property Located On Within The City Of Elgin Business Park; And

(2) Section § 551.087 Deliberation Regarding Economic Development Negotiations: To Deliberate The Offer Of A Financial Or Other Incentive To A Business Prospect

Documents:

[EXSUMMARY - EXECUTIVE SESSION6.PDF](#)

X. RECONVENE

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

XI. ANNOUNCEMENTS

XII. ADJOURMENT

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512)229-3222. Please provide forty-eight hours notice when feasible.

I, Amelia Sanchez, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, August 28, 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 FY20-21 Annual Budget and Ad Valorem (Property) Tax Rate for the City of Elgin

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 FY20-21 Annual Budget and Property Tax Rate prior to its consideration for adoption by the City Council.

BACKGROUND:

Discussed at previous meetings; This hearing was scheduled as part of the Budget Development Calendar and represents one of the final steps in the development of the FY20-21 Annual Budget.

The proposed *FY20-21 Annual Budget* is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

Although the City's budget continues to evolve and expand in other ways, Real Estate and/or Property (Ad Valorem) Taxes still provide the basic foundation for supporting the General Fund. This stable source of income provides assured funding each year for essential city services- public safety, public works, parks and recreation programming, library, mobility, asset maintenance, etc.

The proposed *FY20-21 Annual Budget* is predicated on a reduction of the current property tax rate to \$.635663/\$100 valuation.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: N/A

ATTACHMENTS:

City Manager's Budget Message (*Council has already been provided copies of the Budget document, which is available for review by the public at City Hall or the Elgin Public Library or at elgin.tx.us*).

{ } 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.

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of .635663 per \$100 valuation has been proposed by the governing body of City of Elgin.

PROPOSED TAX RATE	\$0.635663 per \$100
NO-NEW REVENUE TAX RATE	\$0.596735 per \$100
VOTER-APPROVAL TAX RATE	\$0.635670 per \$100
DE MINIMIS RATE	\$0.701065 per \$100

The no-new-revenue tax rate is the tax rate for the 2020 tax year that will raise the same amount of property tax revenue for City of Elgin from the same properties in both the 2019 tax year and the 2020 tax year.

The voter-approval tax rate is the highest tax rate that City of Elgin may adopt without holding an election to seek voter approval of the rate, unless the de minimis rate for City of Elgin exceeds the voter-approval tax rate for City of Elgin

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for City of Elgin, the rate that will raise \$500,000, and the current debt rate for City of Elgin

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Elgin is proposing to increase property taxes for the 2020 tax year.

A public hearing on the proposed tax rate will be held on September 01, 2020 at 7:00pm at Civic Center 404 N. Main St. Elgin TX 78621.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Elgin is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the of City of Elgin at their offices or by attending the public meeting mentioned above.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES CAN BE CALCULATED AS FOLLOWS:

$$\text{property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

The members of the governing body voted on the proposed tax increase as follows:

FOR: Mayor Cannon, Council Members Bega, Penson, Arreaga, Jones, Dennis, and Brashar

AGAINST: 0

PRESENT and not voting: 0

ABSENT: Council Members Lopez and Gonzalez

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Elgin last year to the taxes proposed to be imposed on the average residence homestead by City of Elgin this year:

	<u>2019</u>	<u>2020</u>	. Change
Total Tax Rate {per\$100 of value}	\$0.656920	\$0.635663	<i>decrease of</i> -\$0.021257 OR -3.24o/c
: Average homestead taxable value	\$154,424	\$163,492	<i>increase of</i> 5.87%
. Tax on average ho111stead	\$1,014	\$1,039	<i>increase C?f</i> \$25 OR 2.44%
Total tax levy on all properties	\$4,043,423	\$4,000,821	<i>. increase of</i> -\$42,602 OR -1.05%

For assistance with tax calculations, please contact the tax assessor for City of Elgin at (512) 229-3214 or ccunningham@ci.elgin.tx.us, or visit elgintx.com for more information.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an ordinance amending Chapter 46, Article IV, Code of Ordinances, City of Elgin, Texas by amending Division 9, "I" General Industrial District; and providing for a savings clause and repealing conflicting ordinances or resolutions.

DEPARTMENT: Development Services

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow for public comments on the requested ordinance to amend Chapter 46, Article IV, Code of Ordinances, City of Elgin, Texas by amending Division 9, "I" General Industrial District; and providing for a savings clause and repealing conflicting ordinances or resolutions.

BACKGROUND: The Planning & Zoning Commission held a public hearing on August 24, 2020.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Receive public comments regarding this issue.

ATTACHMENTS: None.

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

{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: Public hearing on an ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone to “I” General Industrial District the property being approximately 66.22 acres in Elgin Business Park Part III, Block A, Lot 2 & the property being 14.73 acres out of the A59 Elizabeth Standifer Survey, said tracts being more particularly described in Exhibits “A – C”; and providing for a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Development Services

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow for public comments on the requested ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone to “I” General Industrial District the property being approximately 66.22 acres in Elgin Business Park Part III, Block A, Lot 2 & the property being 14.73 acres out of the A59 Elizabeth Standifer Survey, said tracts being more particularly described in Exhibits “A – C”; and providing for a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND:

The Planning & Zoning Commission held a public hearing on the requested rezoning on August 24, 2020.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Receive public comments regarding this issue.

ATTACHMENTS:

None

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

{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: Public Comments - Cheryl Reese

DEPARTMENT: N/A

PROPOSED ACTION:
N/A

BACKGROUND:
Included with the meeting information packet is a copy of correspondence submitted by Cheryl Reese relative to this agenda item.

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

RECOMMENDATION:
N/A

ATTACHMENTS:
8/26 Cheryl Reese correspondence

- { } 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.

Good Afternoon Ms. Sanchez,

I would like to request the consideration of adding 3 new City Holidays.

While I know we have a standard for the number of holidays that can be added to the budget.

I would suggest that it is time to seriously consider adding Juneteenth, Cinco de Mayo and Chinese New Year to the list of paid Holidays we observe.

Elgin is a very diverse city and it is time we acknowledge all of the cultures that make Elgin the special city it is!

The City of Smithville added Emancipation Day (Juneteenth) to their 2021 list of holidays. City of Bastrop will be reviewing holiday schedule during upcoming budget workshops.

Cheryl Reese
Citizen for Inclusion
512-581-1019

AMENDED HOLIDAY CALENDAR										
DATE OBSERVED	STATE OF TEXAS		CITY OF AUSTIN		CITY OF BASTROP		CITY OF ELGIN		CITY OF SMITHVILLE	
JANUARY 1	New Year's Day	Office Closed	New Years	Office Closed	New Year's Day	Office Closed	New Year's Day	Office Closed	New Year's Day	Office Closed
JANUARY 19	Confederate Heroes Day	Skeleton Crew Day	Confederate Heroes Day	NOT OBSERVED	Confederate Heroes Day	NOT OBSERVED	Confederate Heroes Day	NOT OBSERVED	Confederate Heroes Day	NOT OBSERVED
JANUARY (3 rd Mon.)	Martin Luther King Jr. Day	Office Closed	Martin Luther King Jr. Day	Office Closed	Martin Luther King Jr. Day	Office Closed	Martin Luther King Jr. Day	Office Closed	Martin Luther King Jr. Day	Office Closed
FEBRUARY (3 rd Mon.)	President's Day	Office Closed	Presidents Day	Office Closed	Presidents Day	NOT OBSERVED	Presidents Day	NOT OBSERVED	Presidents Day	Office Closed
MARCH 2	Texas Independence Day	Skeleton Crew Day	Texas Independence Day	NOT OBSERVED	Texas Independence Day	Office Closed	Texas Independence Day	NOT OBSERVED	Texas Independence Day	NOT OBSERVED
MARCH/APRIL	Good Friday	Optional Holiday	Good Friday	NOT OBSERVED	Good Friday	Office Closed	Good Friday	NOT OBSERVED	Good Friday	Office Closed
APRIL 21	San Jacinto Day	Skeleton Crew Day	San Jacinto Day	NOT OBSERVED	San Jacinto Day	NOT OBSERVED	San Jacinto Day	NOT OBSERVED	San Jacinto Day	NOT OBSERVED
May 5	Cinco de Mayo	NOT OBSERVED	Cinco de Mayo	NOT OBSERVED	Cinco de Mayo	NOT OBSERVED	Cinco de Mayo	NOT OBSERVED	Cinco de Mayo	NOT OBSERVED
MAY (last Mon.)	Memorial Day	Office Closed	Memorial Day	Office Closed	Memorial Day	Office Closed	Memorial Day	Office Closed	Memorial Day	Office Closed
JUNE 19	Emancipation Day	Skeleton Crew Day	Emancipation Day	Office Closed (effective 6/2021)	Emancipation Day	NOT OBSERVED	Emancipation Day	NOT OBSERVED	Emancipation Day	NOT OBSERVED
JULY 4 (If on Saturday the Fri. before, if on Sunday the Mon. after)	Independence Day	Office Closed	Independence Day	Office Closed	Independence Day	Office Closed	Independence Day	Office Closed	Independence Day	Office Closed
AUGUST 27	LBJ's Birthday	Skeleton Crew Day	LBJ's Birthday	NOT OBSERVED	LBJ's Birthday	NOT OBSERVED	LBJ's Birthday	NOT OBSERVED	LBJ's Birthday	NOT OBSERVED
SEPTEMBER (1 st Mon.)	Labor Day	Office Closed	Labor Day	Office Closed	Labor Day	Office Closed	Labor Day	Office Closed	Labor Day	Office Closed

SEPTEMBER 16	Diez Y Seis (Mexican Independence Day)	NOT OBSERVED	Diez Y Seis (Mexican Independence Day)	NOT OBSERVED	Diez Y Seis (Mexican Independence Day)	NOT OBSERVED	Diez Y Seis (Mexican Independence Day)	NOT OBSERVED	Diez Y Seis (Mexican Independence Day)	NOT OBSERVED
OCTOBER 12	Columbus Day	NOT OBSERVED	Columbus Day	NOT OBSERVED	Columbus Day	NOT OBSERVED	Columbus Day	NOT OBSERVED	Columbus Day	Office Closed
NOVEMBER 11	Veterans Day	Office Closed	Veterans Day	Office Closed	Veterans Day	Office Closed	Veterans Day	NOT OBSERVED	Veterans Day	Office Closed
NOVEMBER (4 th Thur.)	Thanksgiving Day	Office Closed	Thanksgiving Day	Office Closed	Thanksgiving Day	Office Closed	Thanksgiving Day	Office Closed	Thanksgiving Day	Office Closed
NOVEMBER (Fri. after 4 th Thur.)	Day After Thanksgiving	Office Closed	Day After Thanksgiving	Office Closed	Day After Thanksgiving	Office Closed	Day After Thanksgiving	Office Closed	Day After Thanksgiving	Office Closed
DECEMBER 24	Christmas Eve Day	Office Closed	Christmas Eve Day	Office Closed	Christmas Eve Day	Office Closed	Christmas Eve Day	Office Closed	Christmas Eve Day	Office Closes at Noon
DECEMBER 25	Christmas Day	Office Closed	Christmas Day	Office Closed	Christmas Day	Office Closed	Christmas Day	Office Closed	Christmas Day	Office Closed
DECEMBER 26	Day After Christmas	Office Closed	Day After Christmas	NOT OBSERVED	Day After Christmas	NOT OBSERVED	Day After Christmas	NOT OBSERVED	Day After Christmas	Office Closed
DECEMBER 31	New Year's Eve	NOT OBSERVED	New Year's Eve	NOT OBSERVED	New Year's Eve	NOT OBSERVED	New Year's Eve	Office Closed	New Year's Eve	NOT OBSERVED



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
8/21/20 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.

Memorandum

Date: August 21, 2020

To: Department Heads

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



Due to overall circumstances and current status of Coronavirus cases in Elgin, Bastrop County, and Texas in general, **City of Elgin operations will maintain its current modified Threat Level IV of the Coronavirus (COVID-19) Readiness Plan through at least Friday, September 11** - at which time we will again reassess general conditions.

The basic protocols for the current *modified Threat Level IV* are described below. City Hall, Elgin Police Department, Municipal Court, and Library will remain closed to the general public; the Recreation Center, Swimming Pool, and City Parks will remain open to the public on a very on a very limited and controlled basis. Social distancing and face coverings will continue to be required.

Department heads are to continue to monitor operations to assure the continuous provision of city services in an effective manner that is safe and responsive to both our residents and city employees.

Threat Level IV (as modified) – Normal Conditions - *Operations as usual but emphasis on hygiene and vigilance until threat is totally dissipated. All prior operational practices and protocols 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; 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) Face covering and social distancing protocols to be maintained at all times.
- (f) Appropriate & 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 available for consultation 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.

EPD STATION

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

ADMINISTRATION

- (a) *City Council Meetings continue by teleconference as needed* (with plan to go to in-person meetings ASAP).
- (b) Commissions, boards, & advisory groups meet as needed, and only through teleconferencing.

COMMUNITY LIBRARY

- (a) *Closed to the general public.*
- (b) Sidewalk Deliveries Program continues (9:00am to 4:00pm, M-F)
- (c) Social distancing protocols to be maintained at all times.
- (d) Face covering and social distancing protocols to be maintained at all times.

RECREATION CENTER

- (a) *Partially open to general public for very limited and controlled use.*
- (b) Fitness room remains closed (although staff is developing plans for a controlled reopening)
- (c) Protective screens at all public counter space; with spacing markers provided.
- (d) Face covering and social distancing protocols to be maintained at all times.

FLEMING CENTER

- (a) *Closed until such time as City resources are sufficient to maintain on-going proper sanitization*

SWIMMING POOL

- (a) *Open to general public on weekends through Labor Day; closed for season thereafter*
- (b) Face covering and social distancing protocols to be maintained at all times.
- (c) Pool divided into three (3) lanes; Families/groups can reserve exclusive use for up to 1 hour
- (d) Water Aerobics continues on Tuesdays and Thursdays through the end of September. Lap Lane rentals continues weekends only until 9/7 (Labor Day Weekend).

CITY PARKS

- (a) *All facilities open to the public with social distancing*
- (b) Face covering and social distancing protocols to be maintained at all times.
- (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 closed (City resources not available to maintain appropriate sanitization)

EMPLOYEE PRACTICES

- (a) Full staffing in all departments, as well as routine operations and services, will be maintained.
- (b) Face covering and social distancing protocols to be maintained at all times.
- (c) Employees directed to not report to work if sick or show signs or symptoms of illness.
- (d) Virtual and/or on-line remote meetings encouraged in all settings.

All are encouraged to do their part to help slow the spread of COVID-19 by staying home when sick or exhibiting symptoms of illness, wearing cloth face coverings, practicing social distancing, making only essential trips from home, not gathering in groups more than ten, and washing hands frequently.

Let me know if you have any questions or comments.



Thomas L. Mattis
City Manager



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.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of schedule for adoption of the FY2020-21 Annual Budget and Property Tax Rate

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested at this time.

BACKGROUND:

This item is for general review and discussion of the currently planned schedule moving forward with deliberations and adoption of the FY20-21 Annual Budget and associated Property Tax Rate for all city funds for the ensuing fiscal year, which begins October 1, 2020.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of the schedule for adoption of the FY2020-21 Annual Budget and Property Tax Rate; and direction to staff, if any, as appropriate

ATTACHMENTS:

Memorandum – Budget Calendar

- { } 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: April 20, 2020

To: Mayor and City Council
Department Heads

Subject: Calendar for Formulation and Adoption of
FY2020-21 Annual Operating Budget
and 2020 Five-Year Capital Plan



Following is a projected schedule relating to the development and formal adoption of the *2020 Five-Year Capital Plan* and the *FY2020-21 Annual Operating Budget* for the City of Elgin in accordance with the City Charter and applicable state law:

APRIL

Wednesday, April 29, 2020.....Briefing of departmental staff by City Manager and Director of Finance on the budget development process

MAY

Friday, May 8, 2020Deadline for submission of departmental requests for inclusion in the Proposed *2020 Five-Year Capital Plan (5YRCP)*

Monday, May 11 through

Friday, May 22, 2020..... Review and consideration of departmental 5YRCP requests by City Manager, Director of Finance, and applicable Department Heads (as needed)

Friday, May 22, 2020..... Deadline for submission of departmental requests for funding **program changes** within the Proposed *FY2020-21 Annual Operating Budget*

JUNE

Tuesday, June 2, 2020.....**Presentation of Proposed 2020 Five-Year Capital Plan**
(Regular Council Meeting) **to Mayor and City Council by City Manager**

Tuesday, June 9, 2020.....City Council 5YRCP Review/ Work Session (*tentative**)
(Special Called Meeting)

Monday, June 8 through

Friday, July 17, 2020.....Review and consideration of program change requests and straight-line budget projections by City Manager, Director of Finance, and applicable Department Heads (as needed)

JULY

Tuesday, July 7, 2020..... Public Hearing on Proposed *2020 Five Year Capital Plan*
(Regular Council Meeting)

AUGUST

Tuesday, August 4, 2020.....Presentation of Proposed FY2020-21 Annual Operating Budget to Mayor & City Council by City Manager
(Regular Council Meeting)

....Resolution formally adopting the 2020 Five-Year Capital Plan

....Set dates for public hearings on tax rate.

Wednesday, August 5, 2020.....Publish General Budget Summary

Tuesday, August 11, 2020.....Council Budget Review/ Work Session (tentative*)

Wednesday, August 12, 2020.....Publish Effective Property Tax Rate & Rollback Calculation

.... Publish Notice of 1st Public Hearing on Tax Rate and Budget

Tuesday, August 25, 2020.....Council Budget Review/ Work Session (tentative*)

+++++

SEPTEMBER

Tuesday, September 1, 2020.....First Public Hearing on Tax Rate and Proposed FY2020-21 Annual Budget
(Regular Council Meeting)

Tuesday, September 8, 2020.....Council Budget Review/ Work Session (tentative*)

Tuesday, September 15, 2020.....Second Public Hearing on Proposed Tax Rate and Budget
(Regular Council Meeting)

...**First Reading** of Appropriations Ordinance Adopting FY2020-21 Annual Operating Budget and Tax Rate

Tuesday, September 22, 2020.....Second Reading and Final Adoption of Appropriations Ordinance and Tax Rate Ordinance for FY 2019-20
(Special Called Council Meeting)

Sunday, September 27, 2020.....Deadline established by City Charter for final adoption of FY2020-21 Annual Operating Budget
("The budget shall be finally adopted not later than three {3} calendar days prior to the end of the fiscal year")

+++++

OCTOBER

Thursday October 1, 2020.....Beginning of FY2020-21 Fiscal Year

Please let me know at your earliest convenience if you have any comments or questions; or require additional information regarding the budget development process.



Thomas L. Mattis
City Manager

***Tentative dates for Council Budget Work Sessions. Actual number and schedule for work sessions to be determined by City Council.**



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Departmental Monthly Report – Period ending July 31, 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 July 31, 2020. Summary Comments by Dept.

HR- Two new hires and no separations last month.

Municipal Court- Court is still closed for trials but cases are still being handled on-line and by phone. Decrease in new cases filed as expected, due to Covid-19. Y-t-d collections retained by the City at +16%.

Develop. Serv.- Increases in number of permits issued (19%) and inspections (54%) reflects continued developmental activity.

Library- Materials circulated and program participation are showing signs of coming back.

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

Public Works – Pothole patching, and crack sealing program are ahead of last year overall. CWork continued to be done on extending Roy Rivers Blvd.

Water – Revenue y-t-d up (6%) despite lower consumption (-4%). 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 (-17%) Revenue is up by 0.5%. Two manholes were added to help flow from Park Street to Avenue F.

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

Police – The total of all Indexed Crimes are down from previous year by (-17%). Aggravated assaults show increases over prior year by 3 over last year. (NOTE: Statistics shown for the Police Department reflect fiscal year, that is from October 1st thru July 31st, 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 July, 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 July 31, 2020

Administration	July '19	July '20	%	YTD 7-31-19	YTD 7-31-20	%
Human Resources						
Total FTE - Filled Positions	-	106.0	⇒ 0%			
Vacancies - all funds	-	7	⇒ 0%			
New Hires	1	2	↑ 100%	58	18	↓ -69%
Separations	5	-	↓ -100%	28	14	↓ -50%
Municipal Court						
Total Active Cases Pending (beg. of Month)	15,991	15,885	↓ -1%			
New Cases Filed (incl reactivation of inactive)	376	102	↓ -73%	3,733	2,373	↓ -36%
# of Magistrations	41	23	↓ -44%	357	285	↓ -20%
Total Cases Disposed of	330	97	↓ -71%	2,399	2,292	↓ -4%
Cases placed on Inactive Status	63	-	↓ -100%	616	538	↓ -13%
Total Active Cases Pending (end of Month)	16,037	15,890	↓ -1%			⇒
Fines Collected	\$ 44,894	\$ 25,374	↓ -43%	\$ 420,825	\$ 384,116	↓ -9%
Retained by City	\$ 26,836	\$ 21,842	↓ -19%	\$ 256,049	\$ 296,314	↑ 16%
Development Services						
Construction Permits (all types)	30	36	↑ 20%	393	468	↑ 19%
Revenue from Bldg. Permits	\$ 24,041	\$ 61,925	↑ 158%	\$ 107,425	\$ 191,029	↑ 78%
Inspections (all types)	167	382	↑ 129%	1,610	2,473	↑ 54%
Revenue from Inspections	\$ 11,100	\$ 91,401	↑ 723%	49,080	302,035	↑ 515%
Housing Plats approved (number of lots)	-	-	⇒ 0%	113	350	↑ 210%
Community Services						
Library-						
Materials circulated	7,896	2,715	↓ -66%	60,122	37,140	↓ -38%
# Visitors (incl. Progs)	4,442	3,313	↓ -25%	25,506	27,874	↑ 9%
Public Computer Use hrs.	427	-	↓ -100%	3,699	1,481	↓ -60%
Public Computer Use Persons	685	-	↓ -100%	5,128	2,546	↓ -50%
Civic Center - Rentals (all)	40	-	↓ -100%	349	138	↓ -60%
Recreation Program -						
Annual Memberships	7	-	↓ -100%	138	48	↓ -65%
Monthly Rec Memberships	201	7	↓ -97%	1,250	965	↓ -23%
Facility Rental Fleming Center	23	-	↓ -100%	103	251	↑ 144%
Facility Rental Recreation Center	9	-	↓ -100%	52	122	↑ 135%
Sponsored Events	\$ -	\$ 30	⇒ 0%	\$ 3,545	\$ 7,319	↑ 106%
Public Works						
Streets:						
Lane miles Inventoried	56.9	57.83	↑ 2%	455	463	↑ 2%
Pot holes patched - Square Yards	49.98	24	↓ -52%	94	397	↑ 321%
Wide Area patching/renovation - SY	216.58	549.28	↑ 154%	1,212	1,003	↓ -17%
Crack Seal Lbs of Sealant	-	-	⇒ 0%	4,040	8,520	↑ 111%
Drainage:						
Linear feet of drains cleaned	14,665	9,419	↓ -36%	127,377	121,180	↓ -5%
# Culverts Cleared	-	-	⇒ 0%	16	3	↓ -81%
Parks:						
Acres Mowed/maintained	480	240	↓ -50%	N/A	2,780	⇒ 0%
Reserved Park Facilities	-	-	⇒ 0%	N/A	-	⇒ 0%
# Organized Sports Events	-	-	⇒ 0%	N/A	-	⇒ 0%



Monthly Report of Operations

As of July 31, 2020

Utilities	July '19	July '20	%	YTD 7-31-19	YTD 7-31-20	%
Water System:						
# Customers Total/Added by month *		(6)	→	3,380	17	
Amount Billed	\$242,354	\$271,642	↑ 12%	\$ 1,785,065	\$ 1,895,254	↑ 6%
Meters Replaced	-	-	→ 0%	30	235	↑ 683%
# Leaks Repaired	20	8	↓ -60%	165	30	↓ -82%
Vol. water produced (x1,000 gallons)	40,120	40,739	↑ 2%	339,893	324,780	↓ -4%
Main Line Breaks	3	2	→ 0%	23	11	↓ -52%
Service Line Breaks	1	5	↑ 400%	27	24	↓ -11%
Wastewater System:						
# Customers Total/Added by month *		(9)		3,064	2	
Amount Billed	\$ 155,802	\$ 162,657	↑ 4%	\$ 1,258,097	\$ 1,263,969	↑ 0.5%
Main Lines repaired	5	1	→ 0%	17	9	↓ -47%
Lines replaced (Linear Feet.)	7	15	→ 0%	72	147	↑ 104%
Manholes Cleaned	-	10	→ 0%	-	27	→ 0%
Average Daily Flow (MGD)	0.5381	0.5671	↑ 5%	0.6850	0.5701	↓ -17%
Total Monthly Flow (MGD)	16.6823	17.0122	↑ 2%	21.2354	17.5399	↓ -17%
Trash Collection:						
# Customers Total/Added by month *		(6)	→	3,205	44	↑ 1%
Amount Billed	\$ 92,273	\$ 97,455	↑ 6%	\$ 832,764	\$ 907,554	↑ 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	July '19	July '20	%	YTD 7-31-19	YTD 7-31-20	%
Part I Index Offenses						
Murder (# Victims)	-	-	→ 0%	-	-	→ 0%
Rape(# Victims)	-	-	→ 0%	9	6	↓ -33%
Robbery (# Victims)	2	-	↓ -100%	7	6	↓ -14%
Aggravated Assault (# Victims)	1	1	→ 0%	7	10	↑ 43%
Total Violent Index Crimes*	3	1	↓ -67%	23	22	↓ -4%
Burglary (# premises entered)	6	2	→ 0%	35	15	↓ -57%
Theft (# offenses)	5	6	↑ 20%	113	74	↓ -35%
Auto Theft (#vehicles)	2	1	↓ -50%	11	8	↓ -27%
Arson (# premises)	-	-	→ 0%	-	2	→ 0%
Total Property Index Crimes*	13	9	↓ -31%	159	99	↓ -38%
Total Part I Index Crimes*	16	10	↓ -38%	182	121	↓ -34%
Part II Index Offenses						
Other Assaults	5	5	→ 0%	61	90	↑ 48%
Weapons	1	1	→ 0%	5	1	↓ -80%
Narcotics	5	4	↓ -20%	56	30	↓ -46%
DUI	5	2	↓ -60%	41	42	↑ 2%
All Other Part II Offenses	50	31	↓ -38%	484	406	↓ -16%
Total Part II Index Crimes*	66	43	↓ -35%	647	569	↓ -12%
Total All Index Crimes*	85	53	↓ -38%	829	690	↓ -17%

NOTE: Data recorded for the Police Dept. is based on Fiscal Year-to- Date Totals and not Calendar Year.



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: A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING THE AWARD OF AN ENGINEERING SERVICE PROVIDER CONTRACT FOR PROVIDING PLANNING, ENGINEERING, SURVEYING, GEOTECHNICAL BIDDING AND CONSTRUCTION SUPERVISION SERVICES RELATIVE TO THE COUNTY LINE ROAD RECONSTRUCTION AND IMPROVEMENT – PHASE I PROJECT.

DEPARTMENT: Finance

PROPOSED ACTION: Consider and Adopt Resolution authorizing the award of the bid for engineering services to TRC Engineering.

BACKGROUND The City issued a request for proposals from qualified engineering firms to provide service in relation to the reconstruction of County Line Road. The project consists of the redesign and reconstruction of a Section of County Line Road between North Avenue C (FM1100) and Carlson Lane as well as Raymond Johnson Road between North Avenue C (FM1100) and County Line Road.

The project will consist of removing the existing two lane road and constructing a 72' wide street section with an 120' wide right of way, to include two (2) lanes each way, a center median with left turn pockets, ribbon curbs, storm drain curb inlets and piping, sidewalks and related appurtenances. The effort will also require environmental clearance and right-of-way acquisition for much of the length of the project. The project length is approximately 5000 feet or 0.95 miles combined for the two streets. Estimated costs to be approximately \$6,052,800.00

Proposals were sought from eligible Engineering firms. A total of 6 bids were received and evaluated by staff. TRC was found to be the best qualified firm for this job.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution to select TRC Engineering for the tasks identified in the scope of work of the project.

ATTACHMENTS: Resolution

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

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

RESOLUTION NO. _____

**A RESOLUTION OF CITY OF ELGIN TEXAS, AUTHORIZING
THE AWARD OF AN ENGINEERING SERVICE PROVIDER
CONTRACT FOR PROVIDING PLANNING, ENGINEERING,
SURVEYING, GEOTECHNICAL BIDDING AND CONSTRUCTION
SUPERVISION SERVICES RELATIVE TO THE COUNTY
LINE ROAD RECONSTRUCTION AND IMPROVEMENT –
PHASE I PROJECT.**

WHEREAS, The City of Elgin, Texas has determined, based on analysis of future traffic demands, that County Line Road is in need of widening and reconstruction in order to accommodate future demands: and

WHEREAS, preliminary plans have been developed that define the scope and design criteria of the project that include removing the existing two lane road and constructing a 72' wide street section with an 120' wide right of way, to include two (2) lanes each way, a center median with left turn pockets, ribbon curbs, storm drain curb inlets and piping, sidewalks and related appurtenances; and

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services was issued on July 21, 2020 and closed on 8-18-2020 in accordance with Federal, State and local requirements; and

WHEREAS, a total of 5 (five) proposals were received by the due date and each reviewed to determine the most qualified and responsive providers for engineering services;

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

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 : That TRC Engineers be awarded a contract to provide **engineering and construction related services** for the County Line Road Reconstruction Project – Phase I.

Section 3. Contract Negotiations: That any and all contracts or commitments made with the above-named services provider is dependent upon successful negotiation of a contract with the service provider;

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 6. Effective Date. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 1st day of September, 2020.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary

County Line Road Street and Improvement Phase 1 Engineering Services Bid Tab Results

Scoring =100 %

Reviewer	Firm	Firm	Firm	Firm	Firm
	Dannenbaum	TRC	Bleyl	LAN	AEG
Tfowler	92	93	90	92	87
Jcalhoun	75	95	85	80	90
Jstabile	43	56	33	32	46
TOTAL	210	244	208	204	223

County Line Road Street and Improvement Phase 1 Engineering Services RFQ

Firm	Date	time	Rcvd by	misc
Dannenbaum	8/18/2020	11:44am	cerf email	Ack sent
TRC	8/18/2020	1:04pm	cerf email	Ack sent
Bleyl	8/18/2020	1:40pm	cerf email	Ack sent
LAN	8/18/2020	1:41pm	cerf email	Ack sent
AEG	8/18/2020	2:12pm	cerf email	Ack sent



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: CONSIDER/ADOPT A CITIZENS PARTICIPATION PLAN FOR THE TEXAS GENERAL LAND OFFICE MITIGATION STATE COMPETITION FOR 2015, 2016, AND HURRICANE HARVEY GRANT(S), (GLO-MIT).

DEPARTMENT: Public Works

PROPOSED ACTION: Consider and adopt a Citizens Participation Plan specific too the Texas General Land Office's State Competition Mitigation Grant Programs and Local Governmental Requirement found in 24 CFR §570.486 (Code of Federal Regulations).

BACKGROUND: During the years, 2015, 2016 and 2017 (Hurricane Harvey), the State of Texas and Bastrop County witnessed the most severe flooding disasters and Hurricane in recent history. The Federal Government has deemed Bastrop County and all cities within the county as Most Impacted and Distressed (MID) and therefore the City of Elgin is authorized to enter into the application process. In order to be eligible to have applications considered, the City must have a "Citizens Participation Plan" that outlines the Complaint/Grievance Process and a 14-day Public Notice for review of the application, comments and responses.

Adoption of the Plan proposed here will meet the City's compliance requirements.

BUDGET/FINANCIAL IMPACT: None

RECOMMENDATION: Consider and adopt a Citizens Participation Plan specific too the Texas General Land Office's State Competition Mitigation Grant Programs and Local Governmental Requirement found in 24 CFR §570.486 (Code of Federal Regulations).

ATTACHMENTS: Citizens Participation Plan

- { }** 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 Assistant Public Works Director at their earliest convenience.

**THE CITY OF ELGIN
CITIZEN PARTICIPATION PLAN
TEXAS GENERAL LAND OFFICE (GLO) COMMUNITY DEVELOPMENT BLOCK
GRANT MITIGATION (CDBG-MIT) PROGRAM**

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas General Land Office Community Development Block Grant Mitigation (CDBG-MIT) Program and Local Government Requirements found in 24 CFR §570.486 (Code of Federal Regulations). Citizens can obtain a copy of these procedures at the City of Elgin, 310 N. Main Street, Elgin, TX 78621, 512-285-5721 during regular business hours.

Below are the formal complaint and grievance procedures regarding the services provided under the CDBG-MIT project(s).

1. A person who has a complaint or grievance about any services or activities with respect to the CDBG-MIT project(s), whether it is a proposed, ongoing, or completed CDBG-MIT project(s), may during regular business hours submit such complaint or grievance, in writing to the City Manager, at PO Box 591 or 310 N. Main Street, Elgin, TX 78621 or may contact 512-285-5721.
2. A copy of the complaint or grievance shall be transmitted by the City Manager to the entity that is the subject of the complaint or grievance and to the City Attorney within five (5) working days after the date of the complaint or grievance was received.
3. The City Manager shall complete an investigation of the complaint or grievance, if practicable, and provide a timely written answer to person who made the complaint or grievance within ten (10) days.
4. If the investigation cannot be completed within ten (10) working days per 3 above, the person who made the grievance or complaint shall be notified, in writing, within fifteen (15) days where practicable after receipt of the original complaint or grievance and shall detail when the investigation should be completed.
5. If necessary, the grievance and a written copy of the subsequent investigation shall be forwarded to the CDBG-MIT program for their further review and comment.
6. If appropriate, provide copies of grievance procedures and responses to grievances in both English and Spanish, or other appropriate language.

TECHNICAL ASSISTANCE

When requested, the City shall provide technical assistance to groups that are representative of persons of low- and moderate-income in developing proposals for the use of CDBG-MIT funds. The City, based upon the specific needs of the community's residents at the time of the request, shall determine the level and type of assistance.

PUBLIC OUTREACH EFFORTS

The City shall provide for reasonable public notice, appraisal, examination, and comment on the activities proposed for the use of CDBG-MIT funds. These efforts shall include:

1. Provide for and encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas and areas in which CDBG-MIT funds are proposed to be used;
2. Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to an entity's proposed and actual use of CDBG-MIT funds;
3. Furnish citizens information, including but not limited to:
 - a) the amount of CDBG-MIT funds expected to be made available
 - b) the range of activities that may be undertaken with the CDBG-MIT funds
 - c) the estimated amount of the CDBG-MIT funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons
 - d) if applicable, the proposed CDBG-MIT activities likely to result in displacement and the entity's anti- displacement and relocation plan
4. Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the entity's application to the state. Substantially changed means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state; and
5. These outreach efforts may be accomplished through one or more of the following methods:
 - a) Publication of notice in a local newspaper—a published newspaper article may be used so long as it provides sufficient information regarding program activities and relevant dates;
 - b) Notices prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups;
 - c) Posting of notice on the local entity website (if available);
 - d) Public Hearing; or
 - e) Individual notice to eligible cities and other entities as applicable using one or more of the following methods:
 - Certified mail
 - Electronic mail or fax
 - First-class (regular) mail
 - Personal delivery (e.g., at a Council of Governments [COG] meeting)

PUBLIC HEARING PROVISIONS (IF APPLICABLE)

If a public hearing is scheduled and conducted by a CDBG-MIT applicant or recipient, the following public hearing provisions shall be observed:

1. Furnish citizens information, including but not limited to:
 - (a) The amount of CDBG-MIT funds available per application;
 - (b) The range of activities that may be undertaken with the CDBG-MIT funds;
 - (c) The estimated amount of the CDBG-MIT funds proposed to be used for activities that will meet the national objective of benefit to low- and moderate-income persons; and
 - (d) The proposed CDBG-MIT activities likely to result in displacement and the unit of general local government's antidisplacement and relocation plans required under 24 CFR 570.488.

2. Public notice of any hearings must be published at least seventy-two (72) hours prior to the scheduled hearing. The public notice must be published in a local newspaper. Each public notice MUST include the DATE, TIME, LOCATION and TOPICS to be considered at the public hearing. A published newspaper article may also be used to meet this requirement so long as it meets all content and timing requirements. Notices should also be prominently posted in public buildings and distributed to local Public Housing Authorities and other interested community groups.
3. Each public hearing shall be held at a time and location convenient to potential or actual beneficiaries and will include accommodation for persons with disabilities. Persons with disabilities must be able to attend the hearings and an applicant must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to each hearing.
4. When a considerable number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter will be present to accommodate the needs of the non-English speaking residents.
5. City may conduct a public hearing via webinar if they also follow the provisions above. If the webinar is used to conduct a public hearing, a physical location with associated reasonable accommodations must be made available for citizens to participate so as to ensure that those individuals without necessary technology are able to participate.
6. If applicable, the locality must retain documentation of the hearing notice(s), attendance lists, minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three years after the project is closed out. Such records must be made available to the public in accordance with Chapter 552, Government Code.

Chris Cannon, Mayor
City of Elgin

Date

LA CIUDAD DE ELGIN
PLAN DE PARTICIPACIÓN DEL CIUDADANO
TEXAS GENERAL LAND OFFICE (GLO) PROGRAMA DE MITIGACION (CDBG-
MIT) BLOQUE DE DESARROLLO COMUNITARIO

PROCEDIMIENTOS DE QUEJAS

Estos procedimientos de queja cumplen con los requisitos del Programa de Recuperación de Desastres (CDBG-MIT) y los Requisitos de Gobiernos Locales del Código de Regulaciones Federales (CFR §570.486). Los ciudadanos pueden obtener una copia de estos procedimientos en la ciudad de Elgin, 310 N. Main Street, Elgin, TX 78621, 512-285-5721 (Teléfono) durante las horas de negocio.

A continuación se presentan los procedimientos formales de quejas y quejas en relación con los servicios prestados en el marco del proyecto (s) CDBG-MIT.

1. Una persona que tenga una queja o queja acerca de cualquier servicio o actividad con respecto al (los) proyecto (s) CDBG-MIT, si se trata de un proyecto (s) CDBG-MIT propuesto, en curso o terminado, presentar dicha queja o queja, por escrito al PO Box 591 o 310 N. Main Street, Elgin, TX 78621 o puede llamar a 512-285-5721 (teléfono).
2. Una copia de la queja o queja será transmitida por el Administrador de la ciudad a la entidad que es el sujeto de la queja o queja y al Abogado de la ciudad dentro de los cinco (5) días hábiles después de la fecha de la queja o queja fue recibida .
3. El Administrador de la ciudad completará una investigación de la queja, si es factible, y proporcionará una respuesta escrita a tiempo a la persona que hizo la queja o queja dentro de diez (10) días.
4. Si la investigación no puede completarse dentro de los diez (10) días hábiles por no. 3 anterior, la persona que hizo la queja o queja será notificada por escrito dentro de los quince (15) días cuando sea posible después de recibir la queja o queja original y detallará cuándo debe concluirse la investigación.
5. Si es necesario, la queja y una copia escrita de la investigación posterior serán enviadas al programa CDBG-MIT para su revisión y comentario.
6. Si es apropiado, proporcione copias de los procedimientos de quejas y respuestas a las quejas en inglés y español, u otro idioma apropiado.

ASISTENCIA TÉCNICA

Cuando se le solicite, la ciudad proporcionará asistencia técnica a grupos que sean representativos de personas de ingreso bajo o moderado en el desarrollo de propuestas para el uso de fondos de CDBG-MIT. La ciudad, basado en las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, determinará el nivel y tipo de asistencia.

ESFUERZOS PUBLICOS

La ciudad proporcionará un aviso público razonable, evaluación, examen y comentario sobre las actividades propuestas para el uso de fondos de CDBG-MIT. Estos esfuerzos incluirán:

1. Proveer y fomentar la participación ciudadana, en particular por personas de ingresos bajos y moderados que residen en áreas de tugurios o áreas deterioradas y áreas en las cuales se proponen utilizar fondos de CDBG-MIT;
2. Asegurar que los ciudadanos tendrán acceso razonable y oportuno a las reuniones locales, información y registros relacionados con el uso propuesto y real de fondos de CDBG-MIT por parte de la entidad;
3. Proporcionar información a los ciudadanos, incluyendo pero no limitado a:
 - a) la cantidad de fondos CDBG-MIT que se espera estén disponibles
 - b) la gama de actividades que se pueden emprender con los fondos CDBG-MIT
 - c) el monto estimado de los fondos CDBG-MIT que se propone utilizar para actividades que cumplan el objetivo nacional de beneficio para personas de ingresos bajos y moderados
 - d) si procede, las actividades propuestas de CDBG-MIT que puedan resultar en desplazamiento y el plan de desplazamiento y deslocalización de la entidad
4. Proporcionar a los ciudadanos un aviso anticipado razonable y la oportunidad de comentar sobre las actividades propuestas en una solicitud al estado y, para las subvenciones ya realizadas, actividades que se proponen agregar, eliminar o cambiar sustancialmente de la aplicación de la entidad al estado . Cambios sustanciales significa cambios hechos en términos de propósito, alcance, ubicación o beneficiarios según lo definido por los criterios establecidos por el estado; y
5. Estos esfuerzos de divulgación pueden lograrse a través de uno o más de los siguientes métodos:
 - a) Publicación de un aviso en un periódico local: se puede utilizar un artículo de periódico publicado siempre que proporcione información suficiente sobre las actividades del programa y las fechas pertinentes;
 - b) Avisos destacados en edificios públicos y distribuidos a las Autoridades Locales de Vivienda ya otros grupos comunitarios interesados;
 - c) Publicación de aviso en el sitio web de la entidad local (si está disponible);
 - d) Audiencia pública; o
 - e) Notificación individual a ciudades elegibles y otras entidades según sea aplicable usando uno o más de los siguientes métodos:
 - Correo certificado
 - Correo electrónico o fax
 - Correo de primera clase (normal)
 - Entrega personal (por ejemplo, en una reunión del Consejo de Gobiernos [COG])

DISPOSICIONES PARA LA AUDIENCIA PÚBLICA (SI ES APLICABLE)

Para cada audiencia pública programada y conducida por un solicitante o receptor de CDBG-MIT, se observarán las siguientes disposiciones de audiencia pública:

1. Proporcionar a los ciudadanos información, que incluye pero no se limita a:
 - a) La cantidad de fondos de CDBG-MIT disponibles por solicitud;
 - b) El rango de actividades que se pueden realizar con los fondos de la CDBG-MIT;

- c) El monto estimado de los fondos de CDBG-MIT propuestos para ser utilizados en actividades que cumplirán el objetivo nacional de beneficiar a las personas de ingresos bajos y moderados; y
 - d) Las actividades propuestas de CDBG-MIT que probablemente resulten en desplazamiento y la unidad de los planes generales de antidesubicación y reubicación del gobierno local requeridos bajo 24 CFR 570.488
2. El aviso público de cualquier audiencia debe ser publicado por lo menos setenta y dos (72) horas antes de la audiencia programada. El aviso público debe ser publicado en un periódico local. Cada aviso público DEBE incluir la FECHA, TIEMPO, LOCALIZACIÓN y TEMAS a ser considerados en la audiencia pública. Un artículo de periódico publicado también puede usarse para cumplir este requisito, siempre y cuando cumpla con todos los requisitos de contenido y tiempo. Los avisos también deben ser destacados en los edificios públicos y distribuidos a las Autoridades Locales de Vivienda ya otros grupos comunitarios interesados.
 3. Cada audiencia pública se celebrará en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidades. Las personas con discapacidades deben ser capaces de asistir a las audiencias y el solicitante debe hacer arreglos para las personas que requieren ayudas auxiliares o servicios si se ponen en contacto por lo menos dos días antes de cada audiencia.
 4. Cuando un número significativo de residentes que no hablan inglés puede ser razonablemente esperado para participar en una audiencia pública, un intérprete estará presente para acomodar las necesidades de los residentes que no hablan inglés.
 5. La ciudad puede conducir una audiencia pública vía webinar si también siguen las disposiciones anteriores. Si el seminario web se utiliza para llevar a cabo una audiencia pública, debe ponerse a disposición de los ciudadanos un lugar físico con adaptaciones razonables asociadas para garantizar que los individuos sin la tecnología necesaria puedan participar.
 6. Si es aplicable, la localidad debe conservar la documentación de los avisos de audiencia, las listas de asistencia, las actas de las audiencias y cualquier otro registro referente al uso real de los fondos por un período de tres años después del cierre del proyecto. Dichos registros deben ponerse a disposición del público de conformidad con el Capítulo 552, Código del Gobierno.

Chris Cannon, Alcalde
La ciudad de Elgin

Date



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: An ordinance amending Chapter 46, Article IV, Code of Ordinances, City of Elgin, Texas by amending Division 9, "I" General Industrial District; and providing for a savings clause and repealing conflicting ordinances or resolutions.

DEPARTMENT: Development Services

PROPOSED ACTION: Discussion, consideration, and action an ordinance amending Chapter 46, Article IV, Code of Ordinances, City of Elgin, Texas by amending Division 9, "I" General Industrial District; and providing for a savings clause and repealing conflicting ordinances or resolutions.

BACKGROUND: See attached Planning & Zoning Commission staff report for additional information.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: The Planning and Zoning Commission recommended approval on August 24, 2020.

ATTACHMENTS:

Planning & Zoning Commission Staff Report, Ordinance, Zoning Maps

{ } 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.



Development Service Department

STAFF REPORT

Ordinance amending Chapter 46, Article IV, Code of Ordinances, City of Elgin, Texas by amending Division 9, "I" General Industrial District; providing for a savings clause and repealing conflicting ordinances and resolutions.

Date: August 14, 2020

Hearing Dates: Planning & Zoning Commission – August 24, 2020
City Council – September 1, 2020

REQUEST SUMMARY

City staff is requesting modification to the Zoning Code to remove sleeping facilities for caretakers and night watchman, bakery, and other C-2 commercial uses within the General Industrial "I" zoning category.

STAFF ANALYSIS

The removal of these uses from the General Industrial zoning category would allow for a more specialized zoning category dedicated to only industrial uses. At the present time, the only areas that are zoned industrial are near the railroad tracks around downtown, the industrial area on State Road 95 North, and the Elgin Business Park (see attachment 2). Most of these areas are already developed and few vacant parcels exist in the City. These areas are also very limited on the zoning map (see attachment 2). Meanwhile the commercial zoning is mostly located in the downtown area, along U.S. Hwy 290, and S.R. 95 North and accommodates a much larger footprint on the zoning map (see attachment 2, red areas). Large acreages are at present time are vacant and can allow for ample commercial development independent of the land within the industrial zoning.

Staff believes it is not in the best interest of the City's development pattern to continue to allow commercial uses within the industrial zoning district. Especially since the commercial zoned parcels are more undeveloped and accommodates a larger area of the overall zoning than the industrial zoning. In review of the zoned industrial areas, most of the land has industrial uses on it or is vacant and would be unaffected by this proposed change. In the case of any parcels with commercial uses, the commercial uses would not be affected by this change and would continue to operate as normal. However, should that use discontinue or the building be destroyed then only an industrial use can be placed back at this location unless the individual land is rezoned to allow for that specific or any commercial uses.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Ordinance.
2. Zoning Maps

Attachment 1

Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 46, ARTICLE IV, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, BY AMENDING DIVISION 9, "I" GENERAL INDUSTRIAL DISTRICT; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

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

I.

That Chapter 46, Article IV, Division 9, Code of Ordinances, City of Elgin, Texas, is hereby amended, which shall read as follows:

Sec. 46-440. - Uses permitted.

(a) Property and buildings in an I General Industrial District shall be used only for the following purposes:

~~(1) Any use, except a residential use, permitted in a C-2 General Commercial District. No dwelling uses except sleeping facilities for caretakers and night watchmen employed on the premises shall be permitted;~~

~~(2) Bakery;~~

~~(31)~~ Bottling works;

~~(42)~~ Book bindery;

~~(53)~~ Candy manufacturing;

~~(64)~~ Engraving plant;

~~(75)~~ Electrical equipment assembly;

~~(86)~~ Electronic equipment assembly and manufacture;

~~(97)~~ Food products processing and packing;

~~(108)~~ Furniture manufacturing;

~~(119)~~ Instrument and meter manufacturing;

~~(120)~~ Jewelry and watch manufacturing;

~~(131)~~ Laundry and cleaning establishment;

~~(142)~~ Leather goods fabrication;

~~(153)~~ Optical goods manufacturing;

~~(164)~~ Paper products manufacturing wholesale or warehousing enterprise;

~~(175)~~ Building material sales yard and lumberyard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;

~~(186)~~ Contractor's equipment storage yard or plant, or rental equipment commonly used by contractors;

~~(197)~~ Freight or trucking yard or terminal;

~~(2018)~~ Oil field equipment storage yard;

~~(219)~~ Public utility service yard or electrical receiving yard;

provided, however, that all yard operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the use is located; provided, however, that screening shall not be required in excess of seven feet in height.

(b) The following uses when conducted within a completely enclosed building:

- (1) The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;
- (2) The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bond, cellophane, canvas, cloth, cork feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn and paint not employing a boiling process;
- (3) The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;
- (4) The manufacture and maintenance of electric and neon signs, commercial advertising structure, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like;
- (5) Manufacture of musical instruments, toys, novelties and rubber and metal stamps;
- (6) Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing;
- (7) Machine shop;
- (8) Foundry casting lightweight nonferrous metal not causing noxious fumes or odors;
- (9) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacturing of small parts only, such as coils, condensers, transformers, crystal holders and the like;
- (10) Buildings, structures and uses accessory and customarily incidental to any of the uses in this subsection.

(c) The uses permitted under this section shall be conducted in such a manner that no noxious odor, fumes or dust will be emitted beyond the property line of the lot on which the use is located.

II.

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

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

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

Alternative 1.

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

READ, PASSED, and ADOPTED on first reading this ____ day of September 2020.

ATTEST:

Chris Cannon, Mayor
City of Elgin, Texas

Lucretia Alvarez, City Secretary

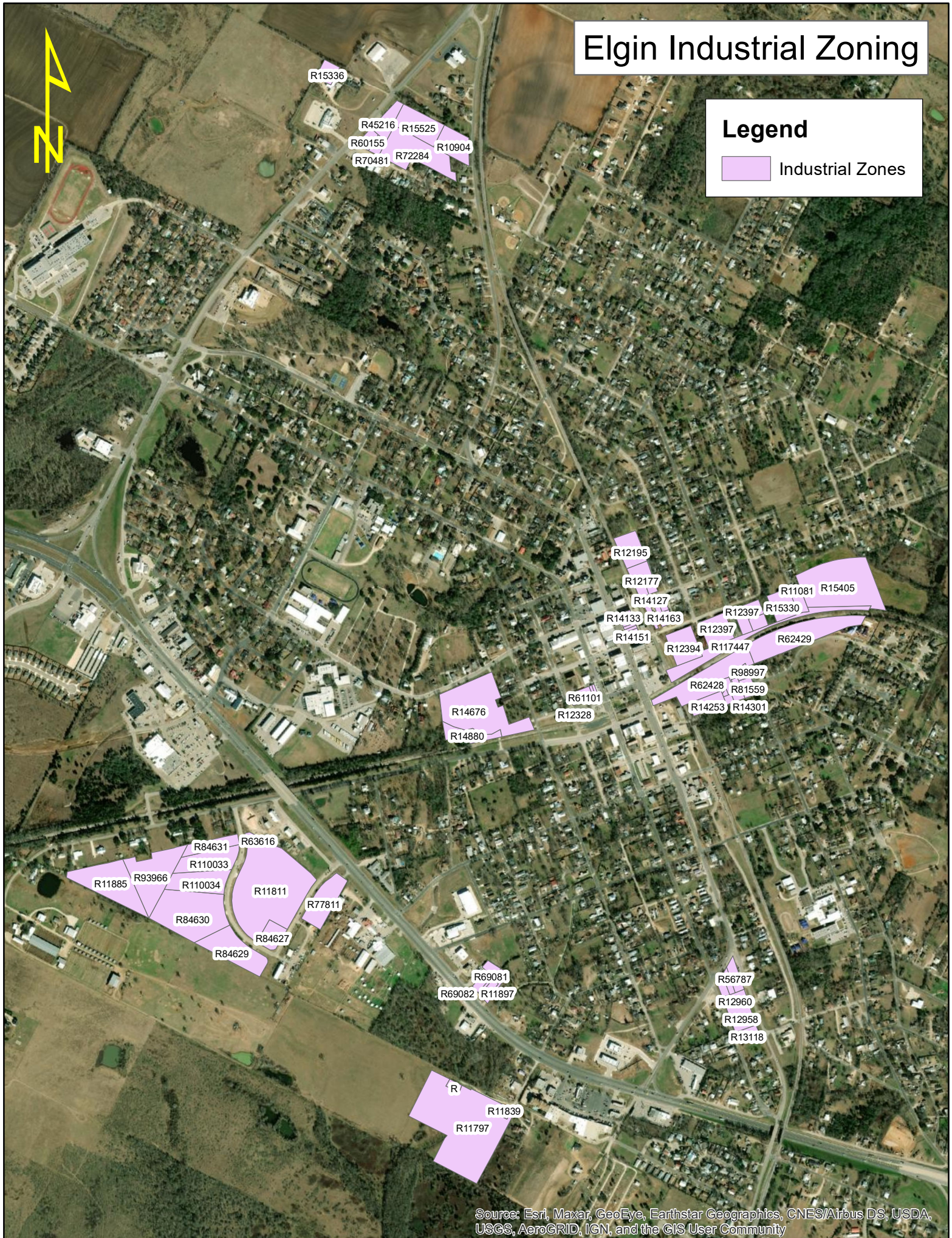
Attachment 2

Zoning Maps

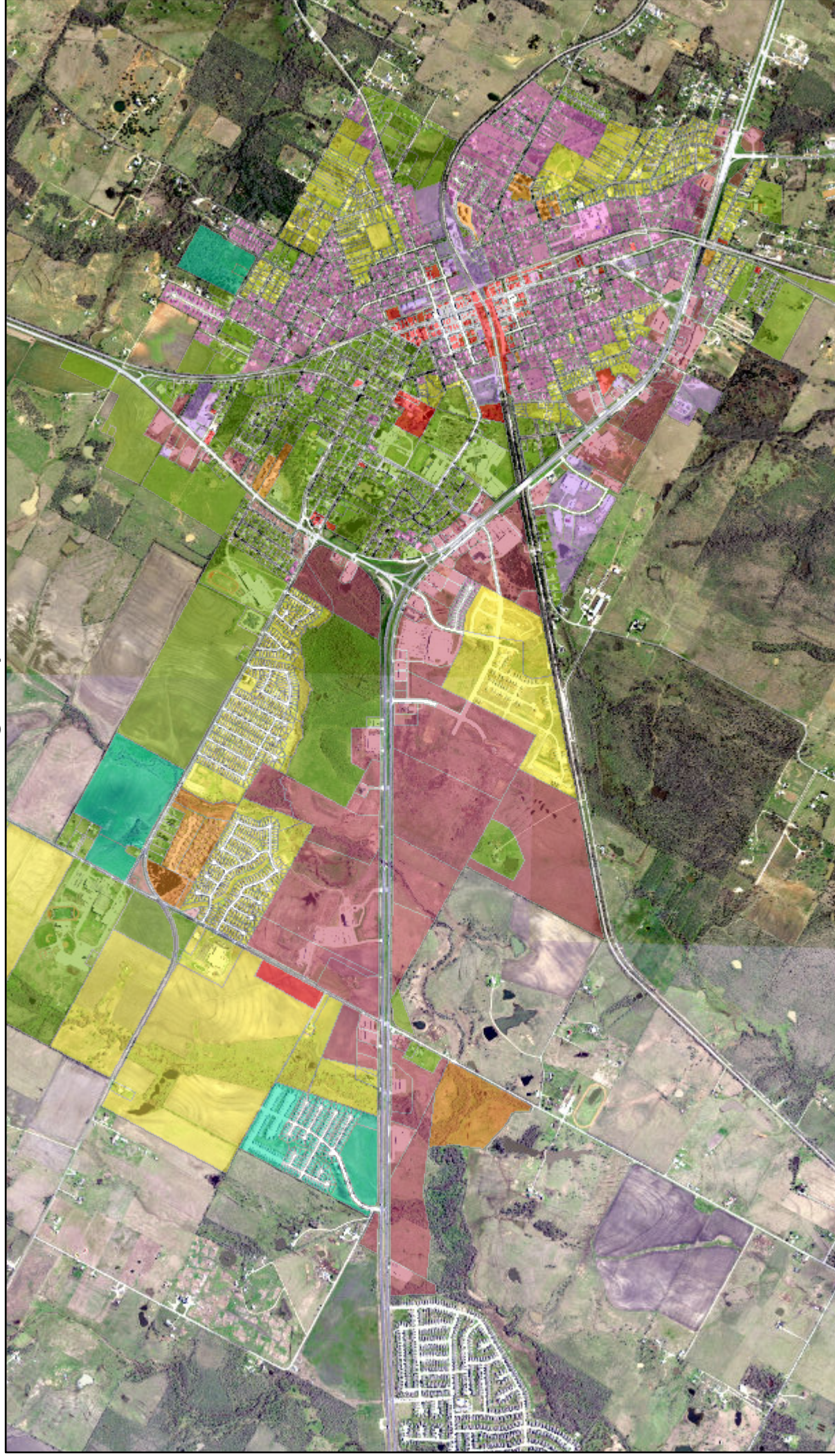
Elgin Industrial Zoning

Legend

 Industrial Zones



Zoning Map



8/14/2020, 2:27:50 PM

Zoning

■ R-1 Single Family

■ R-2 Single Family and Garage Apartment District

■ R-3 Single Family, Two-Family and Industrialized Housing District

■ PDD Planned Development District

■ A Multiple Family Residential District

■ C-1 Neighborhood Shopping District

■ C-2 General Commercial District

1:33,761

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0 0.4 0.8 1.6 km

TRC GIS, City of Elgin



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: An ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone to “I” General Industrial District the property being approximately 66.22 acres in Elgin Business Park Part III, Block A, Lot 2 & the property being 14.73 acres out of the A59 Elizabeth Standifer Survey, said tracts being more particularly described in Exhibits “A – C”; and providing for a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Development Services

PROPOSED ACTION: Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone to “I” General Industrial District the property being approximately 66.22 acres in Elgin Business Park Part III, Block A, Lot 2 & the property being 14.73 acres out of the A59 Elizabeth Standifer Survey, said tracts being more particularly described in Exhibits “A – C”; and providing for a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND: Please see attached Planning & Zoning Commission Staff Report.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: The Planning and Zoning Commission recommended approval of this item on August 24, 2020.

ATTACHMENTS:

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

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

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

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

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



Development Service Department

STAFF REPORT

Project#202000558: An ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map to wit: To rezoning to "I" General Industrial District the property being approximately 66.22 acres in Elgin Business Park Part III, Block A, Lot 2 & the property being 14.73 acres out of the A59 Elizabeth in Exhibit "A"; and providing for a savings clause and repealing conflicting ordinances and resolutions.

Date: August 24, 2020

Applicant: City of Elgin Economic Development Corporation

Representative: Owen Rock, Economic Development Director

Hearing Dates: Planning & Zoning Commission – August 24, 2020
City Council – September 1, 2020

Location: Bastrop Co. Appraisal District Parcels 47326 & 8712052

APPLICATION SUMMARY

Recommendation of a rezoning of 80.95 acres of land located generally along the railroad right-of-way and Littig Rd. and the end of Roy Rivers Road. The proposal is to change the zoning from a mixture of C-3 (Highway Commercial District) & I (General Industrial District) to I (General Industrial District) on the large parcel (red color) and rezone another parcel from R-1 (Single Family District) to I (General Industrial District) on the small parcel (green color) (see attachment 4). The rezoning will remove the C-3 zoning (red color) and retain the I zoning as presently exists on the larger parcel and rezone the smaller parcel (green color) to the I zoning (see attachment 4).

DEPARTMENT COMMENTS

The current zoning of the larger parcel (red color) was rezoned from R-1 (Single Family District) to the current mixture of C-3 (Highway Commercial District) & I (General Industrial District) to I (General Industrial District) on April 17, 2018. This was part of a larger rezoning which included the parcel now east of Roy Rivers Road which now abuts the Saratoga Farms single-family residential development. This current mixture of C-3 and I exists within the area. The smaller parcel (green color) retained its R-1 zoning when this was annexed into the City.

STAFF ANALYSIS

When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. Subtraction of uses are indicated in **red** and addition of uses are indicated in **green** for the small parcel.

R-1 District	I District
Detached single-family dwelling.	Any use, except a residential use, permitted in a C-2 General Commercial District. No dwelling uses except sleeping facilities for caretakers and night watchmen employed on the premises shall be permitted;
Churches, but not including revival tents or arbors.	Bakery;
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.	Bottling works;
Public park and playground.	Book bindery;
Library.	Candy manufacturing;
Growing of farm products.	Engraving plant;
Municipal use	Electrical equipment assembly;
Telephone exchanges.	Electronic equipment assembly and manufacture;
Home occupations.	Food products processing and packing;
Transportation and utility easements, alleys and rights-of-way	Furniture manufacturing;
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Instrument and meter manufacturing;
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	Jewelry and watch manufacturing;
	Laundry and cleaning establishment;
	Leather goods fabrication;
	Optical goods manufacturing;
	Paper products manufacturing

	wholesale or warehousing enterprise;
R-1 District	I District
	Building material sales yard and lumberyard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;
	Contractor's equipment storage yard or plant, or rental equipment commonly used by contractors;
	Freighting or trucking yard or terminal;
	Oil field equipment storage yard;
	Public utility service yard or electrical receiving yard; provided, however, that all yard operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the use is located; provided, however, that screening shall not be required in excess of seven feet in height.
	The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;
	The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bond, cellophane, canvas, cloth, cork feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn and paint not employing a boiling process;
	The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;
	The manufacture and maintenance of electric and neon signs, commercial advertising structure, light sheet metal products, including heating and

	ventilating ducts and equipment, cornices, eaves and the like;
R-1 District	I District
	Manufacture of musical instruments, toys, novelties and rubber and metal stamps;
	Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing;
	Machine shop;
	Foundry casting lightweight nonferrous metal not causing noxious fumes or odors;
	Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacturing of small parts only, such as coils, condensers, transformers, crystal holders and the like;

STAFF ANALYSIS (Cont.)

When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. Subtraction of uses are indicated in **red**, uses remaining the same are indicated in **black** for the larger parcel.

I and C-3 District Combined	I District
Any use, except a residential use, permitted in a C-2 General Commercial District. No dwelling uses except sleeping facilities for caretakers and night watchmen employed on the premises shall be permitted;	Any use, except a residential use, permitted in a C-2 General Commercial District. No dwelling uses except sleeping facilities for caretakers and night watchmen employed on the premises shall be permitted;
Bakery;	Bakery;
Bottling works;	Bottling works;
Book bindery;	Book bindery;
Candy manufacturing;	Candy manufacturing;
Engraving plant;	Engraving plant;
Electrical equipment assembly;	Electrical equipment assembly;
Electronic equipment assembly and manufacture;	Electronic equipment assembly and manufacture;
Food products processing and packing;	Food products processing and packing;
Furniture manufacturing;	Furniture manufacturing;
Instrument and meter manufacturing;	Instrument and meter manufacturing;
Jewelry and watch manufacturing;	Jewelry and watch manufacturing;
Laundry and cleaning establishment;	Laundry and cleaning establishment;

I and C-3 District Combined	I District
Leather goods fabrication;	Leather goods fabrication;
Optical goods manufacturing;	Optical goods manufacturing;
Paper products manufacturing wholesale or warehousing enterprise;	Paper products manufacturing wholesale or warehousing enterprise;
Building material sales yard and lumberyard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;	Building material sales yard and lumberyard, including the sale of rock, sand, gravel and the like as an incidental part of the main business;
Contractor's equipment storage yard or plant, or rental equipment commonly used by contractors;	Contractor's equipment storage yard or plant, or rental equipment commonly used by contractors;
Freighting or trucking yard or terminal;	Freighting or trucking yard or terminal;
Oil field equipment storage yard;	Oil field equipment storage yard;
Public utility service yard or electrical receiving yard; provided, however, that all yard operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the use is located; provided, however, that screening shall not be required in excess of seven feet in height.	Public utility service yard or electrical receiving yard; provided, however, that all yard operations shall be so screened by ornamental walls, fences or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the use is located; provided, however, that screening shall not be required in excess of seven feet in height.
The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;	The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products;
The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bond, cellophane, canvas, cloth, cork feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn and paint not employing a boiling process;	The manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bond, cellophane, canvas, cloth, cork feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, tobacco, wood, yarn and paint not employing a boiling process;
The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;	The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;

The manufacture and maintenance of electric and neon signs, commercial advertising structure, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like;	The manufacture and maintenance of electric and neon signs, commercial advertising structure, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like;
I and C-3 District Combined	I District
Manufacture of musical instruments, toys, novelties and rubber and metal stamps;	Manufacture of musical instruments, toys, novelties and rubber and metal stamps;
Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing;	Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing;
Machine shop;	Machine shop;
Foundry casting lightweight nonferrous metal not causing noxious fumes or odors;	Foundry casting lightweight nonferrous metal not causing noxious fumes or odors;
Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacturing of small parts only, such as coils, condensers, transformers, crystal holders and the like;	Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacturing of small parts only, such as coils, condensers, transformers, crystal holders and the like;

STAFF ANALYSIS (Cont.)

Subtraction of uses are indicated in **red**, uses remaining the same are indicated in **black** for the larger parcel.

C-3 District	C-3 District	C-3 District
Advertising signs or structures.	Drug store or fountain.	Office business.
Ambulance service, office or garage.	Dry goods store.	Optometrists sales and service.
Amusement enterprises.	Hotel.	Outdoor advertising signs.
Antique shop.	Feed and fuel store.	Pawn shop.
Appliance shop.	Florist shop, greenhouse, nursery.	Pet shop.
Artists materials, supply studio. Arts school, gallery or museum.	Frozen food locker.	Pharmacy
Automobile parking lot.	Furniture repair and upholstery.	Photographer studio.
Automobile retail	Furniture store.	Printing plant.

gasoline service station.		
Baby shop.	Funeral parlor or mortuary.	Radio and television sales and service.
Bakery.	Golf course, miniature or practice range.	Recreation center.
Bank.	Grocery store or supermarket.	Research laboratories.
Barbershop.	Hardware store.	Restaurant.
Bathhouse.	Heating, ventilating or plumbing supplies, sales and service.	Self-service laundry or dry cleaning.
Beauty shop.	Interior decorating store.	Sewing machine sales, instruction. 37
Boat sales.	Ice storage locker plant, or storage house for food.	Shoe repair shop.
Book or stationery store.	Jewelry or notion store	Sporting goods sales.
Billiard hall.	Key shop.	Sign painting shop.
Bus terminal.	Laboratories, testing and experimental.	Hospital for small animals.
Camera shop.	Laundry.	Sporting goods store.
Candy store.	Leather goods shop.	Stocks and bonds broker.
Cleaning, pressing, laundry collection agency.	Lodge hall.	Storage warehouse.
Cleaning plant, commercial laundry or dry cleaning.	Meat market.	Sale of beer for off-premises consumption.
Clothing or apparel store.	Medical facility.	Tailor shop.
Commercial school or hall.	Messenger or telegraph service.	Theater.
Curio or gift shop.	Museums.	Toy store.
Cafe.	Musical instrument sales.	Travel store.
Dairy products or ice cream store.	Newspaper or magazine sales.	Travel trailer park.
Delicatessen.	Novelty club.	Used automobile sales.
Department store.	Novelty shop.	Variety store.
Dress shop.	Nursery or garden supply store.	Wholesale distributing center.
C-3 District	C-3 District	C-3 District

STAFF ANALYSIS (Cont.)

In review of the Elgin Comprehensive Plan the parcel is located within the Traditional Neighborhood Development Land Use category. This categories primary land usage is single family residential and secondary uses include attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities according to the provided map and associated land use language (see attachment 3).

The proposed zoning categories for both parcels do not match the underlying Land Use Category. However, the parcels to the immediate north (i.e. Ascension Seton) were rezoned to commercial in the past and the land use was in conflict at that time. The original 2009 Land Use Map matches the present 2016 Land Use Map incorporated in attachment 3. It is staff's opinion that the Comprehensive Plan does not properly address the growth in this area. Therefore, the Commission/Council should weigh this less against the proposed zoning changes.

It should be noted that the area consists of C-3 zoning (areas in red to the north of the parcels in attachment 4), which has the heaviest commercial uses. The I zoning category is also the heaviest use category as it currently allows all forms of industrial uses.

The area to the east consists of a mixture of C-3 and the I zoning category. This abuts up against the single-family residential and acts as a buffer, along with the roadway, from the proposed re-zoning. Therefore, there should no detrimental impact.

The large parcel already incorporates I zoning category uses and is buffered from the residential to the east the mixed C-3 and I zoning categories. To rezone the large parcel would keep its industrial uses which is no fundamental change in the heaviest uses which are industrial. Therefore there should no detrimental impact.

The small parcel is currently surrounded by the mixed C-3 and I zoning. At rezoning it would have I zoning on three (3) sides and C-3 zoning to the immediate north. Therefore, it would be best to have an I zoning. The separate I and C-3 zoning categories would have no serious detrimental effect on each other.

The area to the west is outside the City limits and under State law the County is prohibited from exercising zoning authority. Therefore, any use is allowed at the site since there is not a recorded plat or associated legal document that would limit land uses.

Based on the information within the packet and the analysis, staff has no issues or concerns regarding the rezoning request.

ATTACHMENTS

Additional information is provided through attached exhibits.

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

Attachment 1

Application

NON-PDD REZONING APPLICATION

Date: 07-17-2020

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): 47326 & 8712052; Bastrop Co.

APPLICANT

Name: City of Elgin Economic Development Corp. c/o Owen Rock, Economic Dev. Director

Postal Address: 310 N. Main St., Elgin, TX 78621

E-Mail Address: orock@ci.elgin.tx.us; Phone Number: 512-229-3226

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

	<u>Owen Rock</u>	<u>07-17-2020</u>
Signature	Printed Name	Date

Project Description:

Rezone two (2) parcels of land located within City Limits in Bastrop Co.:

1) Parcel 47326 from R-1 (Single Family District) to I (Gen. Industrial Dist.)

2) Parcel 8712052 from C-3/I combined (Highway Commercial District/Gen. Industrial Dist.)

to I (Gen. Industrial Dist.)



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



(512) 281-0119



www.elgintx.com

Attachment 2

Ordinance

ORDINANCE NO. 2020-09-01-??

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE TO “I” GENERAL INDUSTRIAL DISTRICT THE PROPERTY BEING APPROXIMATELY 66.22 ACRES IN ELGIN BUSINESS PARK PART III, BLOCK A, LOT 2 & THE PROPERTY BEING 14.73 ACRES OUT OF THE A59 ELIZABETH STANDIFER SURVEY, SAID TRACTS BEING MORE PATRICULARLY DESCRIBED IN EXHIBITS “A” – “C”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibits "A" – "C" attached hereto and incorporated here in, from "R-1" Single Family District & "C-3" Highway Commercial District / "I" General Industrial District combined, and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on August 24, 2020, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibits "A" – "C" is "I" General Industrial District, and

WHEREAS, on September 1, 2020, after proper notification, the City Council held a public hearing on the requested zoning, and

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

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

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

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" – "C" is classified as "I" General Industrial District.

II.

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

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

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

READ, PASSED, and ADOPTED on first reading this the 1st day of September 2020.

CHRIS CANNON, MAYOR

ATTEST:

Amelia Sanchez, City Secretary

STATE OF TEXAS

COUNTY OF BASTROP

LAND DESCRIPTION

Tract 2

Being 14.727 acres of land, a part of the Elizabeth Standifer Survey, Abstract 59, Bastrop County, Texas, and being part of a 94.482 acre tract conveyed to Bobby Joe Barnett et ux by deed recorded in volume 870, page 195 of the Official Records of Bastrop County, Texas. Said 14.727 acre Tract 2 being more particularly described as follows:

COMMENCING at a 1/2 inch rebar found in the Southwest line of a 60.000 acre tract conveyed to E. Roy Jones, Jr. by deed recorded in volume 790, page 139, for the East corner of a 211.8 acre tract conveyed to Roy Neidig et ux by deed recorded in volume 786, page 206, the North corner of said 94.482 acre Barnett tract, and the Westerly North corner of a 80.000 acre Tract 1 this day surveyed;

THENCE with the Southwest line of said 60.000 acre Jones tract, the Northeast line of said 94.482 acre Barnett tract, South 62 deg. 51 min. 43 sec. East 170.16 feet to a 5/8 inch rebar with cap marked "4428" set for the Westerly East corner of said 80.000 acre Tract 1 this day surveyed, the North corner and PLACE OF BEGINNING hereof;

THENCE continuing with the Southwest line of said 60.000 acre Jones tract, the Northeast line of said 94.482 acre Barnett tract, South 62 deg. 51 min. 43 sec. East - 820.02 feet to a 5/8 inch rebar with cap marked "4428" set for the Easterly North corner of said 80.000 acre Tract 1 this day surveyed, and the East corner hereof;

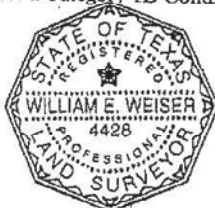
THENCE across said 94.482 acre Barnett tract, with the Easterly Northwest line of said 80.000 acre Tract 1 this day surveyed, South 27 deg. 08 min. 38 sec. West - 361.22 feet to a 5/8 inch rebar with cap marked "4428" set for an interior corner of said 80.000 acre Tract 1 this day surveyed, and an angle point hereof;

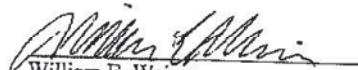
THENCE continuing across said 94.482 acre Barnett tract, with the North lines of said 80.000 acre Tract 1 this day surveyed, South 53 deg. 43 min. 08 sec. West - 191.26 feet to a 5/8 inch rebar with cap marked "4428" set, South 66 deg. 31 min. 47 sec. West at 16.35 feet pass the centerline of said 30 foot wide temporary easement this day surveyed, and continuing for a total distance of 473.83 feet to a 5/8 inch rebar with cap marked "4428" set, North 63 deg. 08 min. 20 sec. West - 429.35 feet to a 5/8 inch rebar with cap marked "4428" set for an interior corner of said 80.000 acre Tract 1 this day surveyed, and the West corner hereof;

THENCE continuing across said 94.482 acre Barnett tract, with the Westerly Southeast line of said 80.000 acre Tract 1 this day surveyed, North 26 deg. 51 min. 40 sec. East - 900.54 feet to the PLACE OF BEGINNING and containing 14.727 acres of land.

Bearings are Grid NAD 83, Texas Coordinate System Central Zone. Reference is hereby made to a plat attached hereto and made a part hereof.

I hereby certify that this description is an accurate representation of an on the ground survey completed under my supervision in April 2007 and that this survey substantially conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Condition IV Survey.




William E. Weiser
Professional Land Surveyor
Number 4428
Date of signature: 7-10-07

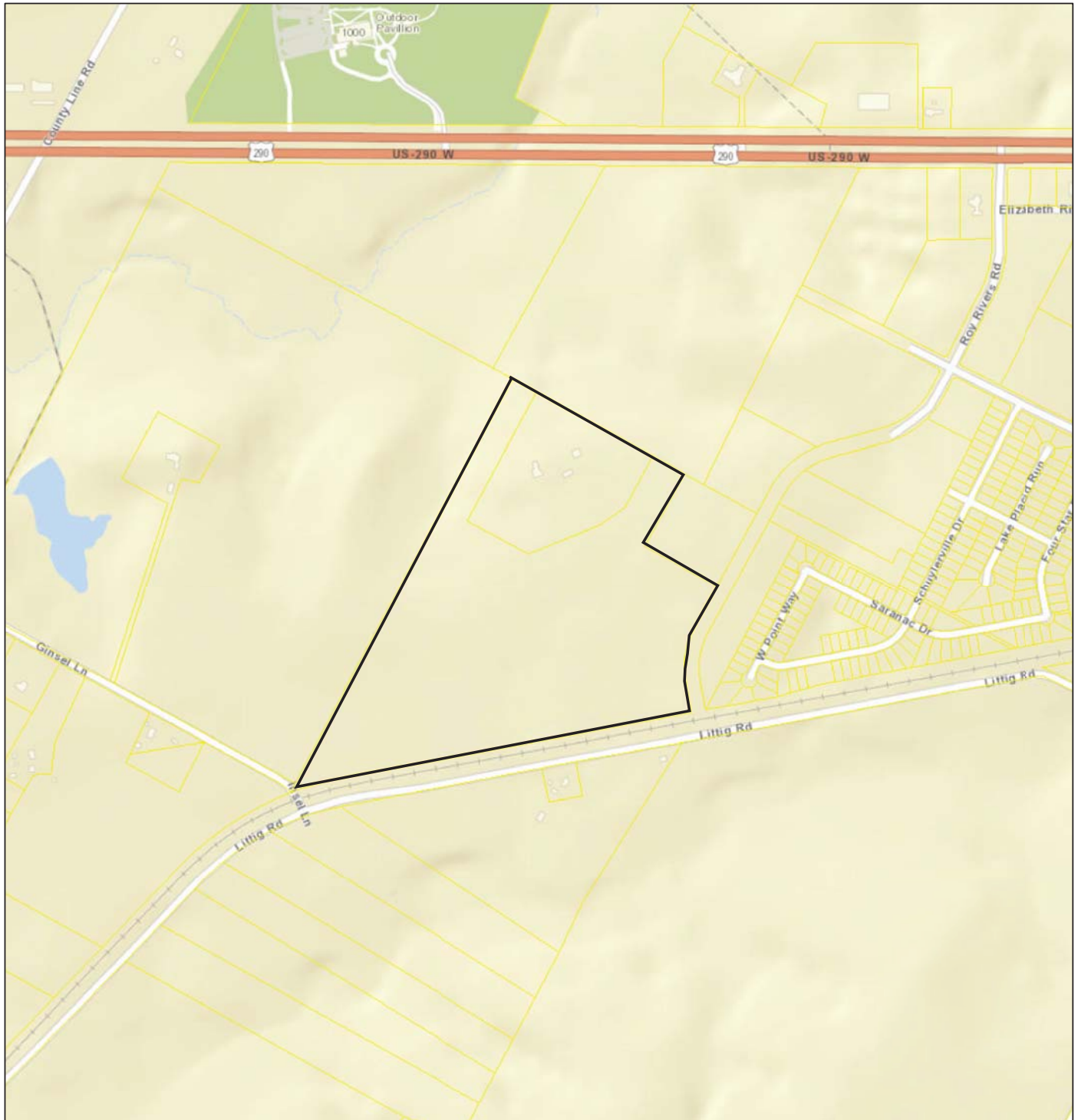
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EXHIBIT "A"

Exhibit “B”

ELGIN BUSINESS PARK PART III, BLOCK A, LOT 2

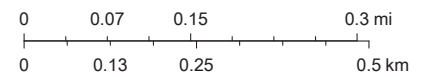
Exhibit "C"



8/5/2020, 8:57:56 AM

 Bastrop County Parcels

1:8,440



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, TRC GIS, City of Elgin

Attachment 3

Staff Added Comprehensive Plan Exhibit 4.4



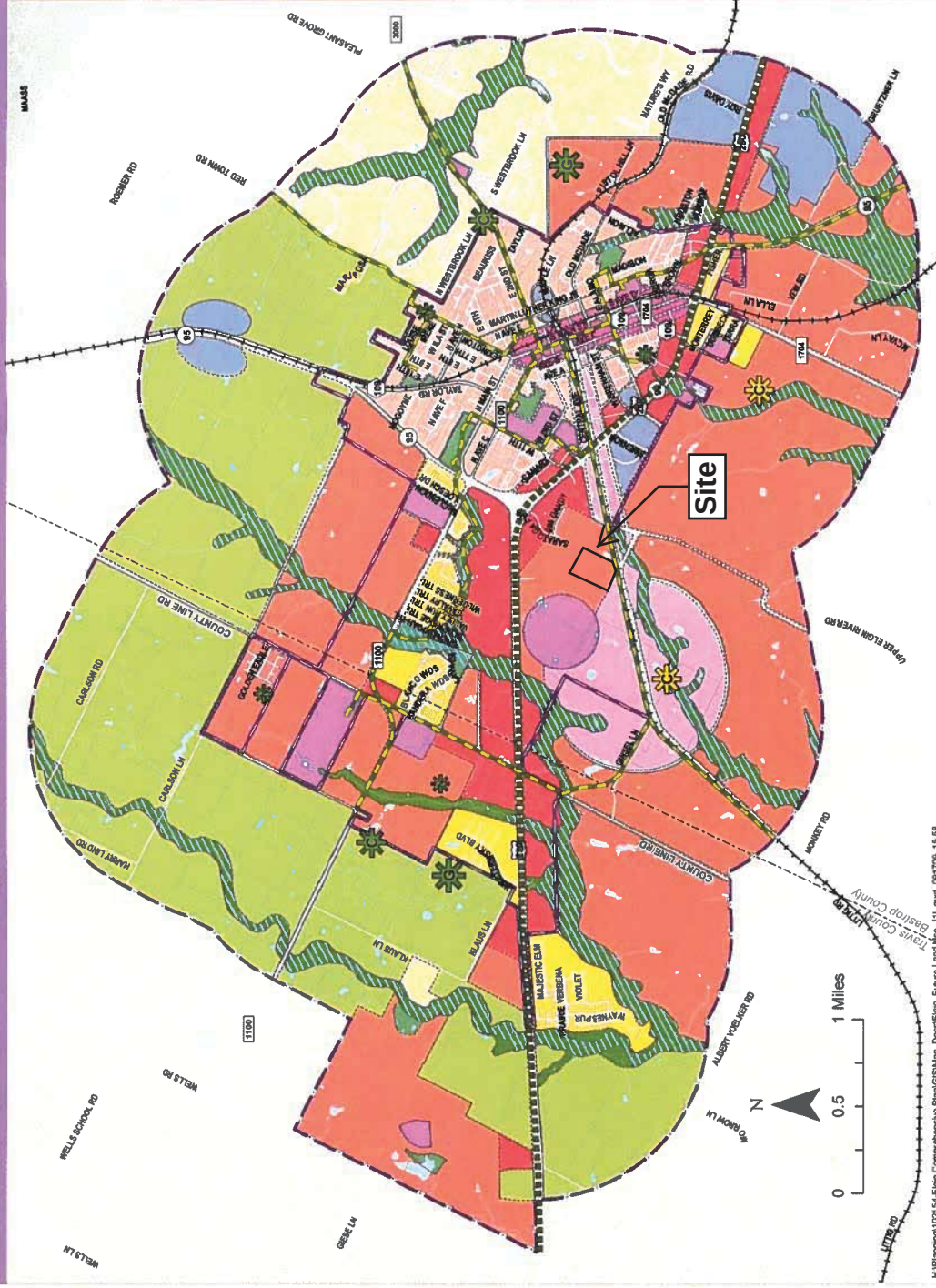
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

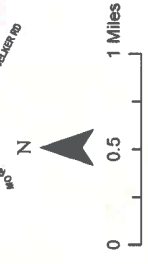
Future Land Use

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

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



Site



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

Traditional Neighborhood Development

General Description: Traditional Neighborhood Development (TND) is intended to bring the character and form of Elgin's older neighborhoods (the Central Elgin Neighborhood category) to newly developing areas of the community. Key characteristics include a grid pattern of streets with pedestrian and bicycle amenities, homes that have front porches rather than front garages, a compatible mix of housing types and land uses, and high quality landscaping and building materials.

Transect Zone: General Urban (T4)

Primary Land Use: Single Family Residential

Supporting Land Uses: Attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities. Accessory dwellings or "granny flats" are encouraged with appropriate regulations regarding lot coverage, height, and parking.

Residential Densities: Approximately 5 units per acre.

Form and Character: TND areas should be built according to a traditional grid or modified grid street pattern without the use of cul-de-sacs to promote connectivity and walkability. Homes should address the street directly with garages placed to the side or preferably the rear of the home with access from an alley or lane. Front porches should be incorporated into most homes to promote community and neighborly interaction. Buildings are typically two to three stories tall with shallow to medium setbacks that allow landscaping, while also maintaining a close connection to the street and sidewalk. Lot and home sizes vary to offer a wider range of housing choice and affordability than is typically provided in conventional subdivisions. High quality building materials and landscaping should be used to enhance the overall character of development.

Parks and Open Space: Neighborhood parks should be interspersed regularly to ensure all residents have access to park space. Smaller pocket parks, playgrounds, and greens may also be provided. Sidewalks and bike trails should provide connections to parks and playgrounds within or outside of the neighborhood. Floodplains and existing vegetated areas should be preserved and incorporated into neighborhoods as open space amenities and natural buffers from surrounding development. However, floodplains should not be used to meet the active recreation needs of the community because construction of park facilities is limited in these areas.



Attachment 4
Staff Added Zoning Map

ArcGIS Web Map

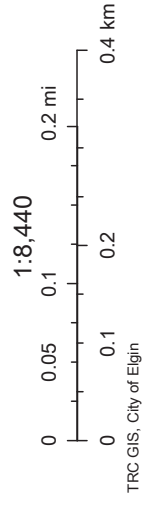


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Zoning

- R-1 Single Family
- R-2 Single Family and Garage Apartment District
- R-3 Single Family, Two-Family and Industrialized Housing District

- PDD Planned Development District
- A Multiple Family Residential District
- C-1 Neighborhood Shopping District
- C-2 General Commercial District





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Approve an Economic Development Agreement between the City of Elgin Economic Development Corporation and YERICO Manufacturing INC.

DEPARTMENT: Economic Development

PROPOSED ACTION: Approve the Economic Development Agreement

BACKGROUND: YERICO will construct a new 20,000 sq. ft. building at an approximate cost of \$1.5 million and install approximately \$0.5 million in new equipment. Additionally, YERICO will employ 10 full-time employees with pay ranging from \$15 to \$20 per hour. In response to the YERICO investment the EDC will grant YERICO five acres of land in the Elgin Business Park III. The EDC will also give YERICO a one year option to purchase another five acres in the Business Park. If YERICO decides to purchase the property they will construct a new 20,000 sq. ft. building at an approximate cost of \$1.5 million and install approximately \$0.5 million in new equipment. Additionally, YERICO will employ 10 full-time employees with pay ranging from \$15 to \$20 per hour.

On August 11th the EDC unanimously approved the Economic Development Agreement at their board meeting contingent upon the location of the two five acre lots. Since that meeting the location of the two lots has been agreed upon by YERICO.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: The EDC Board is asking the City Council to approve the Agreement

ATTACHMENTS: EDC Agreement with YERICO Manufacturing INC.

- { } 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.

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION
AND YERICO MANUFACTURING, INC AND AUTHORIZING THE MAYOR
TO APPROVE THE AGREEMENT**

WHEREAS, the City of Elgin, Texas (the “City”) desires to grant certain incentives to YERICO Manufacturing INC (the “Developer”) for the primary purpose of constructing approximately 20,000 square feet of new manufacturing space at a cost of approximately \$1.5 million, install approximately \$0.5 million in new equipment, hire approximately 10 new full time employees and locate on approximately 5 Acres within the City of Elgin, Texas; and

WHEREAS, the City has found and determined that the Economic Development Agreement will further the public interest and welfare and the potential economic benefits that will accrue to the City are consistent with the City’s economic development objectives to increase sales and use tax revenues accruing to the City and attract additional jobs, and is necessary to promote or develop new business enterprises, and

WHEREAS, the Developer has project costs including new construction costs that will be beneficial to the City, and

WHEREAS, the land grant shall not exceed Five Acres;

WHEREAS, the land option shall not exceed Five Acres

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elgin, Texas:

1. That the above recitals are true and correct.
2. That the City hereby approves the Agreement between the City of Elgin Economic Development Corporation and YERICO Manufacturing, INC
3. That the Mayor is authorized to approve the Economic Development Agreement between the City of Elgin Economic Development Corporation and YERICO Manufacturing, INC

Adopted on this 1st day of September, 2020.

CITY OF ELGIN, TEXAS

Chris Cannon, Mayor

ATTEST:

Amelia Sanchez, City Secretary

ECONOMIC DEVELOPMENT AGREEMENT

BY AND BETWEEN CITY OF ELGIN, TEXAS ECONOMIC DEVELOPMENT CORPORATION AND YERICO MANUFACTURING, INC.

This Economic Development Agreement ("Agreement") is made by and between the CITY OF ELGIN, TEXAS ECONOMIC DEVELOPMENT CORPORATION (the "EDC") and YERICO MANUFACTURING, INC (the "Company").

RECITALS:

WHEREAS, the Company desires to expand its business in Elgin with (1) construct an approximately 20,000 square foot building on the Land Grant Property at an approximate appraised value of \$1.5 million, and (2) and install approximately \$0.5 million in new equipment. Additionally, the Company will employ approximately 10 full- time employees with pay ranging from \$15 to \$20 per hour.

WHEREAS, the Company has advised the EDC that contributing factors that would induce the Company to expand their business and construct their building in the City would be an agreement with the EDC to provide a performance-based economic development grant to the Company to defray a portion of the construction costs to be incurred by the Company as a consequence of providing approximately 10 full- time employees and

WHEREAS, the EDC has found and determined that the expansion of the Company will further the public interest and welfare and the potential economic benefits that will accrue to the EDC are consistent with the EDC's economic development objectives to increase sales and use tax revenues accruing to the EDC and attract additional jobs, and is necessary to promote or develop new business enterprises, and

WHEREAS, the EDC is authorized by Chapter 501 et. seq of the Texas Local Government Code, to establish economic development programs and to provide grants for economic development, and

WHEREAS, the EDC and the Company desire to set forth in this Agreement the terms and conditions of the performance based economic development payments to be made to the Company, its successors and assigns.

AGREEMENT

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

ARTICLE I

PURPOSE AND INTERPRETATION

Objectives. The Company hereby agrees to fund certain costs associated with the construction of the new building and to comply with the terms and conditions of this Agreement.

Concept and Structure. As authorized by Chapter 501 of the Texas Local Government Code, as amended, the EDC will make certain performance-based economic development grant payments as set forth in Article III of this Agreement to the Company for the purpose of reimbursing the Project Costs incurred by the Company for the development of the Property.

ARTICLE II DEFINITIONS

"Agreement" shall mean this agreement and all attachments hereto between the EDC and the Company.

"Land Grant" shall have the meaning given to such term in Article III.B of this Agreement.

"EDC" shall mean the City of Elgin, Texas Economic Development Corporation

"Company" shall mean YERICO Manufacturing, INC or any successor thereto or assignee thereof under this Agreement.

"Project Costs" shall mean (i) cost of constructing a 20,000 sq. ft. building

"Project" shall mean (1) construct an approximately 20,000 square foot building on the Land Grant Property at an approximate value of \$1.5 million, and (2) and install an estimated \$0.5 million in new equipment. Additionally, the Company will employ approximately 10 full- time employees with pay ranging from \$15 to \$20 per hour.

"State" shall mean the State of Texas.

ARTICLE III

A. **General Statement.** The duty of the EDC to make a land and financial grant to the Company for any purpose under this Agreement is limited in its entirety by the provisions of this Agreement. Any land and financial grant made by the EDC pursuant to this Agreement shall be made pursuant to Chapter 501 of the Texas Local Government Code, as amended; and any other economic development or financing program authorized by applicable State law. No land or financial grant shall be made if the Company fails to materially comply with any terms and conditions of this Agreement, after being afforded an opportunity to cure, as stated herein.

B. **Land Grant.** The EDC hereby agrees to make a land grant to the extent now or hereafter permitted by law to the Company in the amount of five acres, which is described as the approximate location of Lot 4 on attached Exhibit A ("Land Grant Property"). The Land Grant Property will need to be platted. The estimated value of the Land Grant Property is \$653,400.

C. **Street and / or Utility Extensions:** The EDC will be responsible for extending Roy Rivers Road, if required, to provide Company access to the Land Grant Property. This extension may be a temporary road that is capable of handling construction trucks and equipment. The EDC shall deliver adequate domestic water and sanitary sewer to the site. The road/temporary road and the utility extensions shall be delivered to the site within a mutually agreeable timeframe following the closing of the Land Grant Property, which timeframe will include an adequate time for the EDC to design and construct new infrastructure. The parties shall agree upon a required completion date for these extensions.

D. Offsite Regional Storm Water Detention Facility and Water Quality Pond: EDC shall, at its sole cost and expense, develop an Offsite Regional Storm Water Detention Facility and Water Quality Pond (the “Detention Facility”) for the non-exclusive use by the Company. EDC shall design, construct, manage, keep, and maintain the Facility with no construction or operational cost to Company. EDC and the Company shall enter into an “Offsite Regional Storm Water Detention Facility Use Agreement” (the “Detention Facility Agreement”) for use of the Detention Facility. The Detention Facility Agreement shall include, at no cost and expense to Company, an easement from the Site to the Detention Facility. Company shall be allowed to flow storm water to the Detention Facility via above ground drainage.

E. Condition to Receipt of Grant Payments. No land or financial Grant Payments shall be made until and unless all terms and conditions as stated in this Agreement have been materially complied with in full after the Company has been afforded the opportunity to cure, as stated herein.

F. Phase II Five Acres: The EDC will grant the Company a one-year option on five additional acres beginning on the date this document is signed. When the one-year option has expired the EDC and the Company will mutually decide if Phase II will occur. If Phase II does not move forward the option is revoked. If Phase II does move forward the Company agrees to purchase the Phase II Five Acres for \$1 a square foot for a cost of \$217,800. The Company also agrees to construct an approximately 20,000 square foot building on the Phase II Five Acres at an approximate appraised value of \$1.5 million, and (2) and install approximately \$0.5 million in new equipment. Additionally, the Company will employ approximately 10 full- time employees with pay ranging from \$15 to \$20 per hour. The Phase II five acres will be described as the approximate location of Lot 5 on Exhibit A

ARTICLE V. COMPANY OBLIGATIONS

A. General Statement. The Land Grant and TIRZ and EDC Payments, as described above, are specifically conditioned upon the Company materially complying with all the terms and conditions of this Agreement, subject to an opportunity to cure, as stated herein. If the Company is in material default regarding any term or condition of this Agreement, and has failed to cure any default as required herein, the EDC is relieved of any obligation to make any future TIRZ or EDC Payments.

B. Company Expansion. The Company will (1) construct an approximately 20,000 square foot building on the Land Grant Property at an approximate value of \$1.5 million, and (2) and install approximately \$0.5 million in new equipment. Additionally, the Company will employ approximately 10 full- time employees with pay ranging from \$15 to \$20 per hour.

A. Expansion Timing Company will contract a superintendent and or construction manager for building construction within (3) months of closing on property. Construction of the proposed building shall commence within (6) six months of signing the contract. The building should be completed within eighteen (18) months from the beginning of construction. A Certificate of Occupancy shall be issued by the City by December 2022. The design of the building will be approved by the Design Review Committee for the Business Park.

B. **Breach of Contract**. In the event the Company fails to obtain a Certificate of Occupancy for the building on the Land Grant Property by the Completion Date, the Land Grant Property will automatically revert to the EDC. The EDC will retain a lien on the Land Grant Property until a Certificate of Occupancy is issued by the City, which will not be unreasonably withheld. Said lien will be released at that time. The Company retains the option to pay the EDC (\$1.50) one dollar and fifty cents per square foot for the Land Grant Property at any time prior to the Completion Date. If the building on the Land Grant Property is over fifty percent (50%) complete at the Completion Date, the EDC will grant the Company six (6) additional months to obtain the Certificate of Occupancy. This provision shall survive closing.

ARTICLE VI. PERSONAL LIABILITY OF PUBLIC OFFICIALS

To the extent permitted by State law, no employee of the EDC, or any EDC Board member or agent of the EDC, shall be personally responsible for any liability arising under or growing out of this Agreement.

ARTICLE VII LAW TO BE OBSERVED

The Company at all times shall observe and comply with all federal and state laws, local laws, ordinances, orders, and regulations of the federal, state, county, or City governments.

ARTICLE VIII INFORMATION

The Company shall, at such times and in such form as EDC may require, furnish periodic information concerning the status of the Company, and the performance of its obligations under this Agreement, and such other statements, certificates and approvals relative to the Company as may be requested in writing by the EDC.

ARTICLE IX FORCE MAJEURE

If, by reason of Force Majeure, any party hereto shall be rendered wholly or partially unable to carry out its obligations under this Agreement, then such Party shall give written notice of the full particulars of such Force Majeure to the other Party and the obligations of such Party, to the extent affected by the Force Majeure, shall be suspended during the continuance of the Force Majeure, and such Party shall use commercially reasonable efforts to remove or overcome such Force Majeure with all reasonable dispatch. In the event of unforeseeable third party delays or Force Majeure and upon a reasonable showing by the Company that it has immediately and in good faith commenced and is diligently and continuously pursuing the correction, removal or abatement of such delays by using its commercially reasonable efforts, EDC may consent to and excuse any such delays, which consent and excuse shall not be unreasonably withheld. Failure by the Company to use its commercially reasonable efforts as required in this paragraph shall be a default under this Agreement. In the event of a Force Majeure arising from a delay in the completion by the EDC or its contractors of public infrastructure improvements to the Company Property, the EDC rather than the Company will be responsible for correcting, removing or abating such delay, and the Company's performance will be automatically approved and excused.

ARTICLE X
ADDRESS AND NOTICE

Any and all notices and communications under this Agreement shall be mailed by first-class mail, or delivered, to the Company at the following address:

YERICO Manufacturing
C/O IHN-Hong Min
619 Magonye Lane
Elgin, TX 78621

With a copy to:

Insert YERICO attorney name and address

Any and all notices and communications under this Agreement shall be mailed by first-class mail, or delivered, to the EDC at the following address:

Owen Rock
Elgin Economic Development Corporation
P.O. Box 591
Elgin, Texas 78621

With a copy to:

Charles Crossfield
Sheets & Crossfield, PC
309 East Main Street
Round Rock, Texas 78664

ARTICLE XI
APPLICABLE LAWS

THIS AGREEMENT IS MADE SUBJECT TO THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS AND IS PERFORMABLE BASTROP COUNTY, TEXAS. VENUE SHALL BE IN BASTROP COUNTY, TEXAS.

ARTICLE XII.
CAPTIONS

The captions at the beginning of the Articles of this Agreement are guides and labels to assist in locating and reading such Articles and, therefore, will be given no effect in construing this Agreement and shall not be restrictive of the subject matter of any Article, Section, or part of this Agreement.

**ARTICLE XIII.
SUCCESSORS AND ASSIGNS**

This Agreement shall bind and benefit the respective parties and their legal successors, and shall be assignable by the Company, in whole or in part to any party, upon written notice to the EDC.

**ARTICLE XIV.
TERM**

This Agreement shall become effective, and its initial term shall begin, upon the first day of the Company operating in the City and shall end, subject to the Article III, upon the earlier of (i) four (4) years after the first day of operations or (ii) until all the Project Costs have been paid in full.

**ARTICLE XV.
AMENDMENT OR MODIFICATIONS**

Except as otherwise provided in this Agreement, this Agreement shall be subject to change, amendment, or modification only by the mutual written consent of the parties hereto.

**ARTICLE XVI.
COUNTERPARTS**

This Agreement may be executed in any number of counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same instrument.

**ARTICLE XVII
DEFAULT**

A. Notice and Opportunity to Cure If either party defaults in its obligations under this Agreement, the other party must, prior to exercising a remedy available to that party due to the default, give written notice to the defaulting party, specifying the nature of the alleged default and the manner in which it can be satisfactorily cured, and extend to the defaulting party at least thirty (30) days from receipt of the notice to cure the default,

B. Remedies for Default. If either party defaults under this Agreement and fails to cure the default within the applicable cure period, the non-defaulting party will have all rights and remedies available under this Agreement, including the right to institute legal action to cure any default, to enjoin any threatened or attempted violation of this Agreement or to enforce the defaulting party's obligations under this Agreement by specific performance or writ of mandamus. In the event of default by the Company, in addition to the other remedies stated herein the EDC may cease making any EDC Grant Payments as referenced herein. In the event of a default by the EDC, the Company will be entitled to seek a writ of mandamus, in addition to seeking any other available equitable remedies. All equitable remedies available to a party will be cumulative and the pursuit of one remedy will not constitute an election of remedies or a waiver of the right to pursue any other equitable remedy.

C. EDC Grant Payments Recapture. In the event the EDC terminates this Agreement as a result of the Company's default, the EDC may recapture and collect from the Company any or all EDC Grant Payments previously paid to the Company (Recapture Liability). Company shall pay

to the EDC the Recapture liability within thirty (30) days after the EDC makes demand for same. Notwithstanding anything to the contrary, such Recapture Liability shall not exceed, in the aggregate, an amount equal to all Grant Payments that were paid pursuant to this Agreement from the effective date to the date of termination. The EDC shall have all the remedies for the collection of the Recapture Liability as provided generally in the Tax Code for the collection of delinquent sales and/or property taxes.

DATED as of the 13 day of August, 2020.

(signatures on following pages)

CITY OF ELGIN, TEXAS, ECONOMIC DEVELOPMENT
CORPORATION

By: _____
Bryan Bracewell, President

ACKNOWLEDGMENT

THE STATE OF _____ §

§

COUNTY OF _____ §

This instrument was acknowledged before me on this the ____ day of the month of _____, 2020, by Bryan Bracewell, _____ (Title), of City of Elgin, Texas Economic Development Company, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Signature

Printed Name

Notary Public, State of _____

YERICO MANUFACTURING, INC.

By: 
IHN-Hong Min, CEO

ACKNOWLEDGMENT

THE STATE OF _____ §

§

COUNTY OF _____ §

This instrument was acknowledged before me on this the 13 day of the month of August, 2020, by IHN-Hong Min, President/Owner (Title), of YERICO MANUFACTURING, INC., known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of and on behalf of said entity and in the capacity and for the purposes and consideration therein expressed.

Signature

Printed Name

Notary Public, State of _____

After Recording, please return to:

EXHIBIT A

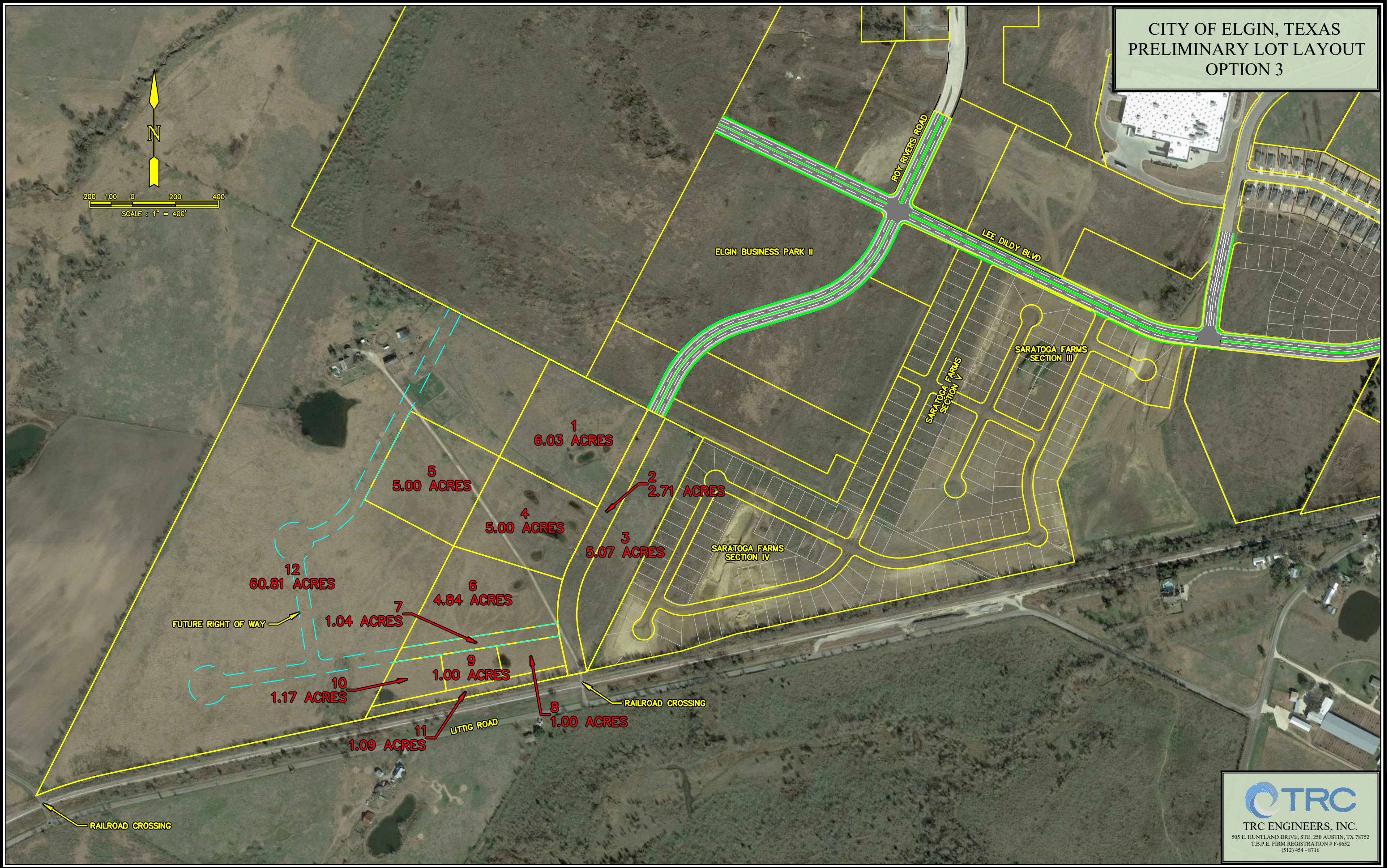


Exhibit B

Item	Detail	Responsibility	Description	Exception
Survey/Plotting		Company		
Closing fee	Property Tax -until closing	EDC		
	Roll back tax	EDC		
	Others fee	Company		
	General Warranty deed	50% EDC/50% Company		
Street		EDC		
Utilities	to Land	EDC	Water, Sewer, etc	
Detention Facility, Water Quality pond		EDC		
Storm water Line to Land		EDC		
Zoning change		EDC		



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Adjourn into Executive Session pursuant to (1) Section §551.072 Deliberations about Real Property: to receive a staff briefing and deliberate the purchase, exchange, lease, or value of certain real property located on within the City of Elgin Business Park; and (2) Section § 551.087 Deliberation Regarding Economic Development Negotiations: to deliberate the offer of a financial or other incentive to a business prospect

DEPARTMENT: City Manager

PROPOSED ACTION:

Consider information presented by staff 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 by staff 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