AGENDA
ELGIN CITY COUNCIL VIRTUAL REGULAR MEETING
TUESDAY, JANUARY 19, 2021
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
6:00 PM

In accordance with social distancing guidelines, the City Council meeting will not be open to the public. Council Members will attend virtually. The meeting will be streamed live at https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jJTzA

Members of the public wishing to submit their written comments on a listed agenda item must submit their comments by emailing asanchez@ci.elgin.tx.us by 6:00 pm January 18, 2021, or calling 512-229-3222.

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **INVOCATION**

IV. **PLEDGE OF ALLEGIANCE**

V. **PUBLIC COMMENT**

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

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

VI. **CITY MANAGERS REPORT**

1. **Discussion And Possible Direction To Staff Regarding Potential Neighborhood Traffic & Safety Upgrades At Certain Locations Throughout The City**

Documents:

EX SUMMARY - TRAFFIC CALMING REPORT3.PDF

2. **Quarterly Financial Report – First Fiscal Year Quarter 2020-21 October-December 2020**

Documents:

EXEC SUMMARY Q INVEST REPORT THRU DEC 31,2020.PDF
IST Q INVESTMENT REPORT DEC 31 2020.PDF

3. **Departmental Monthly Report – Period Ending Dec 31, 2020**

Documents:

01 EXSUM MONTHLY REPORTS BY DEPARTMENT DEC 2020.PDF
2021_01_14_13_42_31.PDF

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

Documents:

EXSUMMARY - GENERAL ACTIVITY REPORT.PDF

VII. **CONSENT AGENDA**

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

1. **City Council Meeting Minutes**

- City Council Meeting Minutes - January 5, 2021

Documents:

EXSUMMARY SHEET MINUTES.PDF
01-05-21 CITY COUNCIL REGUALR MEETING MINUTES.PDF

VIII. NEW BUSINESS

1. **AN RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING A COST PARTICIPATION AGREEMENT REGARDING THE CONSTRUCTION OF COUNTY LINE ROAD WITH TACK DEVELOPMENT, LTD. AND MAKING CERTAIN FINDINGS RELATED THERETO.**

   Documents:

   COUNCIL COVERSHEET.PDF
   COST PARTICIPATION AGREEMENT WITH RESOLUTION AND EXHIBITS.PDF

2. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARDING BIDS TO J.R. STELZER COMPANY. FOR REPAIRS TO ELEVATED WATER TANK #2 IN THE AMOUNT OF $88,770.00; AND MAKING CERTAIN FINDINGS RELATED THERETO**

   Documents:

   01 EXEC SUMMARY AWARD BIDS FOR ELEVATYED TANK 2 REPAIRS.PDF
   02 RESOLUTION AWARD OF BIDS FOR ELEVATED TANK 2 REPAIRS.PDF
   BID AWARD RECOMMENDATION - ELGIN HIGH SCHOOL 500000 GALLON ELEVATED STORAGE TANK REPAINT PROJECT.PDF

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

   Documents:

   EXSUMMARY - FACE COVERING ORDINANCE3.PDF
   ORDFACECOVERINGS11921.PDF

IX. EXECUTIVE SESSION

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

X. RECONVENE

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

XI. ANNOUNCEMENTS

XII. ADJOURMENT

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

I, Amelia Sanchez, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, January 15, 2021 in accordance with Chapter 551 of the Texas Government Code.

_____
Amelia Sanchez, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Discussion and possible direction to staff regarding potential neighborhood traffic & safety upgrades at certain locations throughout the City.

DEPARTMENT: City Manager

PROPOSED ACTION: This item has been placed on the agenda for follow-up discussion and possible direction to staff related to previously discussed transportation improvements at certain locations.

BACKGROUND:

Discussed at previous meetings; Within the neighborhoods listed below, residents have contacted Councilmembers expressing various concerns related to traffic and safety. As requested, staff then reviewed those situations and developed scenarios that could provide some of the relief requested.

Those neighborhood areas/ issues reviewed are as follows;

- Cleveland St. at S. Avenue A to Harris St. (speed/traffic calming)
- Hillside Dr./Old McDade Rd. (intersection improvements)
- Ramirez Rd/South Ave. C/Main St. (traffic control)
- Houston & Madison St. (speed/traffic calming)

Subsequent to the initial review with Council and a public hearing to receive comments from neighborhood residents and property owners, Councilmembers have provided individual input and recommendations regarding the proposed upgrades.

Staff has reviewed and considered all such individual input and has now revised the various improvement scenarios that are consistent with the general consensus, while adhering to engineering best practices and the law.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Discussion and possible direction to staff as described above.

ATTACHMENTS: None

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

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

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Quarterly Financial Report – First Fiscal Year Quarter 2020-21 October-December 2020

DEPARTMENT: Finance

PROPOSED ACTION: Review and Accept

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

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

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Review and accept the report as presented.

ATTACHMENTS: Quarterly Financial Report – First Quarter 2020-21

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

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

1st Quarter Investment Report- Fiscal Year 2021

OPERATING ACCOUNTS -

Financial Institution	Fund	Account Name	Ending 9/30/2020	Total Deposits / (Withdrawals)	Total Interest	Ending 12/31/2020	Int. Rate
First National Bank	99	Main Checking	2,720,417.89	4,173,067.02	7,143.81	6,900,628.72	0.65%
	001	Police Seizure Chapter 59	78.61	-	0.13	78.74	
	072	General - ATS Clearing	16.48	-	0.03	16.51	
	002	USDA Rural Dev	1.01	-	0.01	1.02	
	001	Money Market General Operations	181.22	-	0.30	181.52	
		Sub-toal	5,622,044.62	4,173,067.02	11,438.53	6,900,906.51	
		TOTAL - DEPOSITS	**5,948,320.32**	**4,173,067.02**	**11,438.53**	**6,900,906.51**	

CAPITAL IMPROVEMENT FUNDS

Financial Institution	Fund	Account Name	Ending 9/30/2020	Total of Deposits / (Withdrawals)	Interest	Ending 12/31/2020	WAM*
Logic		CO Series 2015- Proceeds	774,249.47	(776,427.00)	2,179.20	1.67	1.80%
		CO Series 2016 - Proceeds	4,206,553.04	(562,677.61)	19,397.11	3,663,272.54	1.80%
		CO Series 2019A - Proceeds	3,822,248.53	(1,796,744.08)	13,957.40	2,039,461.85	1.80%
		CO Series 2019B(TIRZ) Proceeds	440,815.21	(441,677.99)	1,009.43	146.65	1.80%
		Sub-total	9,243,866.25	(3,577,526.68)	36,543.14	5,702,882.71	1.80%
		TOTAL - INVESTMENTS	**9,243,866.25**	**(3,577,526.68)**	**36,543.14**	**5,702,882.71**	
		TOTAL - DEPOSITS AND INVESTMENTS	**15,192,186.57**	**595,540.34**	**47,981.67**	**12,603,789.22**	

* Weighted Average to Maturity (WAM)

Signature

Charles L. Cunningham
CFO

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Departmental Monthly Report – Period ending Dec 31, 2020

DEPARTMENT: Administration

PROPOSED ACTION: No action required on this item.

BACKGROUND: Monthly Reports by Department
Attached is the Monthly Operations Report as of December 31, 2020 representing changes in work load indicators for December 2019 and December 2020 and Year-to-Date.

HR
Municipal Court
Development Services
Library
Rec Center
Public Works
Water
Wastewater.
Trash Collect
Police

BUDGET/FINANCIAL IMPACT:
None

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

ATTACHMENTS: Summary Report of Operations – For the month of December 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 Department Heads at their earliest convenience.

Monthly Report of Operations

As of Dec 31, 2020

Administration	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Human Resources						
Total FTE - Filled Positions	100.5	101.0	0%			
Vacancies - all funds	6	18	200%			
New Hires	-	2	0%	8	8	7%
Separations	1	1	0%	6	11	83%
Muncipal Court						
Total Active Cases Pending (beg. of Month)	16,276	15,921	-2%			
New Cases Filed (incl reactivation of inactive)	240	62	-74%	1,068	289	-73%
# of Magistrations	28	25	-11%	104	78	-25%
Total Cases Disposed of	234	109	-53%	859	298	-65%
Cases placed on Inactive Status	36	4	-89%	330	4	-99%
Total Active Cases Pending (end of Month)	16,237	15,865	-2%			
Fines Collected	$ 42,145	$ 19,822	-53%	$ 164,009	$ 61,974	-62%
Retained by City	$ 29,803	$ 18,405	-38%	$ 114,119	$ 57,198	-50%

Development Services	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Construction Permits (all types)	64	163	155%	176	445	153%
Revenue from Bldg. Permits	$ 21,434	$ 73,009	241%	$ 47,331	$ 186,932	295%
Inspections (all types)	210	653	211%	589	2,238	280%
Revenue from Inspections	$ 33,673	$ 91,003	170%	$ 74,459	$ 214,210	188%
Housing Plats approved (number of lots)	-	233	0%	-	281	0%

Community Services	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Library-						
Materials circulated	5,472	4137	-24%	18,331	12,437	-32%
# Visitors (incl. Progs)	3,781	360	-90%	11,347	3,639	-68%
Public Computer Use hrs.	292	100	-66%	1,026	182	-82%
Public Computer Use Persons	486	60	-88%	1,638	183	-89%
Civic Center - Rentals (all)	27	0	-100%	91	22	-76%
Recreation Program -						
Annual Memberships	10		-100%	29	131	352%
Monthly Rec Memberships	135	20	-85%	433	178	-59%
Facility Rental Fleming Center	18		-100%	226	-	-100%
Facility Rental Recreation Center	10		-100%	115	-	-100%
Sponsored Events	$ 285	$29.00	-90%	$ 6,330	$ 754	-88%

Public Works	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Streets:						
Lane miles maintained	57.8	57.8	0%	115	116	1%
Pot holes patched - Square Yards	90.9	24	-74%	146	293	101%
Wide Area patching/renovation - SY	33.33	0	-100%	104	5	-95%
Crack Seal Lbs of Sealent	2,670	31,425	1077%	2,670	31,425	1077%
Drainage:						
Linear feet of drains cleaned	16,600	83	-100%	18,580	2,521	-86%
# Culverts Cleared	0	10	0%	4	10	150%
Parks:						
Acres Mowed/maintained	Data not available	-	0%	-	208	0%
Reserved Park Facilities		-	0%	-	44	0%
# Organized Sports Events		-	0%	-	93	0%

Monthly Report of Operations

As of Dec 31, 2020

Utilities	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Water System:						
# Customers Total/Added by month *		6		3,363	3,391	
Amount Billed	$217,817	$240,502	10%	$ 720,939	$ 756,444	5%
Meters Replaced	45	60	33%	167	279	67%
# Leaks Repaired	5	-	-100%	8	8	0%
Vol. water produced (x1,000 gallons)	29,683	28,080	-5%	95,329	96,139	1%
Main Line Breaks	2	2	0%	3	10	233%
Service Line Breaks	12	10	-17%	14	16	14%
Wastewater System:						
# Customers Total/Added by month *		12		3,063	3,087	0.8%
Amount Billed	$ 155,244	$ 159,516	3%	$ 473,792	$ 480,994	1.5%
Main Lines repaired	2	3	0%	2	6	200%
Lines replaced (Linear Feet.)	12	-	0%	12	18	50%
Manholes Cleaned	4	15	275%	4	33	725%
Average Daily Flow (MGD)	0.5132	0.6453	26%	0.5194	0.5676	9%
Total Monthly Flow (MGD)	15.9102	19.3581	22%	16.1011	17.143	6%
Trash Collection:						
# Customers Total/Added by month *		27		3,168	3,294	104%
Amount Billed	$ 102,218	$ 107,777	5%	$ 305,352	$ 316,710	4%

* # 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	Dec '19	Dec '20	%	YTD 12-31-19	YTD 12-31-20	%
Part I Index Offenses						
Murder (# Victims)	-	-	0%	-	-	0%
Rape(# Victims)	3	-	0%	3	1	-67%
Robbery (# Victims)	2	-	-100%	3	1	-67%
Aggrivated Assault (# Victims)	1	1	0%	3	1	-67%
Total Violent Index Crimes*	6	1	-83%	9	3	-67%
Burglary (# premises entered)	4	2	0%	5	6	20%
Theft (# offenses)	8	7	-13%	31	32	3%
Auto Theft (#vehicles)	-	1	0%	1	7	600%
Arson (# premises)	-	-	0%	-	-	0%
Total Property Index Crimes*	12	10	-17%	37	45	22%
Total Part I Index Crimes*	18	11	-39%	46	48	4%
Part II Index Offenses						
Other Assaults	4	3	-25%	23	15	-35%
Weapons	-	-	0%	-	4	0%
Narcotics	2	6	200%	12	14	17%
DUI	5	5	0%	12	14	17%
All Other Part II Offenses	43	51	19%	136	121	-11%
Total Part II Index Crimes*	54	65	20%	183	168	-8%
Total All Index Crimes*	**78**	**76**	-3%	**238**	**216**	-9%

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: City Council Regular Meeting Minutes – January 5, 2021.

DEPARTMENT: Administration

PROPOSED ACTION:

Review and approve the City Council Regular Meeting Minutes – January 5, 2021.

BACKGROUND:

N/A

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of the City Council Regular Meeting Minutes – January 5, 2021.

ATTACHMENTS: City Council Regular Meeting Minutes – January 5, 2021.

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

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

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

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

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY CIVIC CENTER COUNCIL CHAMBERS
404 NORTH MAIN STREET
JANUARY 5, 2021

CALL TO ORDER

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

ROLL CALL

Present: Ron Ramirez, Mayor
Mary Penson, Council Member
Jessica Bega, Council Member
Juan Gonzalez, Council Member
Susie Arreaga, Council Member
Sue Brashar, Mayor Pro Tem
Forest Dennis, Council Member

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

INVOCATION

Council Member Brashar gave the invocation.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

1. Public Hearing on an Ordinance Amending Chapter 46 Zoning, Article I in General; Chapter 46 Zoning, Article IV Zoning District Regulations, Division 2 – R-1 Single Family Dwelling District; Chapter 46 Zoning, Article IV Zoning District Regulations, Division 3 – R-2 Single Family Dwelling and Duplex Dwelling District; Chapter 46 Zoning, Article IV Zoning District Regulations, Division 4 – R-3 Single Family Dwelling District; Chapter 46 Zoning, Article V Supplementary District Regulations, Division 2 – Open Space; and Chapter 46 Zoning,

Article V Supplementary District Regulations, Division 5 – Off Street Automobile and Vehicular Parking and Loading; and Providing for a Savings Clause and Repealing Conflicting Ordinances or Resolutions.

Mayor Ramirez opened the Public Hearing at 7:02 pm. With no one whishing to speak Mayor Ramirez closed the Public Hearing at 7:05

PUBLIC COMMENT

Pastor Nava spoke and stated that he wanted to introduce himself to the Mayor and Council and speak about the services the resource center would be providing. He stated that they would be assisting with utility bills as well as having a nurse for free health screenings, an on-site counselor as well as providing bag lunches daily.

PRESENTATION

Mayor Ramirez read the proclamation and presented it to Ms. Jones.

CITY MANAGERS REPORT

1. Update on the Poth Building Renovation Project and Related Matters

City Manager Thomas Mattis provided the Council with an update on the Poth Building renovation project.

2. Discussion and Possible Direction to staff regarding Potential Neighborhood Traffic & Safety Upgrades at certain locations throughout the city.

City Manager Thomas Mattis stated that this item was four different areas intown where there had been traffic and safety upgrades discussed and had gotten very good feedback from Council and individual viewpoints had been shared with the staff and these proposals. He said he had spoken to the Mayor and asked if he could wait until the next meeting to give staff time to assemble those comments and provide a more detailed report on the 19th. He stated no action was needed on this item.

3. General Activity Report and/or Project Update.

City Manager Thomas Mattis spoke about Covid-19 and that things were changing rapidly with significant spikes and that there were eight employees that tested positive in the last week.

He stated that the library would have to go back to curbside services and continue virtual programming. He stated that operationally the city was still conducting business with not any negative feedback from the public. Mr. Mattis stated that operationally the city may be looking at staying at this level of Covid response until there is a wider distribution of the vaccine. Mr. Mattis recommended having the next couple of Council meetings virtually.

CONSENT AGENDA

1. City Council Meeting Minutes – December 15, 2020.

Council Member Brashar moved to approve the Consent Agenda. Council Member Penson seconds the motion. Motion carried 7-0.

NEW BUSINESS

1. AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE I IN GENERAL; CHAPTER 46 ZONING, ARTICLE IV ZONING DISTRICT REGULATIONS, DIVISION 2 – R-1 SINGLE FAMILY DWELLING DISTRICT; CHAPTER 46 ZONING, ARTICLE IV ZONING DISTRICT REGULATIONS, DIVISION 3 – R-2 SINGLE FAMILY DWELLING AND DUPLEX DWELLING DISTRICT; CHAPTER 46 ZONING, ARTICLE IV ZONING DISTRICT REGULATIONS, DIVISION 4 – R-3 SINGLE FAMILY DWELLING DISTRICT; CHAPTER 46 ZONING, ARTICLE V SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2 – OPEN SPACE; AND CHAPTER 46 ZONING, ARTICLE V SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 5. – OFF STREET AUTOMOBILE AND VEHICULAR PARKING AND LOADING; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Council Member Penson moved to approve the ordinance as presented. Council Member Bega seconds the motion. Motion carried 7-0.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING OFFICIAL SIGNATORIES FOR ALL CITY ACCOUNTS WITH THE CITY BANK DEPOSITORY FIRST NATIONAL BANK, OF ELGIN, TEXAS.

Council Member Penson moved to approve the Resolution as presented. Council Member Gonzalez seconds the motion. Motion carried 7-0.

3. Discussion and possible direction to staff regarding the Distribution of Community Non-Profit Support Funding as included in the FY2020-21 Annual Operating Budget

Council Member Gonzalez moved to accept the fiscal year 2021 ranking and recommended funding as presented. Council Member Brashar seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that they would go into Executive Session for items 4 and 5 and come back and take action.

Mayor Ramirez convened into Executive Session at 8:23 pm.

EXECUTIVE SESSION

1. Adjourn into Executive Session Pursuant to Section §551.074 Personnel Matters: To Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline, or Dismissal of a Public Officer or Employee To-Wit: Possible Interim Appointment(S) to Vacant Ward 3 Council Seat(S).

RECONVENE

Mayor Ramirez reconvened into the regular meeting at 9:06 pm.

4. Discussion of and/or Possible Action on Interim Appointment(S) to vacant Ward 3 City Council Seat(S).

Mayor Pro Tem Brashar moved to appoint Thomas Ibis and Alvis Prince for the interim Ward 3 seats. Council Member Penson seconds the motion. Motion carried 7-0.

5. Appointment/Re-Appointment of Members to various City Commissions, Boards, and/or Committees including the Planning & Zoning Commission, Board of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board of Directors, Tax Increment Reinvestment Zone Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standards Commission.

Mayor Ramirez stated that there were three people that wanted to be re-appointed to the Board of Adjustments.

Council Member Gonzalez moved to re-appoint Franklin Boettcher, Ruby Simms, and Shifton McShan to the Board of Adjustments. Council Member Penson seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that there were no re-appointments, vacancies or applications to the Building Standards Committee.

Council Member Penson moved to approve that there were no re-appointments, vacancies or applications. Mayor Pro Tem Brashar seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that Bryan Bracewell and Molly Alexander wanted to be re-appointed to the Economic Development Corporation Board. He stated that Mayor Pro Tem Brashar would like to be re-appointed Council Member Dennis would like to be appointed.

Mayor Pro Tem Brashar moved to approve the re-appointments, and to appoint Council Member Dennis. Council Member Penson seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that Robert Ryland would like to be re-appointed to the Historic Review Board and that there were two vacancies. He suggested Barry Barker and Sherry Richardson.

Council Member Gonzalez moved to re-appoint Robert Ryland and appoint Barry Barker and Sherry Richardson. Council Member Penson seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that there were three vacancies on the Library Advisory Board and suggested Yenifer Ibarra, Janet Gudenkauf, and Jordan Brunes.

Council Member Penson moved to approve the appointments of Yenifer Ibarra, Janet Gudenkauf, and Jordan Brunes. Council Member Gonzalez seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that Theresa McShan, Stacy Wilhite and Marla Jensen would like to be re-appointed to the Main Street Board, and that there were two vacancies and suggested Sarah Gudenkauf and Monica Nava.

Council Member Bega moved to approve the re- appointments of Theresa McShan, Stacy Wilhite and Marla Jensen, and appoint Sarah Gudenkauf and Monica Nava to the Main Street Board. Mayor Pro Tem Brashar seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that Sonya Rangel would like to be re-appointed to the Parks Board and that there were four vacancies. He suggested Carlos Gandia, Cara Farnsworth, Katherine Salmon and Randall Krapf.

Council Member Penson moved to approve the re-appointment of Sonya Rangel and the appointments of Carlos Gandia, Cara Farnsworth, Katherine Salmon and Randall Krapf. Council Member Gonzalez seconds the motion. Motion carried 7-0.

Mayor Ramirez stated that there were four members that would like to be re-appointed to the Planning and Zoning Commission, Antonio Preet, Dorothy McCarthur, Jason Tatum and David Langford.

Mayor Pro Tem Brashar moved to approve the re-appointments of Antonio Preet, Dorothy McCarthur, Jason Tatum and David Langford. Council Member Penson seconds the motion. Motion carried 7-0

Mayor Ramirez stated that there were four members that would like to be re-appointed to the Municipal Court Security Commission, Amanda Carter, Patrick South, Yadi Duque and Susie Arreaga, and that Sue Brashar and Alvis Prince would be nominated.

Council Member Penson moved to approve the re-appointment of Amanda Carter, Patrick South, Yadi Duque and Susie Arreaga and the appointments of Sue Brashar and Alvis Prince. Council Member Gonzalez seconds the motion. Motion carried 7-0.

Mayor Pro Tem Brashar amended the motion to include appointing Charles Stone to the Municipal Court Security Commission. Council Member Dennis seconds the motion. Motion carried 7-0.

ANNOUNCEMENTS

Council Member Penson mentioned that there was a virtual MLK walk on January 18th.

ADJOURNMENT

Mayor Ramirez adjourned the City Council Meeting at 9:20 pm.

_____
Ron M. Ramirez, Mayor

ATTEST:

_____
Amelia Sanchez, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: AN RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING A COST PARTICIPATION AGREEMENT REGARDING THE CONSTRUCTION OF COUNTY LINE ROAD WITH TACK DEVELOPMENT, LTD. AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Development Services.

PROPOSED ACTION: Consideration and approval of a Resolution authorizing a Cost Participation Agreement between the City and Tack Development, LTD.

BACKGROUND: Tack Development, LTD is the owner of a 27.495 tract of land located in the western portion of the City behind the currently developed Eagles Landing Phase 1. The developer is in the process of platting an additional 125 single family lots. Traffic from this development will pass through Phase 1 and onto County Line Road and will have significant impact on this already-overloaded roadway. Recognizing their obligation to help lessen the negative impact of their development on this roadway, the Developer has agreed to provide funding of a pro-rata share of the costs associated with future upgrading and expansion of County Line Road. Under the terms of the proposed Agreement, the Developer agrees to contribute an amount not to exceed $329,336.27 payable in one (1) payment at the time of filing of the Final Plat.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution authorizing a Cost Participation Agreement between the City and Tack Development, LTD regarding the construction of County Line Road; and routine direction to staff, if any.

ATTACHMENTS: Cost Participation Agreement

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

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

RESOLUTION NO. 2021-01-19-??

AN RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING A COST PARTICIPATION AGREEMENT REGARDING THE CONSTRUCTION OF COUNTY LINE ROAD WITH TACK DEVELOPMENT, LTD. AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, the City of Elgin ("City") and Tack Development, LTD. ("Developer") desire to co-operate in the construction of County Line Road within the City's territorial limits which will be mutually beneficial to the Parties; and,

WHEREAS, the City desires to fund and later re-construct County Line Road from FM 1100 to Carlson Lane (the "Project" and "Project Fund")' and,

WHEREAS, the Developer is in the process of developing "Eagles Landing Phase II", a 27.495 acre residential development that will indirectly access County Line Road; and,

WHEREAS, as consideration for the City funding and constructing the Project that will benefit "Eagles Landing Phase II", Developer agrees to contribute an appropriate share of costs for the Project.

NOW THEREFORE BE IT RESOLVED BY THE 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 and findings of fact.

Section 2. Authorization. The Mayor is hereby authorized to execute the *Cost Participation Agreement Regarding the Construction of County Line Road*, a copy of said agreement being attached hereto and marked as Exhibit A; and made a part of this Resolution as if copied verbatim herein.

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

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

PASSED, and **ADOPTED** on this **19th** day of **January** 2021.

_____

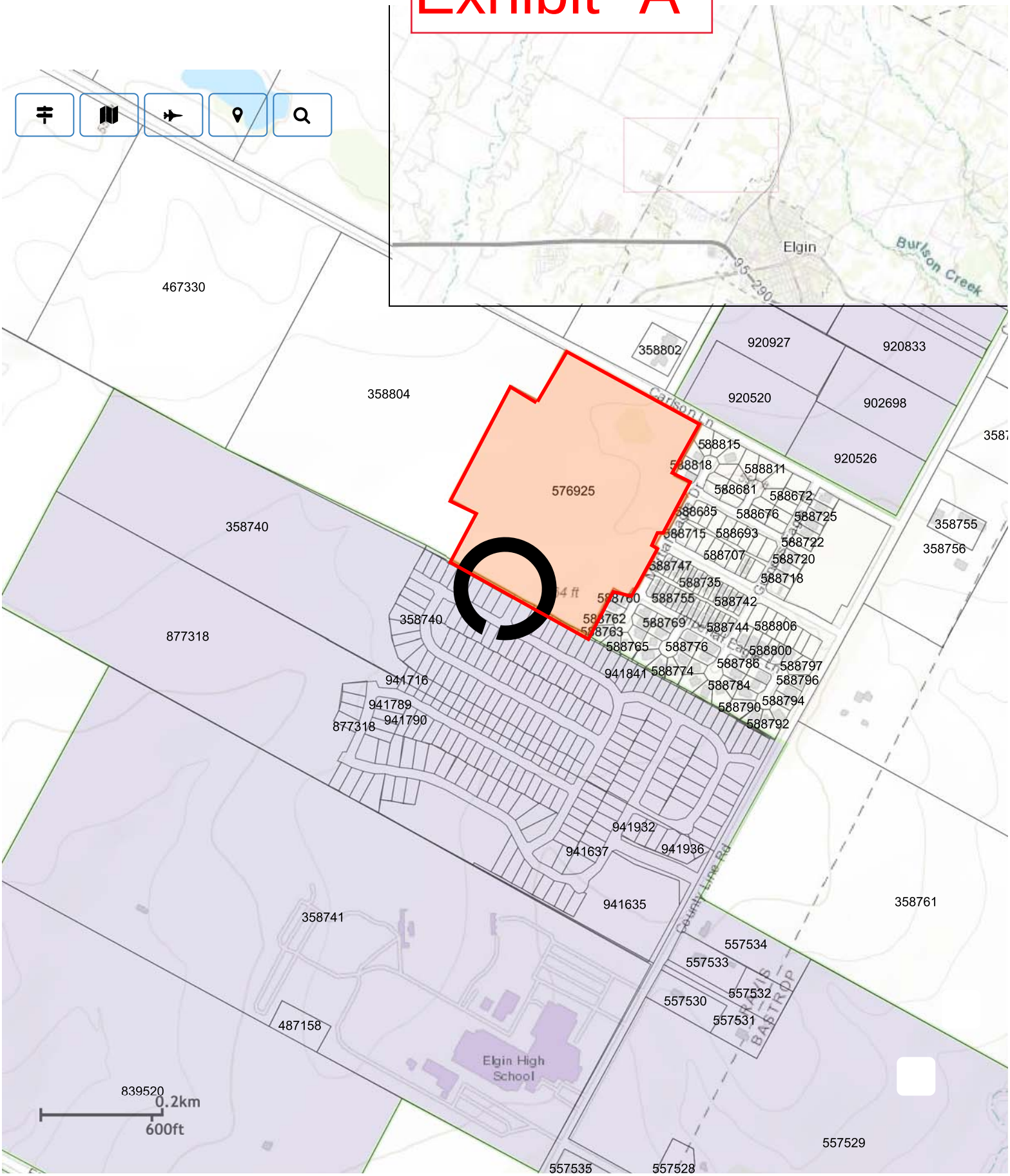
Ron M. Ramirez, Mayor

ATTEST:

_____

Amelia Sanchez, City Secretary

Exhibit "A"


Elgin
Burlson Creek
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290
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941932
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557532
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Elgin High School
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600ft
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COST PARTICIPATION AGREEMENT REGARDING THE CONSTRUCTION OF COUNTY LINE ROAD

THE STATE OF TEXAS §
§ KNOW ALL BY THESE PRESENTS:
COUNTY OFTRAVIS §

THIS COST PARTICIPATION AGREEMENT ("Agreement") is entered into between the **CITY OF ELGIN, TEXAS,** a Texas home-rule city **("City")** and **TACK DEVELOPMENT, LTD.,** its successors and assigns, **("Developer").** In this Agreement, City and Developer are sometimes individually referred to as **"Party"** and collectively referred to as **"Parties".**

RECITALS

WHEREAS, the City and Developer desire to co-operate in the construction of County Line Road within the City's territorial limits which will be mutually beneficial to the Parties; and

WHEREAS, the City desires to fund and later construct County Line Road from FM 1100 to Carlson Lane (the "Project" and "Project Fund"); and

WHEREAS, the Developer is in the process of developing a 27.495-acre tract of land, said property being shown on Exhibit "A", attached hereto (the "Property"), and;

WHEREAS, as consideration for the City funding and constructing the Project, the Developer agrees to contribute the sum of money described herein as its pro-rata share of Project costs, and

WHEREAS, the Parties wish to memorialize their respective duties and obligations with respect to the Project;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements of the Parties contained in this Agreement, the Parties agree as follows:

I.

TERMS

A. Recitals. The Recitals above are incorporated herein.

B. City Participation. City agrees to pay for all costs related to the design and construction of the Project ("Project Costs") in accordance with the design plans as approved by the City, which shall include the design curbed and guttered roadway and associated storm sewer. City shall award a contract fully complying with the Texas

Competitive Bidding Act as soon as funding is available, but in any event no later than December 31, 2024.

C. Developer Participation. In lieu of providing a traffic impact analysis, Developer agrees to contribute to the Project Fund an amount not to exceed $329,336.27 (the "Participation Amount"), conditioned upon City commencing construction of the Project by December 31, 2024.

D. Developer Participation Schedule. The Developer Participation Amount shall be contributed as follows: $329,336.27 shall be deposited into an Escrow Account by Developer before recordation of the final plat or by December 31, 2024, whichever occurs earliest. Developer, their successors and assigns agree that no plat recordation on any portion of the Property without compliance with this Agreement.

E. Escrow Account. On or before the issuance of the first building permit and Developer making the initial deposit into the Escrow Account, Developer and City shall execute an Escrow Agreement outlining the terms and conditions of the release of the escrow funds to be used for the construction of County Line Road.

II.

GENERAL PROVISIONS

A. Severability. The provisions of this Agreement are severable and, if any provision of this Agreement is held to be invalid for any reason by a court or agency of competent jurisdiction, the remainder of this Agreement shall not be affected and this Agreement shall be construed as if the invalid portion had never been contained herein.

B. Cooperation. The Parties agree to cooperate at all times in good faith to effectuate the purposes and intent of this Agreement.

C. Entire Agreement. Except as otherwise expressly provided herein, this Agreement contains the entire agreement of the Parties regarding the sharing of costs for the County Line Road project and supersedes all prior or contemporaneous understandings or representations, whether oral or written, regarding the subject matter.

D. Amendments. Any amendment of this Agreement must be in writing and shall be effective if signed by the authorized representatives of the Parties.

E. Applicable Law; Venue. This Agreement shall be construed in accordance with Texas law. Venue for any action arising hereunder shall be in Bastrop County, Texas.

F. Force Majeure. Parties shall not be deemed in violation of this Agreement if prevented from performing any of their obligations hereunder by reasons for which they are not responsible or circumstances beyond their control. However, notice of such impediment or delay in performance must be timely given, and all reasonable efforts undertaken to mitigate its effects.

G. Exhibits. The following exhibit is attached to this Agreement and incorporated herein by reference:

Exhibit "A" - The Property

H. Counterparts. Effect of Partial Execution. This Agreement may be executed simultaneously in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute the same instrument.

I. Authority. Each Party represents and warrants that it has the full right, power and authority to execute this Agreement.

J. Notices. Notices provided hereunder shall be sufficient if forwarded to the other party by hand-delivery or via U.S. Postal Service, postage prepaid, to the address of the other party shown below:

CITY: City of Elgin
Attention: City Manager
310 N. Main St.
Elgin, Texas 78621

DEVELOPER: TACK Development LTD
Attention: Tim Timmerman
230 Klattenhoff Lane Suite 100
Hutto, Texas 78634

K. No Joint Venture. It is acknowledged and agreed by the Parties that the terms hereof are not intended to and shall not be deemed to create any partnership or joint venture between the parties.

L. Recordation. This Agreement will be filed in the Official Records of Travis County, Texas.

M. Binding Agreement. This Agreement shall run with the land, and the terms and provisions as stated herein shall be binding on City and Developer and their respective heirs, administrators and executors or successors and assigns, as applicable. Developer, his successors and assigns agree that no plat recordation or sale of any portion of the Property will occur with compliance with this Agreement.

(signatures on following page)

Manager:

Tack Development LTD.

By: _____
Tim Timmerman, President

CITY OF ELGIN

By: _____
Ron M. Ramirez, Mayor

ATTEST:
By: _____
Amelia Sanchez, City Secretary

STATE OF TEXAS

_____ COUNTY

Sworn and subscribed before me this the _____ day of _____, 2021 by _____.

SEAL **_____**
Signature of Notary

STATE OF TEXAS

_____ COUNTY

Sworn and subscribed before me this the _____ day of _____, 2021 by Ron M. Ramirez Mayor, City of Elgin, Texas.

SEAL **_____**

Signature of Notary

STATE OF TEXAS

_____ COUNTY

Sworn and subscribed before me this this _____day of _____, 2021 by Amelia Sanchez, City Secretary, City of Elgin, Texas.

SEAL **_____**

Signature of Notary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARDING BIDS TO J.R. STELZER COMPANY. FOR REPAIRS TO ELEVATED WATER TANK #2 IN THE AMOUNT OF $88,770.00; AND MAKING CERTAIN FINDINGS RELATED THERETO.**

DEPARTMENT: Public Works

PROPOSED ACTION: Approve Resolution to award bid to J.R. Stelzer Company in the amount of $85,770.00 for Repairs to Elevated Water Tank 2.

BACKGROUND: The Elgin High School 0.5 MG Elevated Tank was built in July 2001. At the time it was constructed, the interior of the tank had at a minimum 10 mils of paint coating applied. In 2014 the City of Elgin High School Elevated Water Tank (Tank #2) had the exterior completely repainted. This storage tank has had leak problem on the tank floor over the last year. The first leak was repaired on May 27th, 2020 at a cost of $3,500. The second leak was repaired on November 5th, 2020 at a cost of $17,500. The City was recently advised of another leak, while not severe, was an indication with the other instances that the tank requires more of a permanent fix rather than another patch. TRC recommended repairing the entire floor of the tank and in November, TRC was authorized to advertise for bids on renovation work on the tower. Bids for repairs to the tank were received and a bid opening was held on January 13th, 2020. A total of 14 bids were received ranging from $85,770 from J. R. Stelzer Company of Lincoln Nebraska to $ 195,022 from Blastco Company of Channelview Texas. The City as well as TRC Engineers recommend J. R. Stelzer Company at a cost of $85,770 to complete the repairs.

BUDGET/FINANCIAL IMPACT:

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

Initial funding will come from Utility Operating Revenue but will be reimbursed from sale of Combination Tax and Surplus Revenue Bonds series 2021 that are expected to be issued within the next several months.

RECOMMENTATION:

Staff recommends that J. R. Stelzer Company be awarded the work described in the attached bid tabulation.

ATTACHMENTS:

Resolution to award bid, Bid tabulation from TRC

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AWARDING BIDS TO J.R. STELZER COMPANY FOR REPAIRS TO ELEVATED WATER TANK 2 IN THE AMOUNT OF $85,770.00; AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, Elevated Water Tank 2, a half million-gallon tank was built in 2001 and is considered to be part of critical infrastructure to the City's water system; and

WHEREAS, conditions of the water tank are such that certain repairs to the interior of the tank are necessary; and

WHEREAS, quotes were requested and received to make repairs to the tank by a reputable contractor with lowest responsive bid being from J.R. Steltzer Company in the amount of $85,770.00;

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

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

Section 2. Award of bids. The City Council awards the project to J.R. Steltzer Company in the amount of $85,770.00.

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

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

PASSED AND ADOPTED THIS 19th day of January, 2021.

_____

Ron M Ramirez, Mayor
City of Egin, Texas

ATTEST:

_____

AMELIA SANCHEZ, City Secretary

505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

January 14, 2021

Honorable Ron Ramirez, Mayor and City Council
City of Elgin
310 North Main
Elgin, Texas 78621

Attn: Mr. Thomas Mattis, City Manager

RE: Elgin High School 500,000 Gallon Elevated Storage Tank Repaint Project
Bid Recommendation

Dear Mayor Ramirez and Council Members:

Fourteen (14) sealed bids were received at Elgin City Hall on January 13, 2021 at 1:30 P.M. for the above-referenced project. The bids ranged from $85,770.00 from J.R. Stelzer Company of Lincoln, Nebraska to $195,022.00 from Blastco Texas Inc. of Channelview, Texas. A detailed bid tabulation is attached for your reference. The construction completion period is sixty (60) consecutive calendar days.

The project consists of blasting and repainting the interior of the tank, and spot repair/repaint coating on exterior handrail.

It is recommended that J.R. Stelzer Company be awarded the construction project in the amount of $85,770.00. J.R. Stelzer Company is the lowest bidder and is being recommended due to the references and qualification provided by the lowest bidder. TRC conducted reference checks on projects supplied by the contractor and found that J.R. Stelzer Company has completed the projects to the satisfaction of the Owners and Engineers. The Contractor has a bid bond and will be required to furnish a Standard Form of Agreement, Performance Bond and Payment Bond to the City.

If you have any other questions or comments, please do not hesitate to contact this office.

Sincerely,

K. Beau Perry, P.E.
Vice President

cc: Michael Gonzalez, City of Elgin

Attachment: Bid Tabulation and Contractor Reference Check

City of Elgin
Elgin High School 500,000 Gallon Elevated Storage Tank Repaint Project
Bid Tabulation
January 13, 2021 - 1:30 PM

Item	Item Description	Qty.	Unit	J.R. Seltzer Company 5850 Russell Drive, Suite 1 Lincoln, Nebraska, 68507-3187		Mohon Blasting and Coatings 80 Harper Circle Beechmont , KY 42323		Maguire Iron, Inc. PO Box 1446 Sioux Falls, SD 57101		Mr Tank, LLC 9920 County Rd. 344 Terrell, TX 75161	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID PROPOSAL										
P.1	Performance and Payment Bonds	1	L.S.	$2,144.25	$2,144.25	$2,215.00	$2,215.00	$250.00	$250.00	$1,800.00	$1,800.00
P.2	Mobilization and Demobilization	1	L.S.	$5,000.00	$5,000.00	$4,430.00	$4,430.00	$2,500.00	$2,500.00	$4,500.00	$4,500.00
P.3	Repaint Tank Interior	1	L.S.	$71,500.00	$71,500.00	$77,755.00	$77,755.00	$75,500.00	$75,500.00	$79,077.00	$79,077.00
P.4	Spot Repair Exterior Handrail	1	L.S.	$5,375.00	$5,375.00	$3,000.00	$3,000.00	$10,000.00	$10,000.00	$4,600.00	$4,600.00
P.5	Seeding	1	L.S.	$1,750.75	$1,750.75	$1,200.00	$1,200.00	$1,500.00	$1,500.00	$1,500.00	$1,500.00
	TOTAL BASE BID				**$85,770.00**		**$88,600.00**		**$89,750.00**		**$91,477.00**

City of Elgin
Elgin High School 500,000 Gallon Elevated Storage Tank Repaint Project
Bid Tabulation
January 13, 2021 - 1:30 PM

Item	Item Description	Qty.	Unit	Nova Painting, LLC 4830 Wilson Rd. Ste 300 pbm 115 Humble, TX 77396		CFG Industries, LLC 22535 Magnolia Hills Drive Magnolia, TX 77354		Utility Service Co., Inc. 535 Courtney Hodges Blvd. Perry, GA 31069		Viking Painting LLC 305 North 93rd St. Omaha, NE 68124	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID PROPOSAL										
P.1	Performance and Payment Bonds	1	L.S.	$3,000.00	$3,000.00	$2,500.00	$2,500.00	$1,100.00	$1,100.00	$3,500.00	$3,500.00
P.2	Mobilization and Demobilization	1	L.S.	$2,000.00	$2,000.00	$4,500.00	$4,500.00	$5,500.00	$5,500.00	$2,300.00	$2,300.00
P.3	Repaint Tank Interior	1	L.S.	$55,000.00	$55,000.00	$87,500.00	$87,500.00	$85,200.00	$85,200.00	$111,600.00	$111,600.00
P.4	Spot Repair Exterior Handrail	1	L.S.	$30,000.00	$30,000.00	$3,500.00	$3,500.00	$14,000.00	$14,000.00	$4,000.00	$4,000.00
P.5	Seeding	1	L.S.	$4,000.00	$4,000.00	$1,500.00	$1,500.00	$4,900.00	$4,900.00	$1,500.00	$1,500.00
	TOTAL BASE BID				**$94,000.00**		**$99,500.00**		**$110,700.00**		**$122,900.00**

City of Elgin
Elgin High School 500,000 Gallon Elevated Storage Tank Repaint Project
Bid Tabulation
January 13, 2021 - 1:30 PM

Item	Item Description	Qty.	Unit	Classic Protective Coatings, Inc. N7670 State Highway 25 Menomonie, WI 54751		NG Painting, LP 1225 Bandera Hwy Ste A-2 Kerrville, TX 78028		TMI Coatings 3291 Terminal Drive St. Paul, MN 55121	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID PROPOSAL								
P.1	Performance and Payment Bonds	1	L.S.	$2,800.00	$2,800.00	$1,000.00	$1,000.00	$3,500.00	$3,500.00
P.2	Mobilization and Demobilization	1	L.S.	$6,000.00	$6,000.00	$1,000.00	$1,000.00	$8,000.00	$8,000.00
P.3	Repaint Tank Interior	1	L.S.	$110,800.00	$110,800.00	$120,000.00	$120,000.00	$139,500.00	$139,500.00
P.4	Spot Repair Exterior Handrail	1	L.S.	$5,600.00	$5,600.00	$5,000.00	$5,000.00	$8,000.00	$8,000.00
P.5	Seeding	1	L.S.	$1,600.00	$1,600.00	$3,000.00	$3,000.00	$2,000.00	$2,000.00
	TOTAL BASE BID				**$126,800.00**		**$130,000.00**		**$161,000.00**

City of Elgin
Elgin High School 500,000 Gallon Elevated Storage Tank Repaint Project
Bid Tabulation
January 13, 2021 - 1:30 PM

				D&M Tank LLC 6901 Mansfield Cardinal Rd. Kennedale, TX 76060		The Trey Evans Co 1250 FM 1514 Rd. Coldspring, TX 77331		Blastco Texas Inc. 16201 Wood Drive Channelview, TX 77530	
Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
	BASE BID PROPOSAL								
P.1	Performance and Payment Bonds	1	L.S.	$5,200.00	$5,200.00	$4,500.00	$4,500.00	$3,900.00	$3,900.00
P.2	Mobilization and Demobilization	1	L.S.	$10,000.00	$10,000.00	$8,500.00	$8,500.00	$9,751.00	$9,751.00
P.3	Repaint Tank Interior	1	L.S.	$75,800.00	$75,800.00	$162,500.00	$162,500.00	$130,000.00	$130,000.00
P.4	Spot Repair Exterior Handrail	1	L.S.	$83,000.00	$83,000.00	$2,500.00	$2,500.00	$46,871.00	$46,871.00
P.5	Seeding	1	L.S.	$2,500.00	$2,500.00	$3,000.00	$3,000.00	$4,500.00	$4,500.00
	TOTAL BASE BID				**$176,500.00**		**$181,000.00**		**$195,022.00**

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: 421771 Elgin High School Tank Interior Repaint (tank #2)

CONTRACTOR: J R Stelzer Co.

CONTACT INFO: Michael Stelzer, Phone: 402-466-0726, Email: jrstelzer@msn.com

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

___x__ **OTHER:** _____Repair and Repaint_____

REFERENCE: Ashley McDanial (with city of Allen, Tx)

CONTACT INFO: Phone: 214-509-4597

DATE OF INTERVIEW: 01/13/2021

1. Project Time:

   a. Was the construction started and completed on time?
   Owner change order not related to contractors.

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   Finished on time.

   c. Were there any significant delays or work stoppages?

Only delay was due to condition of the tank delayed by owner.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.

c. Did the contractor pay his sub-contractors timely?
Yes, as far as aware.

d. Were there any liens placed on the project from vendors or sub-contractors?
No.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?

Yes.

b. Were there any significant issues with the contractor's employees dealing with the public?
No.

c. Were there many complaints from the residents regarding the contractor?
No.

d. Did the contractor cleanup his work site sufficiently?
Yes.

e. Was there excessive personnel turnover for the contractor's field workers?
No, same faces were seen every time.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

6. General:

a. How much of the work was self performed versus sub contracted out?
Most work was self-performed, Joe Sweeney was subcontracted out for some repair work such as fixing hatches on the elevated tank.

~~b. Did the contractor do the utilities or sub contract them out?~~

~~c. Did the contractor do the roadway work or sub contract it out?~~

7. Would you hire this contractor again?
Yes, would hire again. Good experience.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: 421771 Elgin High School Tank Interior Repaint (tank #2)

CONTRACTOR: J R Stelzer Co.

CONTACT INFO: Michael Stelzer, Phone: 402-466-0726, Email: jrstelzer@msn.com

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

__x__ **OTHER:** Repaint and repair

REFERENCE: Jon Eaton (with City of Eagan, MN)

CONTACT INFO: 651-675-5215

DATE OF INTERVIEW: 1/13/2021

1. Project Time:

   a. Was the construction started and completed on time?
   Yes.

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   Yes.

   c. Were there any significant delays or work stoppages?
   No.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No change orders at all.

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.

c. Did the contractor pay his sub-contractors timely?
No subcontractors.

d. Were there any liens placed on the project from vendors or sub-contractors?
No, they were required to file form to ensure no liens were in place.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
None.

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?
Yes.

b. Were there any significant issues with the contractor's employees dealing with the public?
No.

c. Were there many complaints from the residents regarding the contractor?
Not directly about the contractors. Perceived overspray on someone's home on a windy day, very responsive and fixed all issues.

d. Did the contractor cleanup his work site sufficiently?
Yes. Very tidy.

e. Was there excessive personnel turnover for the contractor's field workers?
Not that was aware.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

6. General:

a. How much of the work was self performed versus sub contracted out?
No subcontractors, all self-performed.

~~b. Did the contractor do the utilities or sub contract them out?~~

~~c. Did the contractor do the roadway work or sub contract it out?~~

7. Would you hire this contractor again?
Absolutely. One of the best experiences with a contractor he has had.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: __421771 Elgin High School Tank Interior Repaint (tank #2)_

CONTRACTOR: __J R Stelzer Co._____

CONTACT INFO: ___Michael Stelzer, Phone: 402-466-0726, Email: jrstelzer@msn.com____

AREA(S) OF WORK: _____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

___x__ **OTHER:** _____**Repaint and repair**_____

REFERENCE: _____**Scott Holden (with City of Plano, TX)**_____

CONTACT INFO: ___**Cell: 972-941-7897**_____

DATE OF INTERVIEW: ___**1/13/2021**_____

1. Project Time:

   a. Was the construction started and completed on time?
   Yes.

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   No, work was on time.

   c. Were there any significant delays or work stoppages?

No.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.

c. Did the contractor pay his sub-contractors timely?
Yes.

d. Were there any liens placed on the project from vendors or sub-contractors?
No.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?

Yes.

b. Were there any significant issues with the contractor's employees dealing with the public?
No.

c. Were there many complaints from the residents regarding the contractor?
Not directly related, sand blasting noise complaint. Elevated tank is in a neighborhood.

d. Did the contractor cleanup his work site sufficiently?
Yes.

e. Was there excessive personnel turnover for the contractor's field workers?
No.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

6. General:

a. How much of the work was self performed versus sub contracted out?
Performed everything for tank painting, nearby fencing and general civil work subcontracted.

~~b. Did the contractor do the utilities or sub contract them out?~~

~~c. Did the contractor do the roadway work or sub contract it out?~~

7. Would you hire this contractor again?
Most definitely, does a great job. Happy to work with them.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: __421771 Elgin High School Tank Interior Repaint (tank #2)_

CONTRACTOR: __J R Stelzer Co._____

CONTACT INFO: ___Michael Stelzer, Phone: 402-466-0726, Email: jrstelzer@msn.com____

AREA(S) OF WORK: _____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

___x__ **OTHER:** _____**Repaint and repair**_____

REFERENCE: _____Jeff Sweetser _____

CONTACT INFO: _____402-729-3648_____

DATE OF INTERVIEW: _____1/14/2021_____

1. Project Time:

   a. Was the construction started and completed on time?
   Only one week delay due to weather.

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   No.

   c. Were there any significant delays or work stoppages?

No.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.

c. Did the contractor pay his sub-contractors timely?
Not aware of any subcontractors.

d. Were there any liens placed on the project from vendors or sub-contractors?
No.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?

Very well.

b. Were there any significant issues with the contractor's employees dealing with the public?
No.

c. Were there many complaints from the residents regarding the contractor?
No.

d. Did the contractor cleanup his work site sufficiently?
Yes.

e. Was there excessive personnel turnover for the contractor's field workers?
No.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No issue.

6. General:

a. How much of the work was self performed versus sub contracted out?
All work was self-performed.

~~b. Did the contractor do the utilities or sub contract them out?~~

~~c. Did the contractor do the roadway work or sub contract it out?~~

7. Would you hire this contractor again?
Yes. Good contractor.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: 421771 Elgin High School Tank Interior Repaint (tank #2)

CONTRACTOR: J R Stelzer Co.

CONTACT INFO: Michael Stelzer, Phone: 402-466-0726, Email: jrstelzer@msn.com

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

___x__ **OTHER:** _____**Repaint and repair**_____

REFERENCE: L. D. Palmer (Newton Water Works)

CONTACT INFO: 641-792-2003

DATE OF INTERVIEW: 1/14/2021

1. Project Time:

   a. Was the construction started and completed on time?
   Yes.

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   No performed on time.

   c. Were there any significant delays or work stoppages?

No major delay, only delay was due to welding, not related to contractor.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
None.

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.

c. Did the contractor pay his sub-contractors timely?
No subcontractors.

d. Were there any liens placed on the project from vendors or sub-contractors?
No.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
No. They are extremely safe, that is why we choose them.

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?

Yes.

b. Were there any significant issues with the contractor's employees dealing with the public?
There were not any issues with the public.

c. Were there many complaints from the residents regarding the contractor?
No.

d. Did the contractor cleanup his work site sufficiently?
Yes.

e. Was there excessive personnel turnover for the contractor's field workers?
Same people for many years.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

6. General:

a. How much of the work was self performed versus sub contracted out?
No subcontractors.

~~b. Did the contractor do the utilities or sub contract them out?~~

~~c. Did the contractor do the roadway work or sub contract it out?~~

7. Would you hire this contractor again?
Yes. They do their job well.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Elgin High School Tank Interior Repaint ; 421771

CONTRACTOR: Mohon Blastings & Coatings

CONTACT INFO: 270 – 225 - 0181

AREA(S) OF WORK: _____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

__X__ **OTHER: Blasting & Coating**

REFERENCE: Joe Seiter

CONTACT INFO: 405 – 593 - 7553

DATE OF INTERVIEW: 1/13/2021

1. Project Time:

   a. Was the construction started and completed on time?
   YES

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   NO

   c. Were there any significant delays or work stoppages? **NO**

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
NO

e. Other?
NO

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
NO

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
NO

c. Did the contractor pay his sub-contractors timely?
DIDN'T EMPLOY ANY SUB-CONTRACTORS.

d. Were there any liens placed on the project from vendors or sub-contractors?
NO

e. Other?
NO

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
100,000 gallon ground storage tank, replaced all rafters in the tank.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
NO

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?
YES

b. Were there any significant issues with the contractor's employees dealing with the public?
NO

c. Were there many complaints from the residents regarding the contractor?
NO

d. Did the contractor cleanup his work site sufficiently?
YES, EVERYTHING WAS INSPECTED.

e. Was there excessive personnel turnover for the contractor's field workers?
NO

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
NO

6. General:

a. How much of the work was self performed versus sub contracted out?
100% SELF PERFORMED

b. Did the contractor do the utilities or sub contract them out?
N/A

c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?
YES!

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: **Elgin High School Tank Interior Repaint ; 421771**

CONTRACTOR: **Mohon Blastings & Coatings**

CONTACT INFO: **270 – 225 - 0181**

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

__X__ **OTHER:** **Blasting & Coating**

REFERENCE: **Ross Woodfin**

CONTACT INFO: **281 – 275 - 2357**

DATE OF INTERVIEW: **1/13/2021**

1. Project Time:

   a. Was the construction started and completed on time?
   YES, COMPLETED AHEAD OF SCHEDULE

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   NO

   c. Were there any significant delays or work stoppages? **NO**

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
NO

e. Other?
NO

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
NO

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
NO

c. Did the contractor pay his sub-contractors timely?
YES

d. Were there any liens placed on the project from vendors or sub-contractors?
NO

e. Other?
NO

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Recoating aerial piping at WTP, at 4 different locations.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
NO

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?
YES

b. Were there any significant issues with the contractor's employees dealing with the public?
NO

c. Were there many complaints from the residents regarding the contractor?
NO

d. Did the contractor cleanup his work site sufficiently?
YES

e. Was there excessive personnel turnover for the contractor's field workers?
NO

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
NO

6. General:

a. How much of the work was self performed versus sub contracted out?
100% SELF PERFORMED

b. Did the contractor do the utilities or sub contract them out?
N/A

c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?
YES!

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: **Elgin High School Tank Interior Repaint ; 421771**

CONTRACTOR: **Mohon Blastings & Coatings**

CONTACT INFO: **270 – 225 - 0181**

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

__X__ **OTHER:** **Blasting & Coating**

REFERENCE: **Wauford**

CONTACT INFO: **615 – 426 – 8301**

DATE OF INTERVIEW: **1/13/2021**

1. Project Time:

   a. Was the construction started and completed on time?
   YES, COMPLETED AHEAD OF SCHEDULE

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   NO

c. Were there any significant delays or work stoppages? **COUPLE OF WEATHER ISSUES/DELAYS. NONE OF MOHON'S FAULT**

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
NO

e. Other?
NO

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
NO

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
ESTIMATE FOR WELD REPAIR WASN'T DONE BUT WELDING WAS NEEDED. WELD REPAIR WASN'T IN CONTRACT BUT MOHON PERFORMED WONDERFULLY

c. Did the contractor pay his sub-contractors timely?
YES

d. Were there any liens placed on the project from vendors or sub-contractors?
NO

e. Other?
NO

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
Small clarifier

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
NO

5. General Problems/Issues:

    a. Did the contractor work well with the City/Engineer staffs?
    YES

    b. Were there any significant issues with the contractor's employees dealing with the public?
    NO

    c. Were there many complaints from the residents regarding the contractor?
    NO

    d. Did the contractor cleanup his work site sufficiently?
    YES

    e. Was there excessive personnel turnover for the contractor's field workers?
    NO

    f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
    NO

6. General:

    a. How much of the work was self performed versus sub contracted out?
    100% SELF PERFORMED

    b. Did the contractor do the utilities or sub contract them out?
    N/A

    c. Did the contractor do the roadway work or sub contract it out?
    N/A

7. Would you hire this contractor again?
    YES!

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: **Elgin High School Tank Interior Repaint ; 421771**

CONTRACTOR: **Mohon Blastings & Coatings**

CONTACT INFO: **270 – 225 - 0181**

AREA(S) OF WORK:

_____ **UTILITIES**

_____ **CONCRETE**

_____ **ROADWAY & TRANSPORTATION**

_____ **GENERAL CONSTRUCTION**

__X__ **OTHER:** **Blasting & Coating**

REFERENCE: **Ryan Leisey**

CONTACT INFO: **270 – 842 – 0052 Ext. 512**

DATE OF INTERVIEW: **1/13/2021**

1. Project Time:

   a. Was the construction started and completed on time?
   YES

   b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
   NO

   c. Were there any significant delays or work stoppages? **NO**

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
NO

e. Other?
NO

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
NO

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
NO

c. Did the contractor pay his sub-contractors timely?
YES

d. Were there any liens placed on the project from vendors or sub-contractors?
NO

e. Other?
NO

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).
1.2 MGD potable water storage tank; full blast inside and out.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?
NO

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?
YES, VERY COOPERATIVE

b. Were there any significant issues with the contractor's employees dealing with the public?
NO

c. Were there many complaints from the residents regarding the contractor?
NO

d. Did the contractor cleanup his work site sufficiently?
YES

e. Was there excessive personnel turnover for the contractor's field workers?
NO

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
NO

6. General:

a. How much of the work was self performed versus sub contracted out?
100% SELF PERFORMED

b. Did the contractor do the utilities or sub contract them out?
N/A

c. Did the contractor do the roadway work or sub contract it out?
N/A

7. Would you hire this contractor again?
YES!

Elgin City Council Meeting
Agenda Item Executive Summary

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

DEPARTMENT: City Manager

PROPOSED ACTION:
Consideration and adoption of an Ordinance extending the city's requirement for individuals to wear face coverings in response to safety concerns related to the COVID-19 pandemic.

BACKGROUND:
Discussed at previous meetings; On March 13, 2020 the Governor of Texas issued a disaster proclamation that COVID-19 coronavirus poses an imminent threat of disaster for all citizens.

The Governor also announced that according to his interpretation of his executive orders, "local governments can require stores and businesses to require masks" and that every city is authorized to impose this "requirement on business operations."

On July 1, 2020, the City Council passed Ordinance No. 2020-07-01-21 requiring all persons to wear a face covering when (a) inside a building open to the public or (b) outside with a group of people where it is difficult to keep six feet apart (standard social distancing). All commercial entities were also required to post a public notice that all employees & visitors are required to wear face coverings.

Subsequent to that action by Council, Governor Abbott issued Executive Order No. 29 making these requirements mandatory of all Texans.

On November 24, 2020, the City Council passed an Ordinance reaffirming and extending these requirements for an additional sixty (60) days.

This action represents an affirmation/continuation of existing COVID protocols and does not include any new or additional restrictions or requirements.

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

RECOMMENDATION:
Approval of an Ordinance extending the city's requirement for face coverings of Elgin residents and businesses in response to safety concerns related to the COVID-19 pandemic as described; and routine direction to staff, if any.

ATTACHMENTS: Proposed Ordinance

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

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

ORDINANCE NO. _____

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

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

I. DECLARATION OF PUBLIC HEALTH EMERGENCY

Section 1.01 - Pursuant Article III, Sec. 13 of the Elgin Home Rule Charter and Section 122.006 of the Texas Local Government Code, the City Council hereby declares that a public health emergency exists in the City of Elgin because of the world-wide novel coronavirus ("COVID-19 ") pandemic.

Section 1.02 - On March 13, 2020 Greg Abbott, Governor of Texas issued a disaster proclamation that COVID-19 poses an imminent threat of disaster for all counties in Texas.

Section 1.03 - The Commissioner of the Texas Department of State Health Services has determined that COVID-19 continues to represent a public health disaster.

Section 1.04 - On June 17, 2020, Governor Abbott publicly announced that according to his interpretation of his executive orders, "local governments can require stores and businesses to require masks" and further that every city and county is authorized to impose this "requirement on business operations."

Section 1.05 - On July 1, 2020, the Elgin City Council unanimously adopted Ordinance No. 2020-07-01-21, requiring all persons ten (10) years of age or older to wear a face covering over their nose and mouth and all commercial entities open to the public to post a public notice that all employees and visitors are required to wear face coverings and all persons to wear a face covering when inside a building open to the public or when outside where social distancing cannot be achieved.

Section 1.06 - On July 3, 2020, Governor Abbott issued Executive Order GA29 which states, in part, that "Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household;

Section 1.07 - On November 24, 2020, the Elgin City Council unanimously reaffirmed its commitment to requiring face coverings and all commercial entities open to the public to post a public notice that all are required to wear face coverings when inside a building open to the public through the unanimous adoption of Ordinance No. _____.

II. MANDATORY NOTICE FOR COMMERCIAL ENTITIES

Section 2.01 - Effective as of 11:59 p.m. on January 23, 2021, and continuing through 11:59p.m. on March 24, 2021, all commercial entities in the city that provide goods or services directly to the public shall post a notice to the public that all employees and visitors to the commercial entity's business premises or other facilities, are required to wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public, where six feet of separation is not feasible.

Section 2.02 - The aforesaid notice shall be posted in a conspicuous location sufficient to provide notice to employees and visitors of the health and safety requirements.

Section 2.03 - A sample Health and Safety Notice containing the minimum requirements is attached as Exhibit A and may be used by a commercial entity. A commercial entity may add its own additional requirements as determined by the entity.

III. MANDATORY FACE COVERINGS FOR INDIVIDUALS

Section 3.01 - Except as provided below, as of 11:59 p.m. on January 23, 2021, and continuing through 11:59p.m. on March 24, 2021, all persons ten (10) years of age or older shall wear a face covering over their nose and mouth when:

a) inside a commercial entity or other building open to the public, where it is difficult to keep six feet away from other persons or where working in areas that involve proximity with other people or co-workers; or

b) outside with a group of people where it is difficult to keep six feet away from other persons in the group.

Section 3.02 - The requirement to wear face coverings does not apply to the following situations:

a) When exercising or engaging in physical activity;

b) When in a building that requires security surveillance or screening, such as banks;

c) While consuming food or drink;

d) When doing so poses a greater mental or physical health, safety, or security risk;

e) When outside with a group of only members of a single household; or

f) When other mitigation strategy, such as plexiglass provides adequate separation.

IV. PENALTIES

Section 4.01 - For the first instance that a person is determined to have violated any provision of this Ordinance, the penalty shall be a verbal or written warning.

Section 4.02 - Any person found guilty of violating this ordinance after previously receiving a warning, shall be punished by a fine not exceeding $200.00 for each violation.

V. EXPIRATION DATE

Section 5.01 - Pursuant to Art. III, Sec. 13 of the Elgin Home Rule Charter, this Emergency Ordinance shall be automatically repealed on the sixty-first day following the day of its adoption, unless terminated sooner, or re-enacted by the Council.

VI.

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 Emergency Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Emergency Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

By motion duly made, seconded and passed with an affirmative vote by _____ of the Council members present, this Emergency Ordinance was

READ, **PASSED**, and **ADOPTED** on first reading this 19th day of January, 2021.

_____
RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

_____
Amelia Sanchez, City Secretary