



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 23, 2021
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBER
404 NORTH MAIN STREET
7:00 PM

Pursuant to concerns related to the Coronavirus (COVID-19) *Pandemic*, the Elgin City Council will be conducting its meeting in person and members of the public may attend the meeting, 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

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

- 1. 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 From "R-1" Single Family District To "A" Multiple Family District For Lots 40A (0.3182 Acres) And 40B (0.6356 Acres) Ashby Subdivision, Both Properties Being A Total Of 0.9538 Acres Said Tract Being More Described In Exhibit "A" And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

VI. PUBLIC COMMENT

Individuals may request to speak on items on the agenda, and items not on the agenda, by requesting to speak during the meeting and under "PUBLIC COMMENT" and will be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material,

handouts or information for Council, to the City Secretary prior to commencement of the Council meeting. Speaker comments are limited to three (3) minutes.

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

VII. CITY MANAGERS REPORT

1. Review And Discussion Of The Proposed City Of Elgin 2021 Certificates Of Obligation And 2021 Refunding Bonds Program

Documents:

[EXSUMMARY - 2021COS DISCUSSION.PDF](#)
[COPRES3.9.21.PDF](#)

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

Documents:

[EX SUMMARY - TRAFFIC CALMING REPORT4.PDF](#)

3. General Activity Report And/Or Project Update

Documents:

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

VIII. CONSENT AGENDA

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

1. City Council Meeting Minutes - March 9, 2021

Documents:

[EXSUMMARY SHEET MINUTES.PDF](#)
[03-09-21 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. AN ORDINANCE CHANGING THE NAME OF "HICKORY LANE" TO "HOPTREE LANE" WITHIN THE WOODLAWN SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[COUNCIL COVERSHEET.PDF](#)
[STREET NAME CHANGE ORDINANCE.PDF](#)
[EXHIBIT A.PDF](#)

IX. NEW BUSINESS

- 1. 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 ORDINANCE5.PDF](#)
[ORDFACECOVERINGS32321.PDF](#)
[EXECUTIVE ORDER GA-34.PDF](#)

- 2. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM "R-1" SINGLE FAMILY DISTRICT TO "A" MUTIPLE FAMILY DISTRICT FOR LOTS 40A (0.3182 ACRES) AND 40B (0.6356 ACRES) ASHBY SUBDIVISION, BOTH PROPERTIES BEING A TOTAL OF 0.9538 ACRES SAID TRACT BEING MORE DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[COUNCIL COVERSHEET.PDF](#)
[STAFF MEMO 1212 1214 REZONING.PDF](#)
[COMBINED PACKET FOR REZONING AT 1212 AND 1214 MAIN ST..PDF](#)

- 3. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND SYKES INDUSTRIES, LLC AND AUTHORIZING THE MAYOR TO APPROVE THE CONTRACT**

Documents:

[EXSUMMARY SYKES INDUSTRIES CONTRACT.PDF](#)
[RESOLUTION FOR SYKES INDUSTRIES REAL ESTATE CONTRACT.PDF](#)
[ELGIN REAL ESTATE CONTRACT SIGNED 3-5-2021.PDF](#)

- 4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE COUNTY LINE ROAD SCHOOL ZONE BEACONS PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EX SUMMARY - TRC CLR SPEED ZONE.PDF](#)
[TRC PROPOSAL - SCHOOL ZONE BEACONS.PDF](#)

- 5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO MAKING A WATER SYSTEM RISK AND RESILIENCE ASSESSMENT AND EMERGENCY RESPONSE**

PLAN AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[01 EXSUMMARY TRC ENG SERVICES.PDF](#)
[MEMCYBERATTACK221.PDF](#)

- 6. A RESOLUTION BY THE CITY OF ELGIN, TEXAS SUSPENDING THE MAY 3, 2021 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – SOUTH TEXAS DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2020 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.**

Documents:

[EXSUMMARY COVER SHEET CENTERPOINT.PDF](#)
[2021 CENTERPOINT SOUTH TEXAS DIVISION GRIP SUSPENSION RESOLUTION.PDF](#)

- 7. Appointments To The Building Standards Commission For Partial Terms.**

- Regan Dumbeck
- Brian Lundgren

Documents:

[COUNCIL COVERSHEET.PDF](#)
[REGAN DUMBECK APPLICATION.PDF](#)
[BRIAN LUNDGREN APPLICATION.PDF](#)

- 8. School Zone Safety On County Line Road - Councilmember Ibis**

Documents:

[EX SUMMARY - IBIS ITEM2.PDF](#)

- 9. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2021-2022 COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR OR CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

Documents:

[ELGIN RESOLUTION FOR SUBMISSION 2021-2022 CDBG.PDF](#)
[EX-SUMTXAG-CDBG FY 2021-22 GRANT APPLICATION.PDF](#)

- 10. TXCDBG 21-22 Citizen Participation Plan**

Documents:

[ELGIN CITIZEN PARTICIPATION PLAN.PDF](#)
[EX-SUMTXAG-CDBG FY 2021-22 CITIZEN PARTICIPATION PROGRAM.PDF](#)

X. EXECUTIVE SESSION

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

XI. RECONVENE

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

XII. ANNOUNCEMENTS

XIII. ADJOURMENT

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

I, Amelia Sanchez, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, March 19, 2021, 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 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, 2020 and making this amendment a part of said official zoning map, to wit: to rezone from “R-1” Single Family District to “A” Multiple Family District for Lots 40A (0.3182 acres) and 40B (0.6356 acres) Ashby Subdivision, both properties being a total of 0.9538 acres said tract being more described in Exhibit “A” and providing 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 as R-3 Single Family, Two Family, and Industrialized Housing District, the property being approximately 68.992 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND: The Planning & Zoning Commission held the first of two public hearings on the requested rezoning on February 22, 2021.

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: Review and discussion of the proposed City of Elgin 2021 Certificates of Obligation and 2021 Refunding Bonds Program

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested by staff at this time; This item is for a wide-ranging discussion and Q&A between Council and the staff as it relates to the 2021 Certificates of Obligation and 2021 Refunding Bonds Program proposed by the City Manager.

BACKGROUND:

Discussed at last meeting; Staff has submitted its recommendations to Council on the proposed 2021 Certificates of Obligation - which is designed to fund a wide range of capital improvements projects in support of general government, water, and wastewater operations - and the proposed 2021 Refunding Bonds to refinance previously issued debt (that will result in annual debt service savings).

Certificates of Obligation (COs) and debt issuance in general are a necessary component to funding major capital improvement projects for cities where such funds are not available through the annual operating budget. It is also of particular need in rapidly growing cities like Elgin, where demands for improved services and facilities exceed currently available resources.

The City Council is *considering* issuing CO's and Refunding Bonds in an amount not to exceed \$25,890,000 (principal). The final decision on the proposed COs and Refunding Bonds will occur no sooner than May 18, 2021.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Discussion and review of the proposed 2021 Certificates of Obligation and 2021 Refunding Bonds Program; and direction to staff, if any, regarding same.

ATTACHMENTS:

Initial staff presentation on proposed 2021 Certificates of Obligation and 2021 Refunding Bonds

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

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

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

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



City of Elgin Office of the City Manager

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

2021 Certificates of Obligation and 2021 Refunding Bonds

March 15, 2021

At the March 9 Regular Meeting of the Elgin City Council, city staff made its initial presentation of the proposed **2021 Certificates of Obligation** designed to fund a wide range of capital improvements projects in support of general government, water, and wastewater operations; and the proposed **2021 Refunding Bonds** to refinance previously issued debt (that will result in annual debt service savings).

Certificates of Obligation (COs) and debt issuance in general are a necessary component to funding major capital improvement projects for cities where such funds are not available through the annual operating budget. It is also of particular need in rapidly growing cities like Elgin, where demands for improved services and facilities exceed currently available resources.

The formal action taken by Council was to proceed with public notification as to the City's intention to issue COs in the not-to-exceed principal amount of \$25,890,000 as recommended by staff. Through this action, the Council stated for the record that they (a) are ***considering*** issuing Certificates of Obligation and Refunding Bonds, (b) that the COs will not exceed \$25,890,000 in the principal amount, (c) that a very deliberate, public decision-making process will be followed, and (d) that the final decision on the proposed COs and Refunding Bonds will occur no sooner than May 18, 2021. In addition:

- Staff has now recommended this *proposed* capital improvement and refinancing program. Any final decisions in this regard, however, is within the exclusive purview of the City Council. **Only the City Council can authorize the issuance of the debt** associated with this proposal.
- While Councilmembers received individual briefings on this program and the majority of the projects are in the previously approved Five-Year Capital Improvements Plan, the March 9 Meeting was the first time the proposal has been discussed by the Council as a whole.
- The not-to-exceed amount was set to allow Council to consider funding for all proposed projects - but that amount can be reduced before the final program is formally approved by City Council.
- As proposed, the program will not require an increase in the existing debt portion of the property tax rate. However, if fully funded as currently proposed, the average monthly utility bill is conservatively projected to **increase** by approximately **\$8 per month**.
- Nearly two-thirds of the funding proposed is devoted to four (4) major projects that have been long-discussed and address prior commitments made by the City: County Line Rd Widening, Weatherize Water Treatment Plant, Wastewater Treatment Plant Expansion, and WWlines-FM1704.

Attached is a copy of the formal presentation made to City Council. Deliberations on this program are anticipated to continue until May 18, the date of the scheduled final vote on the program by City Council. It is likely that this subject matter will be an agenda item at each Council Meeting until that time.

Input and questions from Elgin citizens and taxpayers are welcome – and encouraged.

Thomas L. Mattis
City Manager



2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

(GENERAL GOVERNMENT, WATER, & SEWER)

2021 REFUNDING BONDS

MARCH 9, 2021

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

- The total amount of the proposed 2021 Certificates of Obligation and Refunding Bond Issue is currently **\$24,062,118**
- This bond will potentially help fund over **\$42M** in Capital Improvements throughout the City and within all operations

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

- As proposed, the City could fund **\$9M+** in General Government Capital Improvements through this issuance without increasing the Debt Portion of the City's Property Tax Rate
- Capital Improvements planned for the Water and Wastewater Departments – essentially all of which are required to maintain existing service levels – will require a utility rate increase to all customers
- The entire legislative process for complete and formal authorization to issue Certificates of Obligation will require multiple votes of the City Council at different meetings

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

- Proposed formal action for tonight's meeting is for the City Council to:
 - a) Determine the list of projects anticipated for funding,**
 - b) Determine the total, not-to-exceed dollar amount of the debt issuance,**
 - c) Direct the publication of the required notice of the City's intent to issues Certificates of Obligation, and**
 - d) Adopt Reimbursement Resolution to be able to reimburse costs expended prior to delivery and funding of the COs.**

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

	Planned/ Actual Obligations <u>Est. Cost</u>	Projected Funds Available					
		CO 2016 <u>Balance</u>	CO 2019A <u>Balance</u>	NEW <u>2021 CO</u>	Developer Reimburse- <u>ment</u>	<u>Grants</u>	Total <u>Funds Avail.</u>
General Govt. Fund	14,144,860	-	-	9,530,000	3,743,860	871,000	14,144,860
Water Fund	9,691,959	-	-	4,792,118	-	4,899,841	9,691,959
Sewer Fund	<u>19,014,202</u>	<u>5,550,000</u>	<u>800,000</u>	<u>9,740,000</u>	<u>2,574,202</u>	<u>350,000</u>	<u>19,014,202</u>
Total	42,851,021	5,550,000	800,000	24,062,118	6,318,062	6,120,841	42,851,021

The column on the chart highlighted in yellow shows the amount of the bond allocated for each fund.

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION GENERAL GOVERNMENT

PROJECTS	Planned/ Actual Obligations	Projected Funds Available				
		CO 2016 Balance	NEW 2021 CO	Developer Reimburse- ment	Grants	Total Funds Avail.
<u>General Government</u>	<u>Est. Cost</u>					
26 Memorial Park Restroom	160,000	-	160,000	-	-	160,000
Thomas Park Improvements	150,000	-	150,000	-	-	150,000
Phase I - Central Park Improvements	100,000	-	100,000	-	-	100,000
24 Pave Alleyways Downtown	500,000	-	500,000	-	-	500,000
21 County Line Road Widening	6,743,860	-	3,000,000	3,743,860	-	6,743,860
WW Lines/Heritage Lakes Upsize	950,000	-	950,000	-	-	950,000
New City Hall Annex	2,500,000	-	2,500,000	-	-	2,500,000
Add/Renovate Police Dept Bldg. + equipt.	1,950,000	-	1,950,000	-	-	1,950,000
25 Bldg. Renovation - 202 Depot St.	100,000	-	100,000	-	-	100,000
21 Demolish Bldg, - 202A Depot St.	20,000	-	20,000	-	-	20,000
31 Downtown Revital. Sidewalks MLK	575,000	-	75,000	-	500,000	575,000
SRTS Schools - Downtown Connect	396,000	-	25,000	-	371,000	396,000
Total	14,144,860	-	9,530,000	3,743,860	871,000	14,144,860

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION GENERAL GOVERNMENT

Debt Service Payments (FY 2021-22)

	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Annual Debt Service on Existing Debt *	496,868	265,516	762,384
Annual Capital Lease Payments	103,731	9,193	112,924
Plus Est. Annual DS on new debt**	<u>200,000</u>	<u>333,550</u>	<u>533,550</u>
Total	<u>800,599</u>	<u>608,259</u>	<u>1,408,858</u>

* Net of DS on Refunded Bonds

** FY 2021-22 Year

Impact on Property Tax Rate

Estimated net AV FY 2021-22	651,475,600
Fy 2020-21 Tax Rate (debt portion)	<u>0.228647</u>
Estimated Levy	1,489,579

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION WATER FUND

Proposed 2021 Certificate of Obligation

	Planned/ Actual Obligations <u>Est. Cost</u>	Projected Funds Available					
		CO 2016 <u>Balance</u>	CO 2019A <u>Balance</u>	NEW 2021 CO	Developer		Total <u>Funds Avail.</u>
					Reimburse- <u>ment</u>	<u>Grants</u>	
General Govt. Fund	14,144,860	-	-	9,530,000	3,743,860	871,000	14,144,860
Water Fund	9,691,959	-	-	4,792,118	-	4,899,841	9,691,959
Sewer Fund	19,014,202	5,550,000	800,000	9,740,000	2,574,202	350,000	19,014,202
Total	42,851,021	5,550,000	800,000	24,062,118	6,318,062	6,120,841	42,851,021

The column on the chart highlighted in yellow shows the amount of the bond allocated for each fund.

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION WATER FUND

PROJECTS	Planned/ Actual Obligations	Projected Funds Available			
		NEW 2021 CO	Developer Reimburse- ment	Grants	Total Funds Avail.
<u>Water Fund</u>	<u>Est. Cost</u>				
52 Water Well No. 10	900,000	900,000	-	-	900,000
53 FM1100 Water Main	842,625	842,625	-	-	842,625
Refurbish Water Storage Tanks *	500,000	500,000	-	-	500,000
Weatherize Water Treatment Plant, wells and distribution system.	2,500,000	2,500,000	-	-	2,500,000
56 Pistol Hill Water Tank-Replace	4,949,334	49,493	-	4,899,841	4,949,334
Total- Projects	9,691,959	4,792,118	-	4,899,841	9,691,959

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION WATER FUND

<u>Debt Service Payments (FY 2021-22)</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Annual Debt Service on Existing Debt *	610,783	437,803	1,048,586
Annual Capital Lease Payments	27,942	1,778	29,720
Plus Est. Annual DS on new debt**	-	167,724	167,724
	<u>638,725</u>	<u>607,305</u>	<u>1,246,030</u>

Impact on Water Rate

Current Rates Generate	1,092,000
Debt Serv. Requirements FY 2022	<u>1,246,030</u>
Deficit to be made up	(154,030)
Rate Increase per Customer/mo. \$	3.67
Avg Percent Increase	8.1%

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION SEWER FUND

Proposed 2021 Certificate of Obligation

	Planned/ Actual Obligations <u>Est. Cost</u>	Projected Funds Available					
		CO 2016 <u>Balance</u>	CO 2019A <u>Balance</u>	NEW <u>2021 CO</u>	Developer Reimburse- <u>ment</u>	<u>Grants</u>	Total <u>Funds Avail.</u>
General Govt. Fund	14,144,860	-	-	9,530,000	3,743,860	871,000	14,144,860
Water Fund	9,691,959	-	-	4,792,118	-	4,899,841	9,691,959
Sewer Fund	19,014,202	5,550,000	800,000	9,740,000	2,574,202	350,000	19,014,202
Total	42,851,021	5,550,000	800,000	24,062,118	6,318,062	6,120,841	42,851,021

The column on the chart highlighted in yellow shows the amount of the bond allocated for each fund.

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION SEWER FUND

PROJECTS	Planned/ Actual Obligations	Projected Funds Available					
		CO 2016	CO 2019A	NEW	Developer		Total
<u>Wastewater Fund</u>	<u>Est. Cost</u>	<u>Balance</u>	<u>Balance</u>	<u>2021 CO</u>	<u>Reimburse-</u>	<u>Grants</u>	<u>Funds Avail.</u>
30 WWTP Plant Expansion-Construct,	15,944,202	5,000,000	800,000	7,570,000	2,574,202	-	15,944,202
20 WW Lines/Lift Station - FM1704	2,300,000	550,000	-	1,750,000	-	-	2,300,000
Elm Creek Lift Station Rehab	350,000	-	-	350,000	-	-	350,000
54 Carver Street Lift Station	420,000	-	-	70,000	-	350,000	420,000
Total	19,014,202	5,550,000	800,000	9,740,000	2,574,202	350,000	19,014,202

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION SEWER FUND

Debt Service Payments (FY 2021-22)	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
Annual Debt Service on Existing Debt *	499,732	358,202	857,934
Annual Capital Lease Payments	27,942	1,778	29,720
Plus Est. Annual DS on new debt**	<u>-</u>	<u>340,900</u>	<u>340,900</u>
	527,674	700,880	1,228,554

Impact on Wastewater Rate

Current Rates Generate	1,064,700
Debt Serv. Requirements FY 2022	<u>1,228,554</u>
Deficit to be made up	(163,854)
Rate Increase per Customer/mo. \$	4.48
Avg Percent Increase	9.3%

2021 CITY OF ELGIN REFUNDING BONDS

Currently paying 3.62% to 4.99% interest

Refunding Amounts

Tax Supported

Com Tax Rev CO Series 2007	1	875,000	875,000	-	-	875,000
Com Tax Rev CO Series 2009	3	<u>690,000</u>	<u>690,000</u>	<u>-</u>	<u>-</u>	<u>690,000</u>
		1,565,000	1,565,000			1,565,000

Utility Supported

Com Tax Rev CO Series 2008	1	1,186,350	2,157,000	-	-	2,157,000
Com Tax Rev CO Series 2009	3	<u>380,050</u>	<u>691,000</u>	<u>-</u>	<u>-</u>	<u>691,000</u>
		1,566,400	2,848,000			2,848,000

Total 4,413,000

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

Date	Action	Responsibility
09-Mar-21	Council Meeting - Adopt Resolution Directing Publication of Notice of Public Hearing on Intention to Issue Certificates of Obligation	CITY, BC
17-Mar-21	Publish Notice of Public Hearing on the Intention to Issue Certificates of Obligation	CITY, BC
25-Mar-21	Distribute 1st Draft POS document for comments	RBCCM
02-Apr-21	RBCCM Receive 1st Draft Comments on Draft POS	All Parties
09-Apr-21	Send Draft POS document and Credit Information to Credit Rating Agencies	CITY, RBCCM
09-Apr-21	Distribute 2nd Draft POS document for comments	RBCCM
22-Apr-21	RBCCM Receive 2nd Draft Comments on Draft POS	All Parties
22-Apr-21	Conference Calls with Credit Rating Agencies	CITY, RBCCM
29-Apr-21	Distribute 3rd Draft POS document for final comments	RBCCM
06-May-21	Due Diligence Call	
07-May-21	RBCCM Receive FINAL Comments on Draft POS	
10-May-21	Receive Ratings	
11-May-21	Distribute POS to Potential Purchasers	
18-May-21	City Council Meeting - Public Hearing re: Intent to Issue Certificates of Obligation	
18-May-21	Final Sales Results Presented - Award COs to Underwriter	
20-May-21	Distribute Draft FOS for Comments	
24-May-21	Receive Comments, Finalize & Distribute FOS	
03-Jun-21	Circulate final closing memo	
10-Jun-21	Closing - Obligations Delivered	

Assuming the issuance moves forward, Council will be scheduled to consider an Ordinance formally authorizing the CO's and the refunding bonds on May 18 (final action)

*Preliminary, subject to change. As of February 25, 2021.

2021 CITY OF ELGIN CERTIFICATES OF OBLIGATION

- Proposed formal action for tonight's meeting is for the City Council to:
 - a) Determine the list of projects anticipated for funding,**
 - b) Determine the total, not-to-exceed amount of the debt issuance,**
 - c) Direct the publication of the required notice of the City's intent to issues Certificates of Obligation, and**
 - d) Adopt Reimbursement Resolution to be able to reimburse costs expended prior to delivery and funding of the COs.**

Consider:

- 1. Establish not-to-exceed amount of \$24,062,118 (*can go down, but not go up*)**
- 2. Determine what projects are supported and which need more discussion**
- 3. Include \$2.5M for Weatherize WTP Project, recognizing details/final cost TBD**



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Discussion and possible direction to staff regarding potential neighborhood traffic and 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 neighborhood traffic and safety improvements at certain locations.

BACKGROUND:

Discussed at previous meetings; Within the neighborhoods listed below, residents 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)
- Ramirez Rd/South Ave. C/Main St. (traffic control)

Subsequent to the initial review with Council and a public hearing to receive comments from neighborhood residents and property owners, staff revised the initial improvement scenarios to coincide with the general consensus, while adhering to engineering best practices and the law.

Two of the originally discussed projects (in the Hillside and Houston St. areas) were decided-upon and the staff has moved forward with those projects, which are both currently in development. The remaining two projects (listed above) required interaction with, and input from, TxDOT officials.

The staff has since met with TxDOT and will be discussing updated information related to both projects.

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: 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 –March 9, 2021

DEPARTMENT: Administration

PROPOSED ACTION:

Review and approve the City Council Regular Meeting Minutes - March 9, 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 –March 9, 2021

ATTACHMENTS: City Council Regular Meeting Minutes –March 9 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 ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
MARCH 9, 2021

CALL TO ORDER

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

ROLL CALL

Present: Ron Ramirez, Mayor
Sue Brashar, Mayor Pro Tem
Mary Penson, Council Member
Jessica Bega, Council Member
Juan Gonzalez, Council Member
Thomas Ibis, Council Member
Alvis Prince, Council Member
Forest Dennis, Council Member

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Michael Gonzalez, Parks Director
David Harrell, Planning Director
Pamela Sanders, HR Director
Amy Miller, Community Development Director
Beau Perry, City Engineer

INVOCATION

Mayor Ramirez gave the invocation.

PUBLIC COMMENT

Karen Bernstein spoke and thanked everyone, especially the people in the city departments who worked tirelessly to get the city through the recent storm. Ms. Bernstein offered her media services to help with more information on the city website as she felt it was lacking. She stated there was much that could be done to make the website better and stronger to allow for comments and questions from the city and surrounding areas and be more proactive so that people do not go off on wild theories about what is going on.

Mayor Ramirez stated two comments were emailed to the City Secretary to be read at the meeting and would do so now.

CITY COUNCIL REGULAR MEETING
March 9, 2021 – Page 2
Elgin Public Library Annex Council Chambers

Mayor Ramirez, City Council members and City Staff.

The citizens of Elgin should have a say in how you spend approximately \$63 million in taxpayer money! The citizens of Elgin need to familiarize themselves with the differences between General Obligation Bonds and Certificate of Obligation bonds.

General Obligation Bonds (GO Bonds) are bonds secured by the City's ad valorem (property tax) taxing power. These bonds are issued after voter approval at a bond election. This approach to public financing allows for a higher level of transparency as an election is required.

Certificates of Obligations (COs) may be payable from property taxes (also called ad valorem), pledged revenues or a combination thereof. Unlike GO Bonds that always require an election, the COs do not require an election unless at least 5% of the registered voters in the jurisdiction submit a valid petition protesting the issuance. These projects are lumped together and lack transparency to taxpayers.

The City of Elgin is largely planning to fund these projected \$63 million in capital projects in the 5-year plan with Certificate of Obligation bonds. The elected City Council members will vote on our behalf to spend \$63 million in capital projects proposed by City Manager Tom Mattis and staff.

Voters need to retain control of city spending and let their elected official know this is a democratic process.

Sincerely,

Stephanie Lippke
Elgin, TX

Ashley Smith, local small business owner

Thank you to the City of Elgin for working in extreme weather conditions to repair numerous main breaks and bring water back to our homes, while experiencing similar circumstances.

Individuals/Business that went above and beyond:

- Stef Finley and Deklan Finley who personally donated and delivered water to citizens in need.
 - The Healthy Spot for providing cots and necessities to individuals.
 - Volunteer Firefighter Guillermo Nieves who personally sought out, messaged, and picked up individuals that needed to get somewhere with power and/or essentials.
 - Chemn Cafe who collected generous citizen donations and distributed essentials.
 - Texas Center for Local food: free fresh veggie boxes.
- Donna Snowden, precinct 4, water and MRE distribution including home deliveries.

CITY MANAGERS REPORT

1. Monthly Reports by Departments – January 2021.

City Manager Thomas Mattis stated that the dates did not transpose correctly on the reports and they should not be 2020 year but 2021.

2. General Activity Report and/or Project Update.

Mr. Mattis stated that like everyone else the staff lost about two weeks in our workflow and are just now getting back to refocus on some of the projects that had been discussed before. He stated he had intended to have something before Council tonight about the school zone, on county line road and the other projects being worked on. He stated something will be provided at the next meeting in two weeks. Mr. Mattis mentioned that a second clinic had been scheduled for distribution of the vaccine that was being coordinated with Bastrop County and would occur on March 31st, with the second dose on April 28th. He stated that the second dose was scheduled this Friday for the group that got their first shot in the first clinic.

CONSENT AGENDA

1. City Council Meeting Minutes – February 2, 2021.

2. AN ORDINANCE ACKNOWLEDGING RECEIPT OF “CERTIFICATE OF UNOPPOSED STATUS” PURSUANT TO SECTION 2.052 TEXAS ELECTION CODE; DECLARING UNOPPOSED CANDIDATES TO BE ELECTED TO THEIR RESPECTIVE OFFICES AND CANCELLING THE MAY 1, 2021 GENERAL ELECTION FOR WARD 4; AND CANCELLING THE MAY 1, 2021 SPECIAL ELECTION FOR WARD 3 AND DECLARING THE UNOPPOSED CANDIDATE TO BE ELECTED TO THE RESPECTIVE OFFICE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES.

3. AN ORDINANCE VACATING, ABANDONING, AND CLOSING TWO (2) TWENTY (20) FOOT ALLEYS WITHIN THE CITY OF ELGIN, TEXAS, PURSUANT TO SECTION 311.007, TEXAS TRANSPORTATION CODE, V.A.T.S., PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE A SERVICE AGREEMENT WITH SPECTRUM ENTERPRISE TO PROVIDE FIBER INTERNET AND ETHERNET SERVICE TO THE ELGIN POLICE DEPARTMENT AT 202 DEPOT STREET, ELGIN, TEXAS; AND TO AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.

CITY COUNCIL REGULAR MEETING

March 9, 2021 – Page 4

Elgin Public Library Annex Council Chambers

Mayor Pro Tem Brashar moved to approve the Consent Agenda. Council Member Penson seconds the motion. Motion carried 9-0.

NEW BUSINESS

1. (Consideration for Possible Termination or Re-Enactment) 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

No action was taken on this item.

2. RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF CERTIFICATES OF OBLIGATIONS AND FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION.

Mayor Ramirez called for a 5-minute break to give the Finance Director time to provide copies to the Council with dollar amounts in the Resolution and skipped to item #5.

5. Appointment of a new member to the Building Standards Commission for a Partial Term.

Mayor Pro Tem Brashar moved to appoint David Langford to the Building Standards Commission. Council Member Penson seconds the motion. Motion carried 9-0.

6. Council to Discuss asking Public to Nominate Businesses/Individuals for Letters of Appreciation from City of Elgin to those who went above and beyond to help during February Weather Crisis – Mayor Ramirez

Council Member Ibis moved to approve the requesting of nomination of letters of appreciation from the public for Businesses and Individuals. Council Member Penson seconds the motion. Motion carried 9-0.

Mayor Ramirez moved back to item #2.

Finance Director Charles Cunningham provided the dollar amounts to the Council and Mayor Ramirez asked for a motion.

Mayor Pro Tem Brashar moved to approve the Resolution as presented with not to exceed note of \$25,890,000.00. Council Member Dennis seconds the motion. Motion carried 8-1 with Council Member Ibis voting no.

CITY COUNCIL REGULAR MEETING

March 9, 2021 – Page 5

Elgin Public Library Annex Council Chambers

3. RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE FOR CERTAIN COSTS OF CURRENT AND FUTURE CAPITAL PROJECT.

Council Member Dennis moved to approve the Resolution as presented. Council Member Penson seconds the motion. Motion carried 8-1 with Council Member Ibis voting no.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT TO CSA CONSTRUCTION, INC. OF HOUSTON, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Council Member Penson moved to approve the Resolution including the amount of \$15,570.00. Mayor Pro Tem Brashar seconds the motion. Motion carried 8-1 with Council Member Ibis voting no.

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.

Mayor Ramirez convened into Executive Session at 8:52 pm

RECONVENE

Mayor Ramirez reconvened into regular session at 9:41 pm

ADJOURNMENT

Mayor Ramirez adjourned the City Council Meeting at 9:44 pm.

Ron M. Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE CHANGING THE NAME OF “HICKORY LANE” TO “HOPTREE LANE” WITHIN THE WOODLAWN SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Consideration of an Ordinance changing a street name within an existing subdivision.

BACKGROUND: In consultation with Bastrop County, it was determined the name “Hickory Lane” is duplicated within the Woodlawn Subdivision in the City and within the Hidden Oaks Subdivision near FM 1704 and Balch Rd. in unincorporated Bastrop County. These two (2) areas are within the same zip code. This constitutes a public safety issue as street and location confusion could result in delay of 911 services. It was decided by the Dept. that the City should undertake the name change as only six (6) addressed lots would be impacted versus thirty-two (32) addressed lots in the Hidden Oaks Subdivision.

The name of “Hoptree Lane” has been confirmed with Bastrop Co. as being unused at this time. This name retains the tree species street names in that subdivision, both consist of one (1) word, and both maintain the letter “H”. The proposed Ordinance has also been modified to make the name change effective on May 1, 2021 to give proper notification to affected residents, manufacture and change street signs, notify post office, and other government agencies. This delay should make the transition easier for impacted residents and all other parties.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Staff recommends approval of the Ordinance.

ATTACHMENTS: Ordinance with Exhibit “A”

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

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

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

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

ORDINANCE NO. 2021-03-23-_____

AN ORDINANCE CHANGING THE NAME OF “HICKORY LANE” TO “HOPTREE LANE” WITHIN THE WOODLAWN SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Elgin and Bastrop County concluded the name “Hickory Lane” is duplicated within the same zip code and this duplication represents a public safety issue; and

WHEREAS, the City of Elgin is instituting this name change as it will impact six (6) addressed lots versus thirty-two (32) addressed lots in Bastrop County and thereby impacts less citizens in the zip code.

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

I.

That the street now known as “Hickory Lane” as shown on Exhibit “A”, will hereby be changed to “Hoptree Lane” effective on May 1st, 2021; and

II.

That all references to this street name in The Code of Ordinances (2013 Edition), City of Elgin, Texas, are hereby amended to reflect said change; and

III.

All existing traffic control signs on this street are hereby amended to reflect this change of name.

IV.

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.

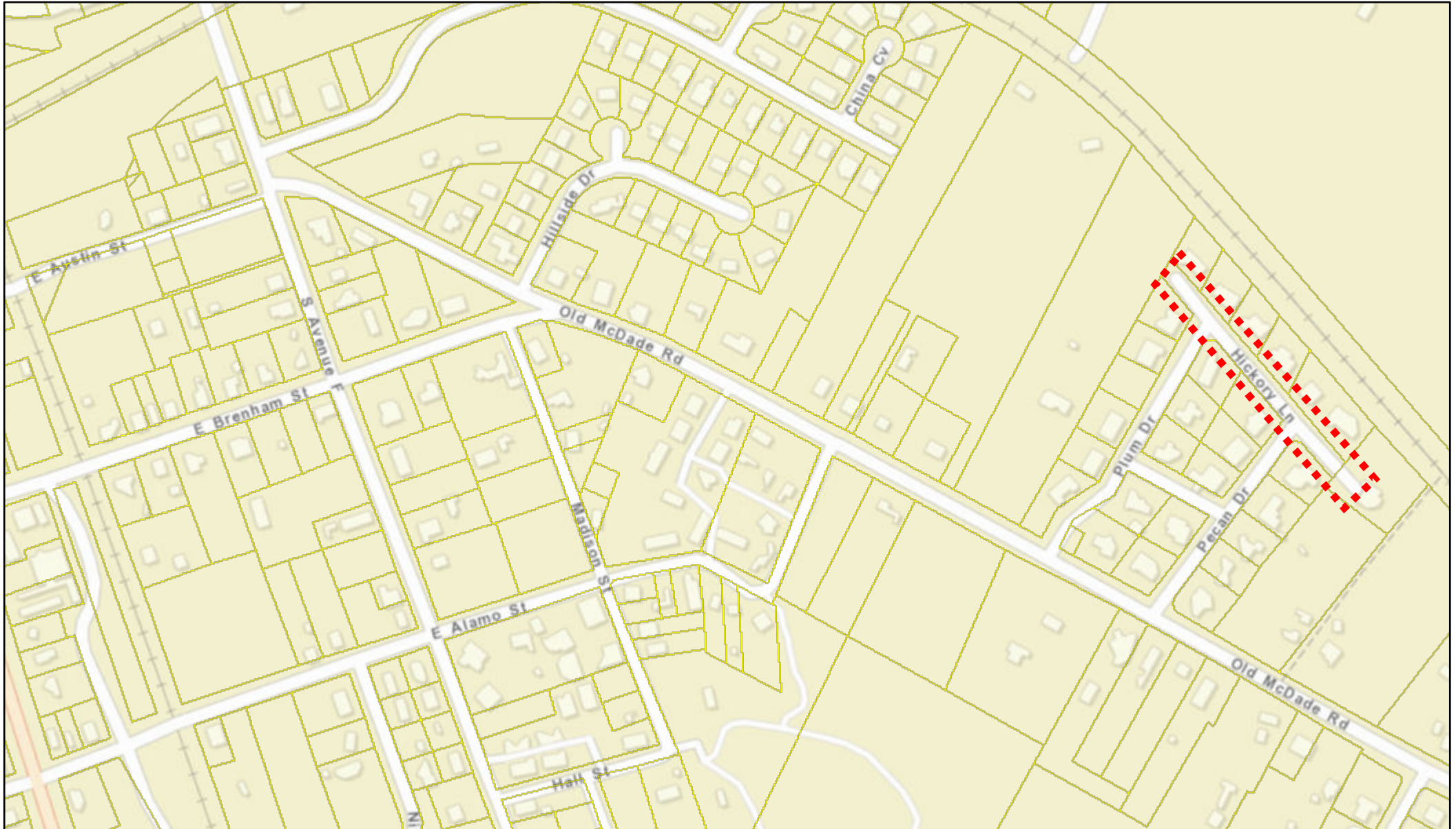
READ, PASSED, and ADOPTED on first (1st) reading this the 23rd day of March 2021.

Ron M. Ramirez, Mayor

ATTEST:

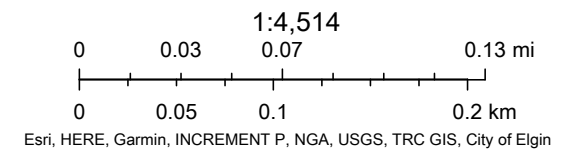
Amelia Sanchez, City Secretary

Exhibit "A"



3/11/2021, 4:23:21 PM

 Bastrop County Parcels





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: PROVIDING FOR A SAVINGS CLAUSE: REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS

DEPARTMENT: City Manager

PROPOSED ACTION:

Consideration of possible re-enactment of the City's Ordinance requiring 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 reaffirmed & extended these requirements for an additional sixty (60) days. On January 19, 2021, the Council again extended the requirements for an additional sixty days (with said Ordinance as currently adopted expiring on March 24, 2021).

On March 2, 2021, Governor Abbott issued Executive Order No. 34 lifting the statewide mandates for face coverings beginning March 10.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of possible re-enactment of city mandate requiring individuals to wear face coverings in response to COVID-19 safety concerns as described; and routine direction to staff, if any.

ATTACHMENTS: (1) Face Covering Ordinance, (2) Governor's Executive Order No. 34

{ } 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 and January 19, 2021, 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.

II. MANDATORY NOTICE FOR COMMERCIAL ENTITIES

Section 2.01 - Effective as of 11:59 p.m. on March 24, 2021, and continuing through 11:59p.m. on May 22, 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 March 24, 2021, and continuing through 11:59p.m. on May 22, 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 23rd day of March, 2021.

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

Amelia Sanchez, City Secretary

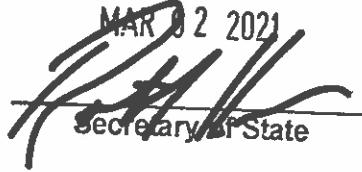


GOVERNOR GREG ABBOTT

March 2, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:15 PM O'CLOCK

MAR 02 2021


Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

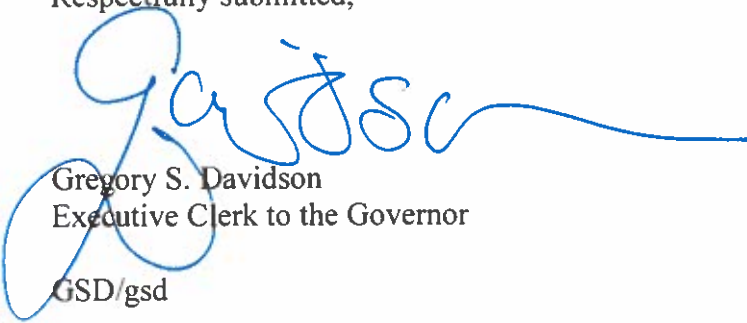
Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-34 relating to the opening of Texas in response to the
COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
March 2, 2021

EXECUTIVE ORDER GA 34

Relating to the opening of Texas in response to the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have renewed the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, I issued Executive Order GA-08 on March 19, 2020, mandating social-distancing restrictions in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, I subsequently issued a series of superseding executive orders aiming to achieve the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing restrictions while implementing a safe, strategic plan to reopen Texas; and

WHEREAS, under Executive Order GA-32, in effect since October 14, 2020, most establishments have been able to operate up to at least 75 percent of total occupancy, except in some areas with high hospitalizations as defined in that order, where most establishments have been able to operate up to at least 50 percent of total occupancy; and

WHEREAS, I also issued Executive Order GA-29, regarding the use of face coverings to control the spread of COVID-19, and a series of executive orders, most recently GA-31, limiting certain medical surgeries and procedures; and

WHEREAS, COVID-19 hospitalizations and the rate of new COVID-19 cases have steadily declined due to the millions of Texans who have voluntarily been vaccinated, many more who are otherwise immune, improved medical treatments for COVID-19 patients, abundant supplies of testing and personal protective equipment, and Texans' adherence to safe practices like social distancing, hand sanitizing, and use of face coverings; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility "for meeting ... the dangers to the state and people presented by

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SECRETARY OF STATE
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MAR 02 2021

disasters” under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;”

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and in accordance with guidance from medical advisors, do hereby order the following on a statewide basis effective at 12:01 a.m. on March 10, 2021:

1. In all counties not in an area with high hospitalizations as defined below:
 - a. there are no COVID-19-related operating limits for any business or other establishment; and
 - b. individuals are strongly encouraged to wear face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.

“Area with high hospitalizations” means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.

2. In any county located in an area with high hospitalizations as defined above:
 - a. there are no state-imposed COVID-19-related operating limits for any business or other establishment;
 - b. there is no state-imposed requirement to wear a face covering; and
 - c. the county judge may use COVID-19-related mitigation strategies; provided, however, that:
 - i. business and other establishments may not be required to operate at less than 50 percent of total occupancy, with no operating limits allowed to be imposed for religious services (including those conducted in churches, congregations, and houses of worship), public and private schools and institutions of higher education, and child-care services;
 - ii. no jurisdiction may impose confinement in jail as a penalty for violating any order issued in response to COVID-19; and
 - iii. no jurisdiction may impose a penalty of any kind for failure to wear a face covering or failure to mandate that customers or employees wear face coverings, except that a legally authorized official may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.
3. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
4. Nothing in this executive order precludes businesses or other establishments from requiring employees or customers to follow additional hygiene measures, including the wearing of a face covering.
5. Nursing homes, state supported living centers, assisted living facilities, and long-

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term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.

6. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
7. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
8. Executive Orders GA-17, GA-25, GA-29, and GA-31 are rescinded in their entirety.
9. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.
10. All existing state executive orders relating to COVID-19 are amended to eliminate confinement in jail as an available penalty for violating the executive orders. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes Executive Orders GA-17, GA-25, GA-29, GA-31, and GA-32, but does not supersede Executive Orders GA-10 or GA-13. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 2nd
day of March, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:15pm O'CLOCK

MAR 02 2021

ATTESTED BY:



RUTH R. HUGHS
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
1:15pm O'CLOCK

MAR 02 2021



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, 2020 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM “R-1” SINGLE FAMILY DISTRICT TO “A” MULTIPLE FAMILY DISTRICT FOR LOTS 40A (0.3182 ACRES) AND 40B (0.6356 ACRES) ASHBY SUBDIVISION, BOTH PROPERTIES BEING A TOTAL OF 0.9538 ACRES SAID TRACT BEING MORE DESCRIBED IN EXHIBIT “A”; 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 as “A” Multiple Family District, the property being approximately 0.9538 acres of land and being described in Exhibit “A”, attached hereto and providing a savings clause and repealing conflicting ordinances and resolutions.

BACKGROUND: See attached 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 denial of this item on February 22, 2021. Their concerns were for the allowance of the multi-family use and preservation of Main St.

ATTACHMENTS:

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

{ } 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.



March 19, 2021

MEMO

To: Tom Mattis, City Manager

RE: Additional Information Regarding Rezoning at 1212 & 1214 Main St.

The property owner has filed an application to rezone to “A” Multiple Family District for 1212 & 1214 Main St. Originally this item went before the Planning & Zoning Commission on February 22 for a recommendation. At that meeting the Commission expressed concern with allowing a rezoning that would allow for multi-family development and buildings that could be a maximum of fifty (50) feet tall. Traditionally this area consists of single-family homes with a maximum thirty-five (35) feet tall building. Their concern was once the multi-family zoning was established on Main St it may encourage other rezoning’s that fundamentally change the development pattern and negatively impact preservation of homes along the corridor. This was their basis for recommending denial to the Council.

Under Sec. 211.006 TLGC, an affirmative vote of at least three-fourths (3/4) of all Council members is required to overrule a recommendation of denial by the Commission. However, this Statute also requires the City to adopt this standard by Ordinance. This standard has not been adopted by Ordinance. Therefore, any vote only requires a minimum of five (5) members per Section 11 of the City Home Rule Charter.

Respectfully,

David Harrell, AICP
Development Services Director.



Development Service Department

STAFF REPORT

Rezoning from “R-1” Single Family District to “A” Multiple Family District

Project #: 202100169

Date: February 12, 2021

Applicant: Liyan Bao & Anna Bao

Representative: SAME

Hearing Dates: Planning & Zoning Commission – February 22, 2021
City Council – March 23, 2021

Location: Lots 40A (0.3182 acres) and 40B (0.6356 acres) Ashby Subdivision
also known as 1212 & 1214 Main St.

APPLICATION SUMMARY

Recommendation of a rezoning of 0.9538 acres of land located (a change to the official zoning map). The proposal is to change the zoning from “R-1” Single Family District to “A” Multiple Family District to develop the two (2) parcels into multi-family housing.

DEPARTMENT COMMENTS

Presently there is a four (4) unit multi-family development located on 1212 Main St. and there is a vacant single-family home located at 1214 Main St. This rezoning would allow for the potential continuation and development of additional multifamily development.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Central Elgin Land Use category. This category’s primary land usage is single family residential (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for multi-family as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There is no additional subtraction of uses but an addition of uses with the proposed rezoning request as shown with **green** text.

“R-1” District	“A” District
	Multi-family Dwellings & Garden Apartments.
	Garage Apartments.
	Zero Lot Line Two Family Dwelling.
Detached single-family dwelling.	Detached single-family dwelling.
Churches, but not including revival tents or arbors.	Churches, but not including revival tents or arbors.
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms	Public school offering general educational courses the same as ordinarily given in public schools and

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

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

	R-1 (exist. zoning)	A (proposed zoning)
Height	2.5 stories or 35 feet	50 feet.
Front Setback	25 feet; garage at 25 feet	25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	10 feet when no openings on façade; otherwise, 12 feet + 1 foot for each 15 feet in length.
Rear Setback	10 feet	For multi-family same as side yard except when backing up then residential property then backyard must have a depth of 50 feet; otherwise no rear setback for other uses.
Lot Width	75 feet	None
Lot Area	9,000 sq. ft.	None
Impervious Cover on Lot	45% interior; 50% corner	None

Based on the information within the packet, staff has issues and concerns regarding the proposal. The proposed rezoning will allow for multi-family dwellings which is not a primary land use or supporting land use under the Central Elgin Neighborhoods Land Use Category as shown in Exhibit 4.4 Future Land Use and Development Plan (see attachment 3). Therefore, the underlying proposed zoning will conflict with the current land use map. This will allow for a land use pattern and zoning that is not along the Main Street corridor based on the applicants desire to use the property as multi-family (see attachment 1).

Also, staff has issues and concerns regarding the differences in heights between the proposed multiple family district zoning and the present single family district zoning. To allow the rezoning would increase the maximum height from thirty-five (35) feet and two (2) stories to fifty (50) feet and no story limit. Future buildings could be fifteen (15) feet taller than presently allowed if new building were to occur in an established neighborhood.

This is a staff analysis of the requested zoning change and is not to be considered as a staff recommendation to the Commission/Council. The Commission/Council in their analysis of the evidence presented in this packet or from other sources can make their own decision.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application & Applicant Narrative.
2. Proposed Ordinance.
3. Staff Added Comprehensive Plan Info.
4. Staff Added Zoning Map.
5. Applicant Surveys.

Attachment 1

Application & Applicant Narrative

NON-PDD REZONING APPLICATION

Date: 01/13/2021

SITE INFORMATION

Project Address: 1212 and 1214 N Main Street, Elgin TX78621

Parcel Identification Number (if no address): LOT 40B and 40A, ASHBY SUBDIVISION

APPLICANT

Name: Liyan Bao, Anna Bao

Postal Address: 9623 Vista View Drive, Austin TX78750

E-Mail Address: baomark@yahoo.com; Phone Number: 8327987862

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.

Liyan Bao Anna Bao Digitally signed by Liyan Bao Anna Bao
Date: 2021.01.13 13:08:17 -06'00'

Liyan Bao, Anna Bao

01/13/2021

Signature

Printed Name

Date

Project Description:

Please see attached narrative.



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



(512) 281-0119



www.elgintx.com

This application is for rezoning to A zoning for physical address 1212 N Main Street, Elgin TX78621 (LOT 40B, Ashby subdivision) and 1214 N Main Street, Elgin TX78621 (LOT 40A, ASHBY SUBDIVISION).

The house located at 1212 N Main Street, Elgin TX78621 (LOT 40B, Ashby subdivision) is currently zoned as single family home, and it has about 5860 sqft living space. It is too big for a common single family, so the owner is seeking to rezone this into a A zoning to divide the house into a fourplex or more multi-family units to make it more functional and usable. There is an existing entry\exit from the public street, but there will be more reserved parking spots developed for each unit after the rezoning is approved. The development schedule is to start around 03/01/2021 and finish by 7/31/2021.

The lot located at 1214 N Main Street, Elgin TX78621 (LOT 40A, ASHBY SUBDIVISION) is currently zoned as single family home, and it has a one-story frame residence of about 600sqft. The house is very, very old and the owner want to demolish the house. Then the owner want to build a two-story building for a fourplex. The two-story building will be of about 20ft*50ft as the base floor and about 20ft in height. There will be an outside stairway to access the second floor units. There is an existing entry\exit from the public street, but there will be more parking spots developed. This is an application for rezoning to A zoning. The development schedule is to start around 03/01/2021 and finish by 02/28/2022.

Attachment 2
Proposed Ordinance

ORDINANCE NO. 2021-03-23-??

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, 2020 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM “R-1” SINGLE FAMILY DISTRICT TO “A” MULTIPLE FAMILY DISTRICT FOR LOTS 40A (0.3182 ACRES) AND 40B (0.6356 ACRES) ASHBY SUBDIVISION, BOTH PROPERTIES BEING A TOTAL OF 0.9538 ACRES SAID TRACT BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

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

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on February 22, 2021, following lawful publication of the notice of said public hearing, and

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

WHEREAS, on March 23, 2021, after proper notification, the City Council held a public hearing on the requested zoning, and

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

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

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

I.

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

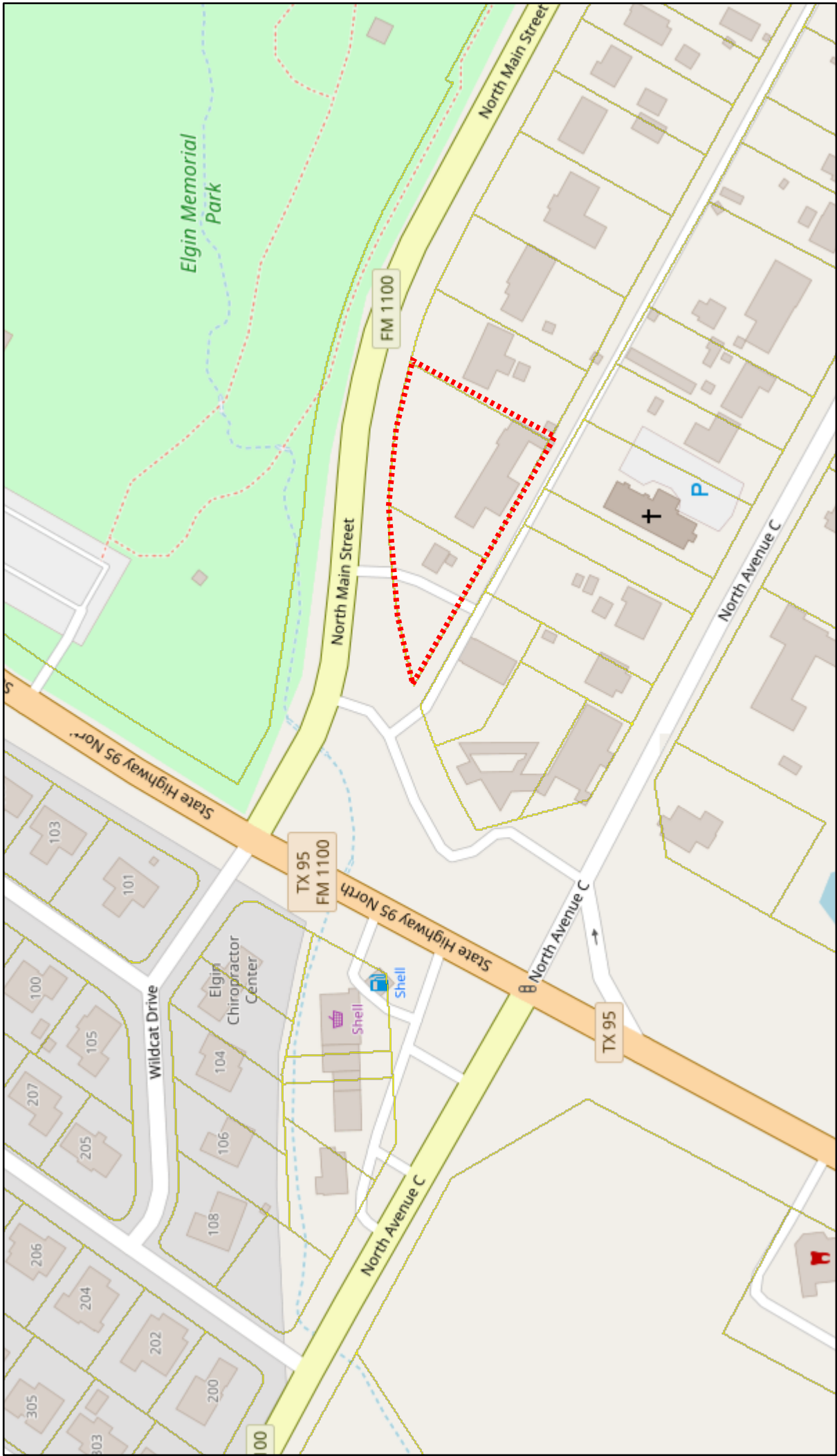
READ, PASSED, and ADOPTED on first reading this the 23rd day of March 2021.

Ron M. Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary

Exhibit "A"



3/12/2021, 8:28:19 AM

□ Bastrop County Parcels

1:2,257

0 0.01 0.03 0.06 mi
0 0.03 0.05 0.1 km

© OpenStreetMap (and) contributors, CC-BY-SA, TRC GIS, City of Elgin

Attachment 3

Staff Added Comprehensive Plan Info.



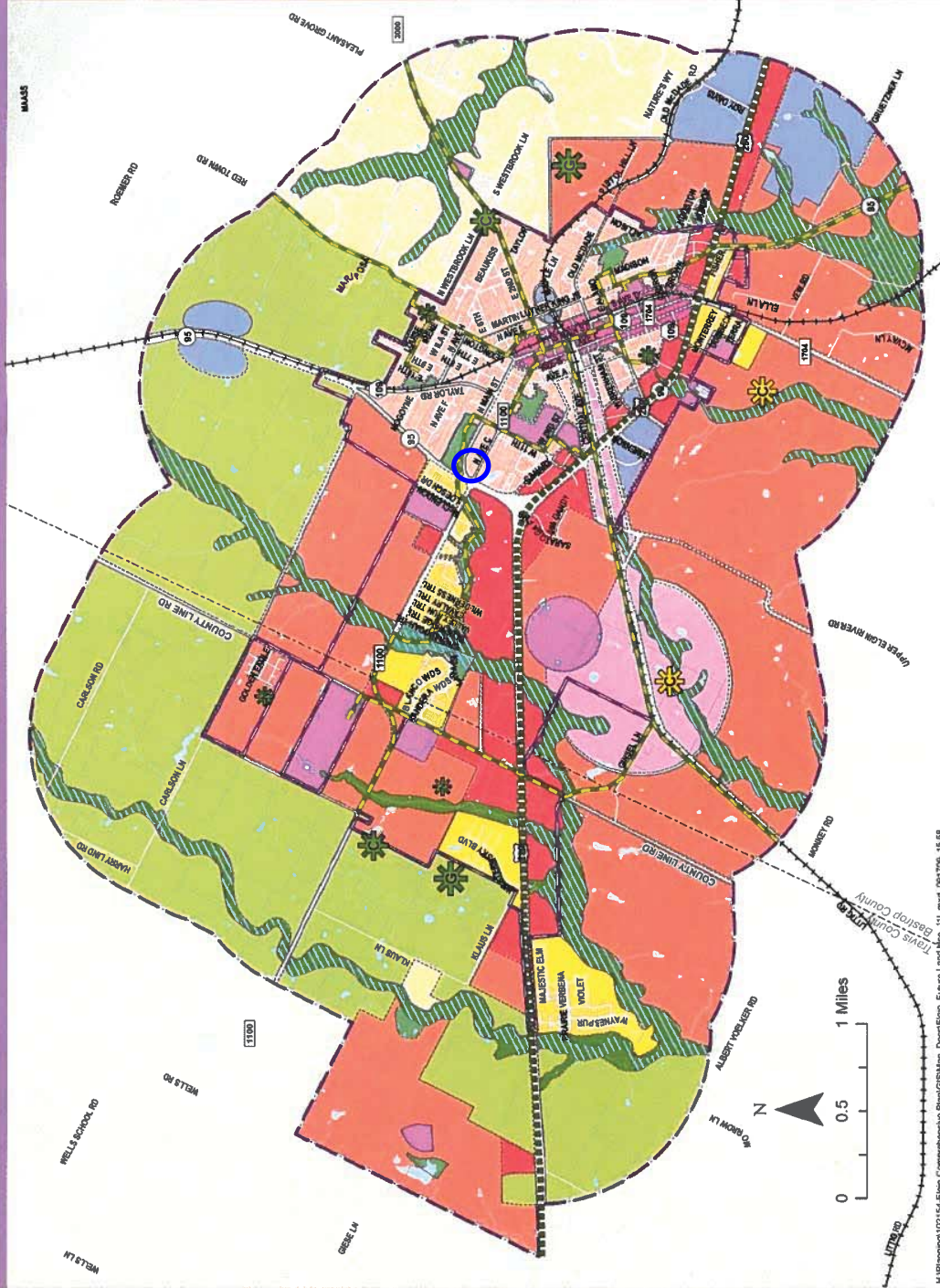
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

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

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



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



Central Elgin Neighborhoods

General Description: This area includes Elgin’s existing historic neighborhoods surrounding the Main Street area, which are characterized by a variety of housing styles built throughout the decades. This diversity of housing style and character, along with slight variations in lot size give these neighborhoods a unique feel not often found in newer subdivisions. As growth occurs in the area, older homes will likely be renovated and vacant lots will be developed. This should be encouraged provided that new development and renovations are sensitive to the surrounding context by maintaining a similar urban form, character, and neighborhood use.

Transect Zone: General Urban (T4)

Primary Land Use: Single family residential

Supporting Land Uses: Public and semi-public uses such as schools, churches, libraries, parks, and community centers are integrated with residential uses. Neighborhood-scale retail and home occupations are appropriate if the scale and character of the building fits with the surrounding area and negative impacts such as traffic, parking, lighting, and signage are mitigated through appropriate design and buffering. Accessory dwellings (also referred to as granny flats, garage apartments, carriage houses, etc.) should be allowed with appropriate regulations regarding lot coverage, height, and parking. These dwelling types provide an affordable option for renters as well as extra income for the homeowner.

Residential Densities: Approximately 4 units per acre.

Form and Character: The City’s traditional grid street pattern provides the basic foundation for this area’s urban form. As such, the area is very walkable with good connectivity. Homes generally have garages at the rear or side of the home rather than the front. Some existing homes have small accessory dwellings, or “granny flats”, over the garages that provide additional housing options in the neighborhood. Buildings are typically one or two stories tall with ample setbacks and landscaping to create a sense of space and privacy between buildings. Homes in these neighborhoods represent a variety of architectural styles, colors, and building materials. This diversity, along with variations in building and lot size add to the unique character in the area.

Parks and Open Space: Community and neighborhood parks, as well as school playgrounds exist throughout the area and most homes are within the service area of existing park facilities. Vacant lots in the area provide additional opportunities for pocket parks or community gardens.

Attachment 4
Staff Added Zoning Map

ArcGIS Web Map



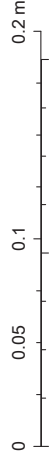
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Zoning

- 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
- C-3 Highway Commercial District
- I General Industrial District
- C-3, I Highway Commercial and General Industrial District
- Bastrop County Parcels

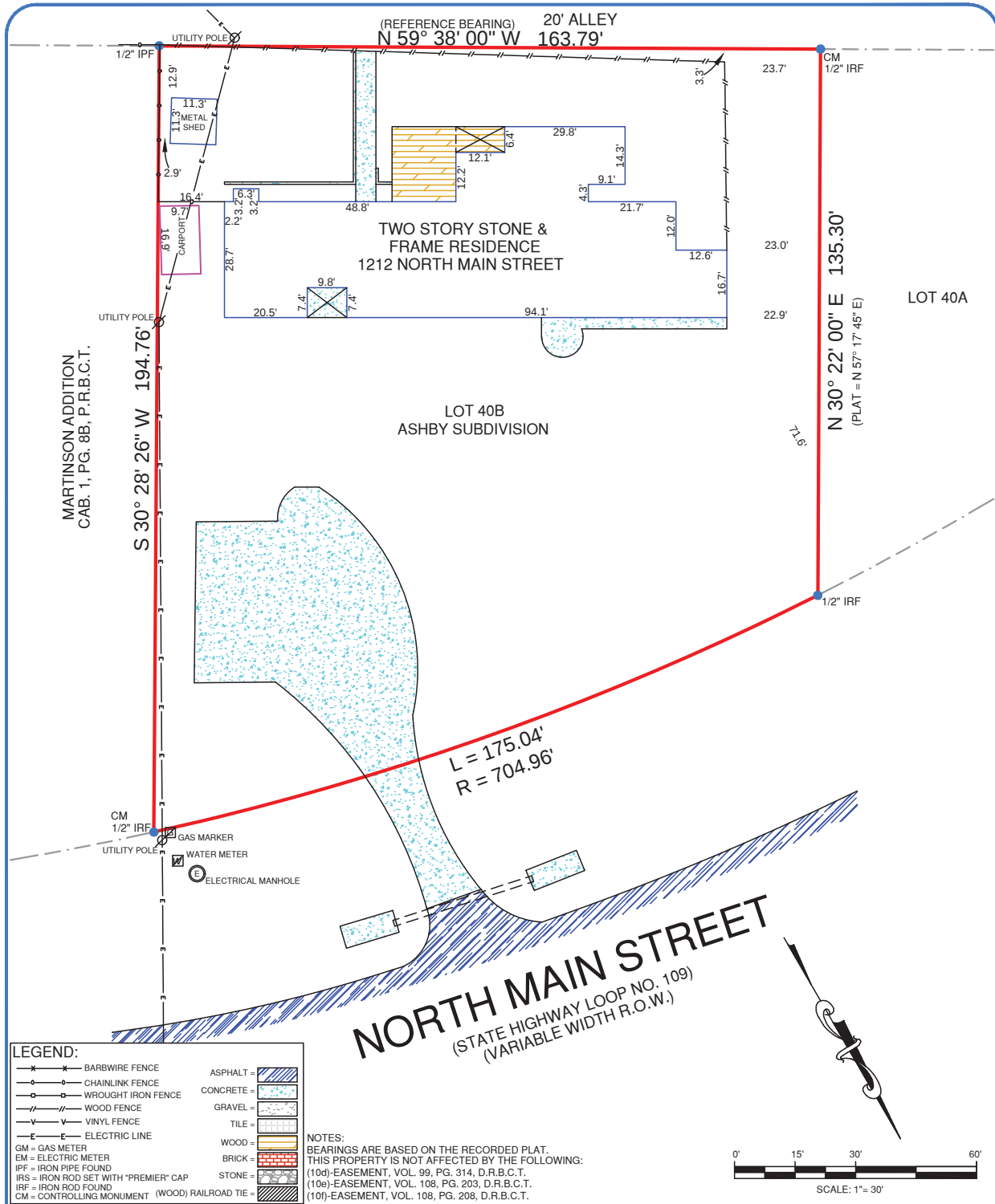
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USDA FSA, GeoEye, Maxar, Esri, HERE, Garmin, IPC, TRC GIS, City of Elgin

Attachment 5

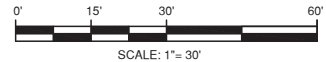
Applicant Surveys



LEGEND:

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—□—□— WROUGHT IRON FENCE	GRAVEL = [Pattern]
—//—//— WOOD FENCE	TILE = [Pattern]
—v—v— VINYL FENCE	WOOD = [Pattern]
—E—E— ELECTRIC LINE	BRICK = [Pattern]
GM = GAS METER	STONE = [Pattern]
EM = ELECTRIC METER	(WOOD) RAILROAD TIE = [Pattern]
IPF = IRON PIPE FOUND	
IRS = IRON ROD SET WITH "PREMIER" CAP	
IRF = IRON ROD FOUND	
CM = CONTROLLING MONUMENT	

NOTES:
 BEARINGS ARE BASED ON THE RECORDED PLAT.
 THIS PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
 (10d)-EASEMENT, VOL. 99, PG. 314, D.R.B.C.T.
 (10e)-EASEMENT, VOL. 108, PG. 203, D.R.B.C.T.
 (10f)-EASEMENT, VOL. 108, PG. 208, D.R.B.C.T.



LEGAL DESCRIPTION:
 BEING LOT 40B, ASHBY SUBDIVISION, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET NO. 5, PAGE 30A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

GF. NO.	1943629-ARB
BORROWER	LIYAN BAO & ANNA BAO
TITLE CO.	INDEPENDENCE TITLE
TECH	TAG
FIELD	NP

FLOOD INFORMATION:
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48021C0075 E, DATED JANUARY 19, 2006.

DATE: 11/05/19 JOB NO.: 19-07564
 FIELD: 11/04/19

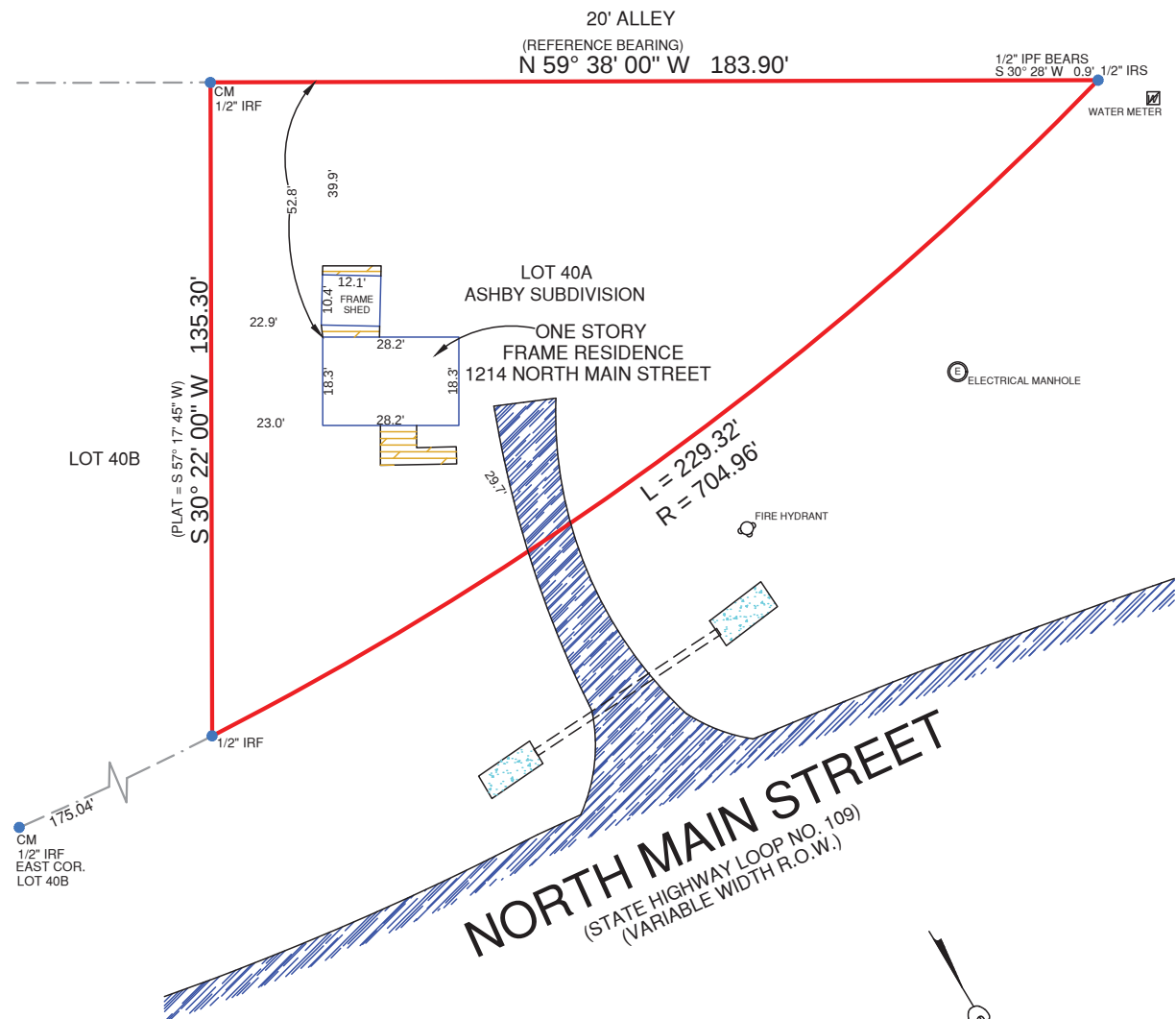
1212 NORTH MAIN STREET, ELGIN, TX 78621
 LOT 40B, ASHBY SUBDIVISION



DATE: _____
 ACCEPTED BY: _____



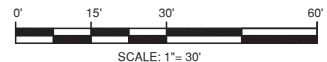
Premier
 Surveying LLC
 5700 W. Plano Parkway
 Suite 1200
 Plano, Texas 75093
 Office: 972-612-3601
 Fax: 855-892-0468
 Firm Registration No. 10146200



LEGEND:

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—o—o—	CHAINLINK FENCE	CONCRETE =	[Pattern]
—□—□—	WROUGHT IRON FENCE	GRAVEL =	[Pattern]
—//—//—	WOOD FENCE	TILE =	[Pattern]
—v—v—	VINYL FENCE	WOOD =	[Pattern]
—E—E—	ELECTRIC LINE	BRICK =	[Pattern]
GM =	GAS METER	STONE =	[Pattern]
EM =	ELECTRIC METER	WOOD RAILROAD TIE =	[Pattern]
IPF =	IRON PIPE FOUND		
IRS =	IRON ROD SET WITH "PREMIER" CAP		
IRF =	IRON ROD FOUND		
CM =	CONTROLLING MONUMENT (WOOD) RAILROAD TIE		

NOTES:
BEARINGS ARE BASED ON THE RECORDED PLAT.



LEGAL DESCRIPTION:
BEING LOT 40A, ASHBY SUBDIVISION, A SUBDIVISION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET NO. 5, PAGE 30A, PLAT RECORDS OF BASTROP COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY A TITLE COMPANY. THERE MAY BE EASEMENTS AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON THAT ONLY A PROPER TITLE SEARCH WOULD REVEAL. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

FLOOD INFORMATION:
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48021C0075 E, DATED JANUARY 19, 2006.

DATE: 11/05/19 JOB NO.: 19-07629
FIELD: 11/04/19

1214 NORTH MAIN STREET, ELGIN, TX 78621
LOT 40A, ASHBY SUBDIVISION



5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
972-612-3601 (O) | 855-892-0468 (F)
www.premiersurveying.com
premierorders@premiersurveying.com

DATE: _____
ACCEPTED BY: _____



Premier
Surveying LLC
5700 W. Plano Parkway
Suite 1200
Plano, Texas 75093
Office: 972-612-3601
Fax: 855-892-0468
Firm Registration No. 10146200



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Resolution by the City Council approving a Real Estate Contract between the City of Elgin Economic Development Corporation and Sykes Industries, LLC and authorizing the Mayor to approve the Contract

DEPARTMENT: Economic Development

PROPOSED ACTION: Approve the resolution for the Real Estate Contract

BACKGROUND: The Economic Development Corporation is selling three acres to Sykes Industries to construct a 15,000 – 30,000 sq. ft plastics molding facility. The facility will employ between 9-20 full time employees with hourly pay between \$15 -\$40 per hour. The price of the land is \$163,350. Total investment will be approximately \$1.5 million. Sykes Industries will have an option to purchase another two acres as their facility expands.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approve the Resolution

ATTACHMENTS:

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

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

RESOLUTION NO.

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
APPROVING A REAL ESTATE CONTRACT BETWEEN THE CITY OF THE
ELGIN ECONOMIC DEVELOPMENT CORPORATION AND SYKES
INDUSTRIES, LLC AND AUTHORIZING THE MAYOR TO APPROVE THE
CONTRACT**

WHEREAS, the City of Elgin, Texas (the “City”) desires to grant certain incentives to Sykes Industries, LLC (the “Developer”) for the primary purpose of constructing a 15,000 to 30,000 square feet of new manufacturing space and installing new equipment at a cost of approximately \$1.5million, hire approximately 6-15 new full time employees at \$15-20 an hour and 3-7 full time employees at \$25-40 an hour the Developer will locate on approximately Three (3) Acres within the City of Elgin, Texas and will have an option to purchase Two (2) more acres in the future; 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 will be purchases for One Hundred Sixty Three Thousand Three Hundred and Fifty Dollars (163,350) for Three Acres;

WHEREAS, the land option shall not exceed Two 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 Sykes Industries, LLC
3. That the Mayor is authorized to approve the Real Estate Contract between the City of Elgin Economic Development Corporation and Sykes Industries, LLC

Adopted on this 23rd day of March, 2021.

CITY OF ELGIN, TEXAS

Ron Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary

REAL ESTATE CONTRACT

THIS REAL ESTATE CONTRACT ("Contract") is made by the ELGIN ECONOMIC DEVELOPMENT CORPORATION (referred to in this Contract as "Seller") and SYKES INDUSTRIES, LLC (referred to in this Contract as "Purchaser"), upon the terms and conditions set forth in this Contract.

ARTICLE I PURCHASE AND SALE

By this Contract, Seller sells and agrees to convey, and Purchaser purchases and agrees to pay for, the tract(s) of land described as follows:

All of that certain three -acre tract of land in Bastrop County, Texas, located at Elgin Business Park III, generally located adjacent to the railroad track and the future expansion of Roy Rivers Road more particularly described in Exhibit "A" attached hereto and incorporated herein; (land to be platted when contract is signed, preliminarily labeled Proposed Lot 4, and attached as exhibit A)

together with all and singular the rights and appurtenances pertaining to the property, including any right, title and interest of Seller in and to adjacent streets, alleys or rights-of-way (all of such real property, rights, and appurtenances being referred to in this Contract as the "Property"), and any improvements situated on and attached to the Property described in Exhibit "A" not otherwise agreed herein to be retained by Seller, for the consideration and upon and subject to the terms, provisions, and conditions set forth below.

ARTICLE II PURCHASE PRICE

Purchase Price

2.01. The Purchase Price for the Property, any improvements thereon, and any damage or cost of cure for the remaining Property of Seller shall be a total of One Hundred Sixty Three Thousand Three Hundred and Fifty Dollars (\$163,350).

Payment of Purchase Price

2.02. The Purchase Price shall be payable in cash or cashier's check at the Closing.

Special Provisions

2.03. As additional compensation and consideration for the purchase of the Property, and as an obligation which shall survive the Closing of this transaction, Purchaser agrees to construct a

building which will be a minimum of Fifteen Thousand (15,000) Square Feet up to Thirty Thousand (30,000) Square Feet. on the Property. The Purchaser also agrees to use its best efforts to hire between 6 -15 full time employees at a pay of \$15-20 per hour and 3-7 employees at a pay of \$25-40 per hour within the first eighteen months of taking occupancy of the building and starting of molding operations, subject to market conditions.

Building design must be approved by the Elgin Business Park III Design Review Committee prior to construction and any building constructed will have at least fifty percent (50%) masonry on the front and side facades.

Construction of the proposed building must begin within (6) six months of Closing, and the building must be completed within eighteen (18) months from the beginning of construction, subject to market conditions. Completion shall mean the issuance of a Certificate of Occupancy for the building. Any future development on the site must be approved by the Elgin Economic Development Corporation (EEDC). The EEDC may approve or deny any future development/construction/type of use proposed for the site, per EDC Development Standards 2019 and attached as exhibit B. . Any future development in addition to the original proposed building must begin within (6) six months of approval from the EEDC and must be completed within (18) eighteen months from the beginning of construction. Completion shall mean the issuance of a Certificate of Occupancy for the building.

2.04 In the event Purchaser fails to substantially complete the building within eighteen (18) months of the effective date of the Contract, the Seller will have the option to reimburse the Purchaser the purchase price of the property and take ownership of the property. Purchaser specifically agrees to execute any and all documents needed to effectuate the re-conveyance. The EDC will retain a lien on the 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. If the improvements to the property are substantially complete, over seventy percent (70%), following the eighteen (18) month time of construction the Seller will grant the Purchaser six (6) additional months to complete the improvements. If the improvements are not completed after the six -month extension the Seller will have the option to reimburse the Purchaser, the Purchase Price of the property plus sixty percent (60%) of the construction costs incurred to date. It is Purchaser's obligation to present to the City all invoices which are directly related to the actual construction of the building. The City, in its sole discretion, shall determine the validity of each invoice. Seller will take ownership of the property and all improvements. after payment of construction costs.. Improvements are complete when a certificate of occupancy is issued by the City of Elgin Building Department. These provisions shall survive closing.

ARTICLE III INSPECTION PERIOD

3.01 Purchaser and Purchaser's representatives shall have a period of time beginning on the Effective Date and ending on the ninetieth (90th) day after the Effective Date, (the "Inspection Period") during which to visit and inspect the Property (including having engineering tests, soil tests, and other tests and studies made) and to conduct any feasibility, environmental, engineering and such other studies and assessments as Purchaser may require within its sole discretion and at its sole cost. Purchaser shall fully disclose and otherwise share the results of all investigations performed during and as part of the Purchaser's investigation of the Property.

3.02 Seller will provide to Purchaser any reports or information regarding geotechnical investigations, environmental assessments, surveys, or other information relevant to the Purchaser's due diligence.

3.03 If Purchaser is dissatisfied with the condition of the Property, or with the results of any tests, studies, or assessments, or with matters disclosed on the title commitment or survey, then Purchaser may terminate this contract by giving Seller written notice not later than 5:00 p.m., CST time, on the last day of the Inspection Period. In the event that the Purchaser terminates the contract as provided herein, then Purchaser and Seller shall have no other or further obligation or liability to each other.

ARTICLE IV PURCHASER'S OBLIGATIONS

Conditions to Purchaser's Obligations

4.01. The obligations of Purchaser hereunder to consummate the transactions contemplated hereby are subject to the satisfaction of each of the following conditions.

Miscellaneous Conditions

4.02. Seller shall have performed, observed, and complied with all of the covenants, agreements, and conditions required by this Contract to be performed, observed, and complied with by Seller prior to or as of the closing.

ARTICLE IV REPRESENTATIONS AND WARRANTIES OF SELLER

The EDC will be responsible for extending Roy Rivers Road, if required, to provide Purchaser access to the 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 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.

The EDC will grant the Purchaser a two-year option to acquire two additional acres abutting the Property beginning on the date this document is signed. All of the terms and conditions of this Contract will apply to the acquisition of this additional two acres at a purchase price of \$1.25 per square foot, depending on the final survey. When the two-year option has expired the EDC and the Purchaser will mutually decide if Phase II will occur. If Purchaser is unable to exercise its option within the time allowed, Seller will grant Purchaser the Right of First Refusal on those two additional acres.

Seller hereby represents and warrants to Purchaser as follows, which representations and warranties shall be deemed made by Seller to Purchaser also as of the Closing Date, to the best of Seller's current actual knowledge:

- (1) There are no parties in possession of any portion of the Property as lessees, tenants at sufferance, or trespassers, other than as previously disclosed to Purchaser;
- (2) Seller has complied with all applicable laws, ordinances, regulations, statutes, rules and restrictions relating to the Property, or any part thereof;

ARTICLE V

CLOSING

Closing Date

5.01. The Closing shall be held at the office of _____ Title Co. _____, Texas on or before ____, ____, 2021 or at such time, date, and place as Seller and Purchaser may agree upon, or within 10 days after the completion of any title curative matters if necessary for items as shown on the Title Commitment or in the contract (which date is herein referred to as the "Closing Date").

Seller's Obligations at Closing

5.02. At the Closing Seller shall:

- (1) Deliver to Purchaser a duly executed and acknowledged Deed conveying good and indefeasible title in fee simple to all of the Property described in Exhibit "A", free and clear of any and all liens and restrictions, except for the following:

- (a) General real estate taxes for the year of closing and subsequent years not yet due and payable;
- (b) Any exceptions approved by Purchaser pursuant to Article III hereof; and
- (c) Any exceptions approved by Purchaser in writing.

(2) Deliver to Purchaser a Texas Owner's Title Policy at Seller's sole expense, issued by Title Company, in Grantee's favor in the full amount of the purchase price, insuring Purchaser's contracted interests in and to the Property subject only to those title exceptions listed herein, such other exceptions as may be approved in writing by Purchaser, and the standard printed exceptions contained in the usual form of Texas Owner's Title Policy, provided, however:

- (a) The boundary and survey exceptions shall be deleted;
- (b) The exception as to restrictive covenants shall be endorsed "None of Record", if applicable; and
- (c) Deliver to Purchaser possession of the Property if not previously done.

Purchaser's Obligations at Closing

5.03. At the Closing, Purchaser shall:

- (a) Pay the cash portion of the Purchase Price.

Prorations

5.04. General real estate taxes for the then current year relating to the Property shall be prorated as of the Closing Date and shall be adjusted in cash at the closing. If the Closing shall occur before the tax rate is fixed for the then current year, the apportionment of taxes shall be upon the basis of the tax rate for the next preceding year applied to the latest assessed valuation. Agricultural roll-back taxes, if any, shall be paid by Purchaser.

Closing Costs

5.05. All costs and expenses of closing in consummating the sale and purchase of the Property shall be borne and paid as follows:

- (1) Owner's Title Policy and survey to be paid by Seller.
- (2) Deed, tax certificates, and title curative matters, if any, paid by Seller.

- (3) All other closing costs shall be paid equally between Buyer and Seller.
- (4) Attorney's fees paid by each respectively.

ARTICLE VI BREACH BY SELLER

In the event Seller shall fail to fully and timely perform any of its obligations hereunder or shall fail to consummate the sale of the Property for any reason, except Purchaser's default, Purchaser may: (1) enforce specific performance of this Contract; or (2) request that the Escrow Deposit, if any, shall be forthwith returned by the title company to Purchaser.

ARTICLE VII BREACH BY PURCHASER

In the event Purchaser should fail to consummate the purchase of the Property, the conditions to Purchaser's obligations set forth in Article III having been satisfied and Purchaser being in default and Seller not being in default hereunder, Seller shall have the right to receive the Escrow Deposit, if any, from the title company, the sum being agreed on as liquidated damages for the failure of Purchaser to perform the duties, liabilities, and obligations imposed upon it by the terms and provisions of this Contract, and Seller agrees to accept and take this cash payment as its total damages and relief and as Seller's sole remedy hereunder in such event. If no Escrow Deposit has been made then Seller shall receive the amount of \$500 as liquidated damages for any failure by Purchaser.

ARTICLE VIII MISCELLANEOUS

Notice

8.01. Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States mail, postage prepaid, certified mail, return receipt requested, addressed to Seller or Purchaser, as the case may be, at the address set forth opposite the signature of the party.

Texas Law to Apply

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

Parties Bound

8.03. This Contract shall be binding upon and inure to the benefit of the parties and their respective heirs, executors, administrators, legal representatives, successors and assigns where permitted by this Contract.

Legal Construction

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

Prior Agreements Superseded

8.05. This Contract constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting the within subject matter.

Time of Essence

8.06. Time is of the essence in this Contract.

Gender

8.07. Words of any gender used in this Contract shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise.

Memorandum of Contract

8.08. Upon request of either party, the parties shall promptly execute a memorandum of this Contract suitable for filing of record.

Compliance

8.09 In accordance with the requirements of Section 20 of the Texas Real Estate License Act, Purchaser is hereby advised that it should be furnished with or obtain a policy of title insurance or Purchaser should have the abstract covering the Property examined by an attorney of Purchaser's own selection.

Effective Date

8.10 This Contract shall be effective as of the date it is executed below.

Counterparts

8.11 This Contract may be executed in any number of counterparts, which may together constitute the Contract. Signatures transmitted by facsimile or electronic mail may be considered effective as originals for purposes of this Contract.

[signature pages follow]

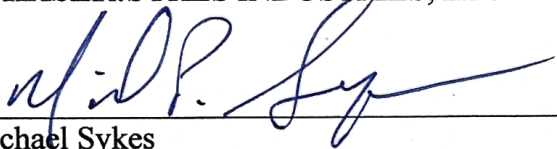
SELLER:

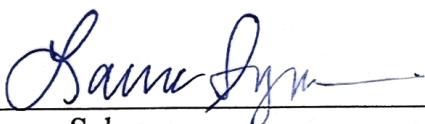
ELGIN ECONOMIC DEVELOPMENT CORP.

By: _____
Bryan Bracewell, President

Date: _____

PURCHASER: SYKES INDUSTRIES, LLC

By:  _____
Michael Sykes

By:  _____
Laura Sykes

Date: 3/5/2021



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE COUNTY LINE ROAD SCHOOL ZONE BEACONS PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager

PROPOSED ACTION: Consideration of a Resolution authorizing an agreement with TRC Engineers Inc. for professional engineering services related to the County Line Road School Zone Beacons Project.

BACKGROUND: Discussed at previous meetings; In response to general discussion, the City Council requested a proposal for placing upgraded signage along the County Line Road corridor to designate the existing school zone in that area.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Consideration of the Resolution as presented authorizing the agreement with TRC Engineers Inc. for professional engineering services related to the County Line Road School Zone Beacons Project; and additional direction to staff by Council, if any, regarding same.

ATTACHMENTS: Resolution and TRC proposal,

- { } 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.



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

March 18, 2021

Mr. Thomas Mattis, City Manager
City of Elgin
310 North Main Street
Elgin, Texas 78621

**RE: City of Elgin School Zone Beacons
Engineering Services Proposal**

Dear Mr. Mattis:

TRC Engineers, Inc. (TRC) has prepared this Proposed Engineering Letter of Agreement for professional engineering services for the design of school zone beacons to serve all schools in the City of Elgin.

The design of the project consists of removing six (6) old school zone signs and installing six (6) new school zone beacons. The services will be provided in accordance with the Master Services Agreement between TRC and the City, and the work described below:

TRC Engineers, Inc. will perform the following Scope of Work (SOW):

SCOPE OF WORKA

A. Preliminary Phase

1. Furnish the City preliminary data, including preliminary layouts, preliminary take off and preliminary cost estimates.

B. Design Phase

1. Prepare construction plans and specifications for the proposed project consisting of removing and installing six (6) school zone Beacons. The work will foundation design, structural details, and review of proposed beacon for conformance with applicable codes.
2. Coordinate installation of proposed improvements with City of Elgin Public Works Department.
3. Submit draft plans to the City for review and comments.
4. Furnish three (3) copies of approved plans and applicable specifications to the City.

Construction Phase

1. Assist the City during construction, including general correspondence and one (1) site visit meeting with the City and Contractor.
2. Review and approve Contractor submittals.
3. Perform construction staking for sign locations.
4. Perform one (1) final inspection of installation to ensure compliance with plans, specifications, and applicable codes.

ASSUMPTIONS

As the basis for the preparation for this proposal and the associated cost of service, the following assumptions were made which, if found to be incorrect may result in additional compensation:

- The City will provide access agreements for all private properties impacted (if necessary).

EXCLUSIONS

The following items are specifically excluded from the scope of work:

- Continuous construction inspection.
- Environmental or cultural review of project limits.

COMPENSATION FOR SERVICES

TRC Engineers, Inc. will provide the professional engineering services as outlined in the Scope of Work and within the Master Services Agreement executed between the City and TRC. The cost to provide these services is \$6,484.00 (lump sum). This fee includes labor and material costs associated with the Scope of Work identified above.

TRC's fee above is based on a continuous flow of work. Any delays or restrictions, caused by customer or customer's sub consultants, which result in idle-time or inefficiencies, could be cause for additional compensation.

The payment schedule will be via monthly progress billing.

Changes in scope, including additional scenarios or modification to the scenarios identified above will be evaluated for additional services and/or materials cost through a formal change order process, which results in approval of the additional cost prior to executing the additional work.

This proposal accounts for the currently known effects of the COVID-19 pandemic, but TRC cannot predict any different effects or requirements, such as impacts due to future governmental

Mr. Thomas Mattis, City Manager
City of Elgin
March 18, 2020
Page 3 of 3

orders, CDC guidelines, or extended duration of the COVID-19 pandemic. TRC reserves the right to obtain relief from schedule or deliverable requirements due to a force majeure event in the event of further impacts to the work due to COVID-19, and reserves the right to receive compensation for increased PPE, social distancing, or other requirements that impact TRC's costs.

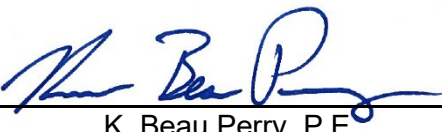
Fees for services quoted in this Letter of Agreement are valid for a period not to exceed 60 days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. Please review this Letter of Agreement and, upon acceptance, sign in the space provided below, returning a copy for our files.

CITY OF ELGIN

By: _____
Mr. Thomas Mattis
City Manager

TRC ENGINEERS, INC.

By:  _____
K. Beau Perry, P.E.
Vice President



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO MAKING A WATER SYSTEM RISK AND RESILIENCE ASSESMENT AND EMERGENCY REPOSE PLAN AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Finance/Public Works

PROPOSED ACTION: Approve the Resolution to authorize the City Manager to execute the letter agreement with TRC Engineers to complete a Risk and Resilience Assessment and emergency action plan for the City of Elgin's Water System.

BACKGROUND:

Given the number of customers served by City's water system (approximately 9,320) The City of Elgin is compelled to complete this Risk assessment in accordance with the America's Water Infrastructure Act of 2018 (AWIA). The risk assessment certification will need to be submitted to the EPA on or before June 30, 2021 and the City will need to certify completion of the ERP to the EPA six months later and no later than December 31, 2021. The AWIA requires the assessment process be periodically repeated/updated and mitigation measures implemented, all of which is auditable by the U.S. Environmental Protection Agency (EPA). TRC has provided the following proposal to support the completion of the Water System Risk and Resilience Assessment and Emergency Response Plan (ERP) for the City of Elgin.

BUDGET/FINANCIAL IMPACT:

Funding for this item was {X} included { } not included in the current-year budget { } N/A
Funding for these costs was anticipated and will come from Utility Impact fees.

RECOMMENDATION: Approval of the proposal by TRC Engineers for completion of a Risk and Resilience Assessment and Emergency Action Plan and services related thereto.

ATTACHMENTS:

Proposal for design and environmental services by TRC Engineers.

{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.

Memorandum

Date: February 10, 2021

To: Mayor and City Council

Subject: Water Supply Security



It was reported earlier this week that the City of Oldsmar, Florida was subjected to a cyber-attack on its systems by a hacker that could have resulted in poisoning its water supply.

[Lye-poisoning attack in Florida shows cybersecurity gaps in water systems \(nbcnews.com\)](https://www.nbcnews.com/health/lye-poisoning-attack-florida-shows-cybersecurity-gaps-water-systems-nbcnews.com)

Oldsmar is a city located in Pinellas County with a population and customer base very comparable to the City of Elgin. Officials have yet to identify a reason for this cyber-attack on the technology that operates the water treatment plant, as Oldsmar is a typical, nondescript small town providing routine water supply to retail customers – just like Elgin.

This incident provides a reminder and re-emphasizes the importance of effective security in today's world – even at the water treatment plant (WTP). There are, however, unique differences in the City's water treatment/supply system than what appears to be in place in Oldsmar. And while constant diligence by staff will continue to be required, **we are confident that the control and security systems we have in place at our plant would prevent a similar occurrence here in Elgin.**

The primary automation tool in Elgin's (and nearly every other) water distribution operation is the SCADA system ("Supervisory Control and Data Acquisition"). SCADA can turn devices on or off, display real time operational data, provide system-wide views of operations, trend data, and maintain alarms. One common use of a SCADA system is to constantly measure supply within an elevated storage tank and automatically call for more water when necessary to replenish the tank.

It appears that Oldsmar uses a SCADA system to automatically control chemical feeds at their WTP. The hacker gained access to that system and altered the chemical feed in a way that would have poisoned the water supply. Fortunately, an alert plant operator ultimately prevented this disaster.

Danny Burkhalter, Programmer with Control Panels USA (designer of the City's automated systems at the WTP) shares that, "Elgin will not have this issue. All of the City's Chemical Feed System is separated from SCADA. The water treatment chemical feed does not have setpoints that could be adjusted through a cyber-attack via SCADA. There is a preprogrammed/hard-coded min/max setting for chemical feeds, but the system will not let you go over a preset amount." Mr. Burkhalter also reminds us that:

- All remote programmable controllers are password protected
- All WTP operators must have valid credentials in order to gain access into the system.
- The City's SCADA equipment is securely locked when the operators are not present.
- Every alarm is logged into the system and will automatically notify the on-call operator

It is disappointing that Elgin would ever have to be focused on security to prevent a terrorist attack at its water treatment plant, but we can at least be confident that we have implemented appropriate measures to assure that a similar incident will not happen here.

Thomas L. Mattis
City Manager



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION BY THE CITY OF ELGIN, TEXAS SUSPENDING THE MAY 3, 2021 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – SOUTH TEXAS DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2020 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

DEPARTMENT: Administration

PROPOSED ACTION: Approval of proposed rates Resolution.

BACKGROUND: Section 104.301 of the Texas Utilities Code allows municipalities the right to postpone proposed rate increases for 45 days in order that a review of the data and calculations can be made that was the basis for the utility to propose a rate adjustment. This proposed Resolution also allows the City of Elgin to participate in a coalition of other Cities in this particular rate case.

Residential rate \$2.33; general service small \$4.78; general service large volume \$28.61.

Increases will be suspended until June 17, 2021.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

ATTACHMENTS:

Proclamation

- { } 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 BY THE CITY OF ELGIN, TEXAS SUSPENDING THE MAY 3, 2021 EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – SOUTH TEXAS DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2020 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Elgin, Texas (“City”) is a gas utility customer of CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy South Texas Division, (“CenterPoint” or “the Company”) and a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, CenterPoint made filings with the City and the Railroad Commission of Texas (“Railroad Commission”) in March 2021, proposing to implement interim rate adjustments (“GRIP Rate Increases”) pursuant to Texas Utilities Code § 104.301 on all customers served by CenterPoint, effective May 3, 2021; and

WHEREAS, it is incumbent upon the City, as a regulatory authority, to examine the GRIP Rate Increases to determine its compliance with the Texas Utilities Code.

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

1. The May 3, 2021, effective date of the GRIP Rate Increases proposed by CenterPoint is hereby suspended for the maximum period allowed by Texas Utilities Code § 104.301(a) to permit adequate time to review the proposed increases, analyze all necessary information, and take appropriate action related to the proposed increases.

2. A copy of this Resolution shall be sent to CenterPoint, care of Keith L. Wall. at 1111 Louisiana Street, CNP Tower 19th Floor, Houston, Texas 77002 and to Thomas Brocato,

legal counsel to the City, at Lloyd Gosselink, 816 Congress Ave., Suite 1900, Austin, Texas 78701.

Signed this 23rd day of March 2021.

Ron M. Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Appointment of a Regan Dumbeck & Brian Lundgren to the Building Standards Commission for partial terms.

DEPARTMENT: Development Services.

PROPOSED ACTION: Determine appointments of Regan Dumbeck & Brian Lundgren as new members of the Building Standards Commission for partial terms which would expire on 12-31-2022.

BACKGROUND: The Building Standards Commission currently has two (2) vacancies and only has the minimum three (3) of five (5) members necessary for quorum. With these appointments the Commission would have all vacant positions filled and would be more likely to meet quorum standards. One of its main purposes is determination of an unsafe building and mandating removal/repair of buildings in accordance with State law and judicial precedence. Mr. Dumbeck is currently on the Board of Adjustment and brings previous appointed board experience as well. Mr. Lundgren is currently on the Planning & Zoning Commission and brings previous City Council experience as well.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Appointment of Regan Dumbeck & Brian Lundgren to the Building Standards Commission for partial terms ending on 12-31-2022.

ATTACHMENTS: Applications.

{ } 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.

From: noreply@civicplus.com
To: [Amelia Sanchez](#)
Subject: Online Form Submittal: Application for Community Boards
Date: Thursday, March 11, 2021 1:53:15 PM

CAUTION: This email originated from outside of the City of Elgin. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Application for Community Boards

Step 1

First Name	Regan
Last Name	Dumbeck
Telephone	512-285-2776
Telephone	512-285-3385
Telephone	512-517-5754
Address	102 Dumbeck Drive
City	Elgin
State	Texas
Zip Code	78621
Mailing Address	102 Dumbeck Drive
City	Elgin
State	Texas 78621
Zip Code	<i>Field not completed.</i>
Email Address	regan.dumbeck@verbosecontrol.com
Is email a way of contacting you promptly?	No
If not, how?	cell phone
Which of the Following Boards or Commissions Would You Like to Serve On	Building Standards Commission

If you apply for multiple boards/commissions, please rank your preferences as 1st, 2nd, 3rd, etc.

Field not completed.

Why do you want to serve on this board?

I was asked to serve on this board. I currently serve as Chairman for the Board of Adjustments

(Section Break)

Occupation and/or Area(s) of Expertise

Electronics

Education

Bachelors from St. Edwards University

Additional Information

(1) Do you reside within the City Limits of Elgin?

Yes

If yes, Council Ward:

1

(2) Do you reside within the Elgin Independent School District?

Yes

(3) Are you a registered Voter?

Yes

(4) For at least the preceding twelve (12) months

I am a registered voter of the city who has resided within the corporate limits of the City of Elgin; or,

Yes

I am an owner of real property within the corporate limits of the City of Elgin; or,

Yes

I am an owner of a business located within the corporate limits of the City of Elgin.

No

(5) I have no delinquent City of Elgin taxes, utilities, or other City assessments; and have no pending claim against the City.

Yes

(6) I receive no compensation from nor am I employed by, nor hold any other position with, the

Yes

City of Elgin government.

(7) Are you currently serving on any other City Board/Commission/Committee? Yes

If yes, please indicate name: Board of Adjustments

(8) Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? No

If yes, please explain: *Field not completed.*

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

I have read, understand, accept all Elgin City Code requirements relative to my proposed membership to the City of Elgin Board and/or Commission for which I am applying; and, based on my understanding of those requirements, hereby represent that I am fully qualified to serve accordingly. RD

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

Signature of Applicant Regan Dumbeck

Date 3/11/2021

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Amelia Sanchez](#)
Subject: Online Form Submittal: Application for Community Boards
Date: Sunday, March 7, 2021 10:32:06 AM

CAUTION: This email originated from outside of the City of Elgin. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Application for Community Boards

Step 1

First Name	Brian
Last Name	Lundgren
Telephone	5122810989
Telephone	<i>Field not completed.</i>
Telephone	9792121230
Address	1202 N Main
City	Elgin
State	Texas
Zip Code	78621
Mailing Address	Same
City	Elgin
State	Texas
Zip Code	78621
Email Address	brl3333@yahoo.com
Is email a way of contacting you promptly?	Yes
If not, how?	<i>Field not completed.</i>
Which of the Following Boards or Commissions Would You Like to Serve On	Building Standards Commission

If you apply for multiple boards/commissions, please rank your preferences as 1st, 2nd, 3rd, etc.

Field not completed.

Why do you want to serve on this board?

Was asked to fill a need, will bring common sense decisions to the group.

(Section Break)

Occupation and/or Area(s) of Expertise

Manager of several businesses over the years

Education

BA Concordia University

Additional Information

(1) Do you reside within the City Limits of Elgin?

Yes

If yes, Council Ward:

3

(2) Do you reside within the Elgin Independent School District?

Yes

(3) Are you a registered Voter?

Yes

(4) For at least the preceding twelve (12) months

I am a registered voter of the city who has resided within the corporate limits of the City of Elgin; or,

Yes

I am an owner of real property within the corporate limits of the City of Elgin; or,

Yes

I am an owner of a business located within the corporate limits of the City of Elgin.

No

(5) I have no delinquent City of Elgin taxes, utilities, or other City assessments; and have no pending claim against the City.

Yes

(6) I receive no compensation from nor am I employed by, nor hold any other position with, the

Yes

City of Elgin government.

(7) Are you currently serving on any other City Board/Commission/Committee? Yes

If yes, please indicate name: P & Z

(8) Do you or your employer have any business dealings with the City of Elgin that might present a conflict of interest? No

If yes, please explain: *Field not completed.*

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

I have read, understand, accept all Elgin City Code requirements relative to my proposed membership to the City of Elgin Board and/or Commission for which I am applying; and, based on my understanding of those requirements, hereby represent that I am fully qualified to serve accordingly. BRL

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

Signature of Applicant Brian Lundgren

Date 3/7/2021

Email not displaying correctly? [View it in your browser.](#)



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: School Zone Safety on County Line Road – *Councilmember Ibis*

DEPARTMENT: N/A

PROPOSED ACTION:

No Council action proposed by staff; This item has been placed on the agenda at the request of Councilmember Ibis for consideration of the topic as stated.

BACKGROUND:

No additional information available at this time.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of Councilmember Ibis' agenda item as stated.

ATTACHMENTS:

None

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

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

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2021-2022 COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR OR CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Elgin desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of Elgin to apply for funding under the Texas Community Development Block Grant Program;

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

Section 1 Authorization. That a Texas Community Development Block Grant Program application for the 2021-2022 Community Development Fund is hereby authorized to be filed on behalf of the City of Elgin with the Texas Department of Agriculture.

Section 2 Placement. That the City's application be placed in competition for funding under the 2021-2022 Community Development Fund.

Section 3 Amount of Request. That the application be for \$350,000.00 of grant funds to provide sewer system improvements.

Section 4 Authorized Agents. That the City Council directs and designates the following to act in all matters in connection with this application and the City's participation in the Texas Community Development Block Grant Program:

- The Mayor or City Manager shall serve as the City's Chief Executive Officers and Authorized Representatives to execute this application and any subsequent contractual documents;
- The Mayor or City Manager are authorized to execute environmental review documents between the Texas Department of Agriculture and the City; and
- If this application is funded, the Mayor, Mayor Pro-Tem, City Manager and Finance Director are authorized to execute the Request for Payment Form documents and/or other forms required for requesting funds to reimburse project costs.

Section 5 Use of Funds. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.

Section 6 Source of Funds. That it further be stated that the City of Elgin is committing \$70,000.00 from its **Utility Fund** as a cash contribution toward the construction activities of this sewer system improvements project.

Section 7. Open Meetings Act. 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

Section 8. Effective Date. This Resolution shall take effect immediately upon passage.

Passed and approved this _____ day of _____, 2021

By:

Ron M. Ramirez, Mayor
City of Elgin

ATTEST:

Amelia Sanchez, City Secretary
City of Elgin



Elgin City Council Meeting Agenda Item Executive Summary

ITEM:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2021-2022 COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR OR CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

DEPARTMENT: City Manager

PROPOSED ACTION: Approve Resolution authorizing the submission of a TXCDBG 2021/2022 application to the Texas Department of Agriculture.

BACKGROUND: The Resolution to be considered is to authorize submission of an application for a Texas Agriculture CDBG FY 2021/2022 grant and appoint executive officers and representatives in all matters pertaining thereto.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Staff recommends adoption of the Resolution as submitted.

ATTACHMENTS:

Resolution to authorize submission of grant application and authorized representatives.

{ } 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.

**THE CITY OF ELGIN
CITIZEN PARTICIPATION PLAN
TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

Note to Grant Recipients regarding Limited English Proficiency (LEP) requirements:

In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have 'meaningful access' to all aspects of the TxCDBG project. To provide 'meaningful access', Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents may include Citizen Participation notices (e.g., complaint procedures, hearings notices), civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

For more information, see LEP.gov

COMPLAINT PROCEDURES

These complaint procedures comply with the requirements of the Texas Department of Agriculture's Texas Community Development Block Grant (TxCDBG) 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, PO Box 591 or 301 North 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 TxCDBG project.

1. A person who has a complaint or grievance about any services or activities with respect to the TxCDBG project, whether it is a proposed, ongoing, or completed TxCDBG project, may during regular business hours submit such complaint or grievance, in writing to the City Manager, at PO Box 591 or 301 North Main Street, Elgin, TX 78621, or may call 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 TxCDBG 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 TxCDBG 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 HEARING PROVISIONS

For each public hearing scheduled and conducted by the City, the following public hearing provisions shall be observed:

1. Public notice of all 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 can 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.
2. When a significant number of non-English speaking residents are a part of the potential service area of the TxCDBG project, vital documents such as notices should be published in the predominant language of these non-English speaking citizens.
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 the City must make arrangements for individuals who require auxiliary aids or services if contacted at least two days prior to the hearing.
4. A public hearing held prior to the submission of a TxCDBG application must be held after 5:00 PM on a weekday or at a convenient time on a Saturday or Sunday.
5. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City shall comply with the following citizen participation requirements for the preparation and submission of an application for a TxCDBG project:

1. At a minimum, the City shall hold at least one (1) public hearing to prior to submitting the application to the Texas Department of Agriculture.

2. The City shall retain documentation of the hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the proposed use of funds for three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.
3. The public hearing shall include a discussion with citizens as outlined in the applicable TxCDBG application manual to include, but is not limited to, the development of housing and community development needs, the amount of funding available, all eligible activities under the TxCDBG program, and the use of past TxCDBG contract funds, if applicable. Citizens, with particular emphasis on persons of low- and moderate-income who are residents of slum and blight areas, shall be encouraged to submit their views and proposals regarding community development and housing needs. Citizens shall be made aware of the location where they may submit their views and proposals should they be unable to attend the public hearing.
4. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, an interpreter should be present to accommodate the needs of the non-English speaking residents.

The City must comply with the following citizen participation requirements in the event that the City receives funds from the TxCDBG program:

1. The City shall also hold a public hearing concerning any substantial change, as determined by TxCDBG, proposed to be made in the use of TxCDBG funds from one eligible activity to another again using the preceding notice requirements.
2. Upon completion of the TxCDBG project, the City shall hold a public hearing and review its program performance including the actual use of the TxCDBG funds.
3. When a significant number of non-English speaking residents can be reasonably expected to participate in a public hearing, for either a public hearing concerning substantial change to the TxCDBG project or for the closeout of the TxCDBG project, publish notice in both English and Spanish, or other appropriate language and provide an interpreter at the hearing to accommodate the needs of the non-English speaking residents.
4. The City shall retain documentation of the TxCDBG project, including hearing notice(s), a listing of persons attending the hearing(s), minutes of the hearing(s), and any other records concerning the actual use of funds for a period of three (3) years from closeout of the grant to the state. Such records shall be made available to the public in accordance with Chapter 552, Texas Government Code.

Thomas L. Mattis, City Manager

Date

**A CIUDAD DE ELGIN
PLAN DE PARTICIPACIÓN CIUDADANA
PROGRAMA DE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM**

Nota a los receptores de subvención en relación a requisitos de Dominio Limitado del Inglés:

De acuerdo con la ley federal hay un número significativo de población que son residentes y que no hablan inglés y son afectados por el proyecto TxCDBG, estos ciudadanos deben tener "acceso significativo" a todos los aspectos del proyecto TxCDBG. Para proporcionar "acceso significativo", receptores de la subvención pueden ser utilizados para proporcionar servicios de interpretación en las audiencias públicas o proporcionar materiales no escritos en inglés que se proporcionan de manera rutinaria en Inglés. Para obtener más información, consulte LEP.gov.

PROCEDIMIENTOS DE QUEJA

Estos procedimientos de queja cumplen con los requisitos del Departamento de Programa de Agricultura de Texas Community Development Block Grant (TxCDBG) y los requisitos del gobierno local de Texas se encuentran en 24 CFR §570.486 (Código de Regulaciones Federales). Los ciudadanos pueden obtener una copia de estos procedimientos en la Ciudad de Elgin, PO Box 591 o 301 North Main Street, Elgin, TX 78621, 512-285-5721 en horario de oficina.

A continuación se presentan los procedimientos formales de quejas y quejas relativas a los servicios prestados en el marco del proyecto TxCDBG.

1. Una persona que tiene una queja o reclamación sobre cualquiera de los servicios o actividades en relación con el proyecto TxCDBG, o si se trata de una propuesta, en curso o determinado proyecto TxCDBG, pueden durante las horas regulares presentar dicha queja o reclamo, por escrito a la Ciudad de Elgin, PO Box 591 o 301 North Main Street, Elgin, TX 78621, o puede llamar a 512-285-5721.
2. Una copia de la queja o reclamación se transmitirá por el Administrador de la ciudad a la entidad que es encargada de la queja o reclamación y al Abogado de la Ciudad dentro de los cinco (5) días hábiles siguientes a la fecha de la queja o día que la reclamación fue recibida.
3. El Administrador de la ciudad deberá cumplir una investigación de la queja o reclamación, si es posible, y dar una respuesta oportuna por escrito a la persona que hizo la denuncia o queja dentro de los diez (10) días.
4. Si la investigación no puede ser completada dentro de los diez (10) días hábiles anteriormente, la persona que hizo la queja o denuncia será notificada, por escrito, dentro de los quince (15) días cuando sea posible después de la entrega de la queja original o quejas y detallará cuando se deba completar la investigación.

5. Si es necesario, la queja y una copia escrita de la investigación posterior se remitirán a la TxCDBG para su posterior revisión y comentarios.
6. Se proporcionara copias de los procedimientos de queja y las respuestas a las quejas, tanto en Inglés y Español, u otro lenguaje apropiado.

ASISTENCIA TÉCNICA

Cuando lo solicite, la Ciudad proporcionará asistencia técnica a los grupos que son representantes de las personas de bajos y moderados ingresos en el desarrollo de propuestas para el uso de los fondos TxCDBG. La Ciudad, en base a las necesidades específicas de los residentes de la comunidad en el momento de la solicitud, deberá determinar el nivel y tipo de asistencia.

DISPOSICIONES AUDIENCIA PÚBLICA

Para cada audiencia pública programada y llevada a cabo por la Ciudad, se observarán las disposiciones siguientes de audiencias públicas:

1. Aviso público de todas las audiencias deberá publicarse al menos setenta y dos (72) horas antes de la audiencia programada. El aviso público deberá publicarse en un periódico local. Cada aviso público debe incluir la fecha, hora, lugar y temas a considerar en la audiencia pública. Un artículo periodístico publicado también puede utilizarse para cumplir con este requisito, siempre y cuando cumpla con todos los requisitos de contenido y temporización. Los avisos también deben ser un lugar prominente en los edificios públicos y se distribuyen a las autoridades locales de vivienda pública y otros grupos interesados de la comunidad.
2. Cuando se tenga un número significativo de residentes que no hablan inglés serán una parte de la zona de servicio potencial del proyecto TxCDBG, documentos vitales Elgin las comunicaciones deben ser publicados en el idioma predominante de estos ciudadanos que no hablan ingles.
3. Cada audiencia pública se llevará a cabo en un momento y lugar conveniente para los beneficiarios potenciales o reales e incluirá alojamiento para personas con discapacidad. Las personas con discapacidad deben poder asistir a las audiencias y la Ciudad debe hacer los arreglos para las personas que requieren ayudas o servicios auxiliares en caso de necesitarlo por lo menos dos días antes de la audiencia será publica.
4. Una audiencia pública celebrada antes de la presentación de una solicitud TxCDBG debe hacerse después de las 5:00 pm en un día de semana o en un momento conveniente en sábado o domingo.

5. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad deberá cumplir con los siguientes requisitos de participación ciudadana para la elaboración y presentación de una solicitud para un proyecto TxCDBG:

1. Elgin mínimo, la Ciudad deberá tener por lo menos un (1) audiencia pública antes de presentar la solicitud al Departamento de Agricultura de Texas.
2. La Ciudad conservará la documentación de la convocatoria(s) audiencia, un listado de las personas que asistieron a la audiencia(s) , acta de la vista(s), y cualquier otra documentación relativa a la propuesta de utilizar los fondos para tres (3) años a partir de la liquidación de la subvención para el Estado . Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

La audiencia pública deberá incluir una discusión con los ciudadanos Elgin se indica en el manual correspondiente de aplicación TxCDBG, pero no se limita a, el desarrollo de las necesidades de vivienda y desarrollo comunitario, la cantidad de fondos disponibles, todas las actividades elegibles bajo el programa TxCDBG y el uso de fondos últimos contratos TxCDBG, en su caso. Los ciudadanos, con especial énfasis en las personas de bajos y moderados ingresos que son residentes de las zonas de tugurios y tizón, se fomentará a presentar sus opiniones y propuestas sobre el desarrollo de la comunidad y las necesidades de vivienda. Los ciudadanos deben ser conscientes de la ubicación en la que podrán presentar sus puntos de vista y propuestas en caso de que no pueda asistir a la audiencia pública.

3. Cuando un número significativo de residentes que no hablan inglés se registra para participar en una audiencia pública, un intérprete debe estar presente para dar cabida a las necesidades de los residentes que no hablan inglés.

La Ciudad debe cumplir con los siguientes requisitos de participación ciudadana en el caso de que la Ciudad recibe fondos del programa TxCDBG:

1. La Ciudad celebrará una audiencia pública sobre cualquier cambio sustancial, según lo determinado por TxCDBG, se propuso que se hará con el uso de fondos TxCDBG de una actividad elegible a otro utilizando de nuevo los requisitos de notificación
2. Una vez finalizado el proyecto TxCDBG, la Ciudad celebrará una audiencia pública y revisará el desempeño del programa incluyendo el uso real de los fondos TxCDBG.

3. Cuando un número significativo de residentes que no hablan inglés se puede registra para participar en una audiencia pública, ya sea para una audiencia pública sobre el cambio sustancial del proyecto TxCDBG o para la liquidación del proyecto TxCDBG, publicará un aviso en Inglés y Español u otro idioma apropiado y se proporcionara un intérprete en la audiencia para dar cabida a las necesidades de los residentes.
4. La Ciudad conservará la documentación del proyecto TxCDBG, incluyendo aviso de audiencia(s), un listado de las personas que asistieron a la audiencia(s), acta de la vista(s), y cualquier otro registro concerniente al uso real de los fondos por un período de a tres (3) años a partir de la liquidación del proyecto al estado.

Dichos registros se pondrán a disposición del público, de conformidad con el Capítulo 552, Código de Gobierno de Texas.

Thomas L. Mattis, Administrador de la Ciudad

Fecha



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: ADOPTION OF A CITY OF ELGIN CITIZEN PARTICIPATION PLAN FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

DEPARTMENT: City Manager

PROPOSED ACTION: Adopt the City of Elgin's Citizen Participation Plan for the Texas Community Development Block Grant to satisfy the requirements of the Texas Department of Agriculture TXCDBG LEP program.

BACKGROUND: In accordance with federal law, if there is a significant number of the population who are non-English speaking residents and are affected by the TxCDBG project, such citizens should have "meaningful access" to all aspects of the TxCDBG project. To provide "meaningful access", Grant Recipients may need to provide interpreter services at public hearings or provide non-English written materials that are routinely provided in English. Examples of such vital documents may include Citizen Participation notices (e.g., complaint procedures, hearings notices), civil rights notices, and any other published notice that may allow an eligible person with limited English proficiency to participate in discussing proposed CDBG activities.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Staff recommends adoption of the Citizens Participation Plan as submitted.

ATTACHMENTS:

Citizens Participation Plan for the TX Ag CDBG Program.

{ } 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.