



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 15, 2021
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
6:30 PM

MEMBERS OF THE PUBLIC MAY WATCH THE MEETING AT:
https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jJTzA

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC COMMENT

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

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

VI. PRESENTATION

1. PROCLAMATION JUNE 19th AS JUNETEENTH DAY ELGIN TEXAS

Documents:

[EXECUTIVE SUMMARY JUNETEENTH PROCLAMATION615.PDF](#)
[2021 JUNETEENTH PROCLAMATION.PDF](#)
[JUNETEENTH 2021 PROGRAM FLYER.PDF](#)

2. PROCLAMATION WEEK OF JUNE 21 - 26 WESTERN DAYS WEEK ELGIN TEXAS

Documents:

[EXECUTIVE SUMMARY WESTERN DAYS PROCLAMATION615.PDF](#)
[PROCLAMATION 2021 WESTERN DAYS.PDF](#)

VII. CITY MANAGERS REPORT

1. Departmental Monthly Report – Period Ending May 31, 2021

Documents:

[01EXSUM MONTHLY REPORTS BY DEPARTMENT MAY 2021.PDF](#)
[02 MONTHLY REPORTS MAY DATA FY2020-21.PDF](#)

2. 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 Regular Meeting Minutes - June 1, 2021

Documents:

[EXSUMMARY MINUTES.PDF](#)
[6-1-21 CITY COUNCIL MINUTES.PDF](#)

2. CONSIDERATION OF A REQUEST BY SACRED HEART CATHOLIC CHURCH AS PART OF THEIR ANNUAL FIESTA ON SEPTEMBER 4-5, 2021, TO (1) WAIVE THE OPEN CONTAINER ORDINANCE FOR SEPTEMBER 4 8AM To 4PM AND ON SEPTEMBER 5 FROM 3:00 PM To 10:30 PM AND (2) ALLOW LIVE MUSIC TO CONTINUE AT ELGIN MEMORIAL PARK UNTIL 10:00PM ON SUNDAY SEPTEMBER 5.

Documents:

[EXECUTIVE SUMMARY SACRED HEART FIESTA615.PDF](#)
[SACRED HEART LETTER \(002\).PDF](#)

IX. NEW BUSINESS

1. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS ALL OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY AS ORIGINALLY ADOPTED BY ORDINANCE NO. 2020-09- 08-26 ADOPTED SEPTEMBER 8, 2020; IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Documents:

[01EXSUMBUDGET AMENDMENT.PDF](#)
[02ORD AMENDING GENERAL FUND AND OTHERS.PDF](#)

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE CITY OF ELGIN POLICE DEPARTMENT ROOF REPAIR PROJECT TO JA-MAR ROOFING & SHEET METAL OF AUSTIN, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO

Documents:

[EX SUMMARY - EPD ROOF PROJECT.PDF](#)
[RESAUTH EPDROOF621.PDF](#)
[JAMAR PD ROOFING PROPOSAL.PDF](#)

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY, INC. OF ROUND ROCK, TEXAS; FOR THE COUNTY LINE ROAD SCHOOL ZONE BEACONS CONSTRUCTION PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO

Documents:

[EX SUMMARY - SCHOOL ZONE BEACONS PROJECT.PDF](#)
[RESAUTH SZONEBEACONS621.PDF](#)
[ELGIN FLASHING BEACONS.PDF](#)

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO J. L. GRAY CONSTRUCTION INC. OF GEORGETOWN, TEXAS FOR THE HILLSIDE DRIVE AT OLD MCDADE ROAD TRAFFIC & SAFETY IMPROVEMENTS PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[RESAUTH HILLSIDEPROJ621.PDF](#)
[EX SUMMARY - HILLSIDE PROJECT.PDF](#)
[JL GRAY CONSTRUCTION - BID PROPOSAL.PDF](#)

5. Review And Discussion Of The Proposed City Of Elgin 2021 Five-Year Capital Plan (5YRCP)

Documents:

[EXSUMMARY - 5YRCP DISCUSSION.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. ADJOURNMENT

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, Jennifer Stubbs, 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, June 11, 2021, in accordance with Chapter 551 of the Texas Government Code.

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: PROCLAMATION JUNE 19th AS JUNETEENTH DAY ELGIN TEXAS

DEPARTMENT: Community Services

PROPOSED ACTION: Present proclamation and have photo with local representatives

BACKGROUND: Gwen Johnson President Elgin NAACP Branch 6175 provided this proclamation. The traditional Juneteenth Festival and Parade are cancelled due to ongoing concerns with COVID19. The proclamation recognizes the significance of June 19. There will be a local celebration on Saturday June 19th to recognize Juneteenth day.

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

RECOMMENDATION:

ATTACHMENTS:

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

PROCLAMATION

WHEREAS, Juneteenth celebrates African American freedom and achievement, while encouraging continuous self-development and respect for all cultures. As it takes on a more national, symbolic and even global perspective, the events of 1865 in Texas are not forgotten, and

WHEREAS, the Emancipation Proclamation was signed into law by President Abraham Lincoln on January 1, 1863 and Major Gordon Granger on June 19, 1865 in Galveston, Texas issued a general order declaring that “in accordance with a proclamation from the Executive of the United States, all slaves are free”; and

WHEREAS, this year the 22nd Elgin Juneteenth Organization Parade and Celebration were scheduled to be held on Friday and Saturday, June 11th and 12th but due to the ongoing concerns with Covid-19 and the need to keep everyone safe, the organization after studying the state’s numbers, cancelled all the scheduled celebrations; and

WHEREAS, the Elgin Juneteenth Organization desires to continue the observance and commemoration of Emancipation Day in Elgin, Texas by joining with the NAACP Elgin Branch 6174 and the City of Elgin for the Celebration of Freedom Day, and

WHEREAS, the NAACP with the Elgin Sub-district Ministries will present an Outdoor Celebration:

Celebrate Juneteenth on Juneteenth!!! Freedom Is Not Free!

at Winn’s Memorial Baptist Church, Reverend D. W. Townsend, Pastor, 605 Madison Street Elgin, Texas, with the Fresh Wind Ministry of Waco, Texas as Special Guest, and

WHEREAS, the community will kick off the Memorial Bench Project for Mr. Harvey Westbrook (Civil Rights Leader), Mrs. Annie Haywood (Educator) and Brother Monty Joe Thomas (Gospel Recording Artist), and

WHEREAS, the citizens will continue to hold onto the Juneteenth Organization theme:

"Let's Put Unity Back Into Community"

NOW, THEREFORE, I, Ron Ramirez, Mayor of the City of Elgin, Bastrop County, Texas proclaim June 19, 2021 as

JUNETEENTH DAY in ELGIN

And urge all citizens to participate in the observance of Juneteenth by celebrating African American Freedom, families, heritage, and becoming the ancestor Dream.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Elgin, Texas to be affixed this 15th day of June 2021.

Ron M. Ramirez, Mayor

Celebrate Juneteenth on Juneteenth!!!

The Juneteenth Emancipation, 1865

National Association for the Advancement of Colored People

ELGIN BRANCH NUMBER 6174

Presents

Freedom Is Not Free!

Outdoor Celebration

Following CDC Guidelines

Bring your lawn chairs

Winn's Memorial Baptist Church

605 Madison
Elgin, Texas

Saturday ~ June 19, 2021

6:15 P.M.

Live Entertainment By

**Fresh Wind Ministry
of Waco, Texas**



Reverend D. W. Townsend
Program Chairman / Pastor

More info:
Sister Elsie Williams
512-281-6322
elsiewms2001@yahoo.com

Member of the Elgin Chamber of Commerce

More info:
Sister Gwen
512-569-6610
gwen7upjohns@yahoo.com



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: PROCLAMATION WEEK OF JUNE 21 - 26 WESTERN DAYS WEEK ELGIN TEXAS

DEPARTMENT: Community Services

PROPOSED ACTION: Present proclamation and have photo with local representatives

BACKGROUND: Western Days Festival and Grand Parade week of June 21 to 26 – is celebrating 52 years in 2021 with activities and celebrations, including a, Carnival, Concert, Parade, Live Music, Arts and Crafts, Delicious Food, Entertainment, Washer, Horseshoe, and Volleyball, Softball, tournaments.

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

RECOMMENDATION:

ATTACHMENTS:

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

PROCLAMATION

WHEREAS, the Western Days Festival includes a week of activities and celebrations, including a, Carnival, Concert, Parade, Live Music, Arts and Crafts, Delicious Food, Entertainment, Washer, Horseshoe, and Volleyball, Softball, tournaments, and

WHEREAS, the Western Days Festival is celebrating its 52nd event this year and

WHEREAS, Western Days Festival is a celebration of the spirit and tradition of our community, which represents the very essence of the fabric of our community; and

WHEREAS, the Western Days Festival draws thousands of people back to Elgin every year to celebrate Elgin's heritage and community, to enjoy family and class reunions, and

WHEREAS, this week marks the 52nd anniversary of the Western Days Festival and

WHEREAS, the Western Days Festival has been the main fundraiser for the Elgin Chamber of Commerce, an organization that tirelessly promotes our community throughout the State; and

WHEREAS, the Annual Western Days Festival should be recognized and heralded for strengthening the character of our community,

NOW, THEREFORE, I, Ron M. Ramirez, Mayor of the City of Elgin, do here by proclaim this, the fourth week of June: June 21 to 26th, 2021 be known as

WESTERN DAYS WEEK

in Elgin, Texas and call upon the people of Elgin to join their friends and neighbors throughout this community in celebrating the spirit and heritage of our town.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Elgin, Texas to be affixed this 15th day of June, 2021.

Ron M. Ramirez, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Departmental Monthly Report – Period ending May 31, 2021

DEPARTMENT: Administration

PROPOSED ACTION: No action required on this item.

BACKGROUND: Monthly Reports by Department

Attached is the Monthly Operations Report as of May 31, 2021 representing changes in work load indicators for May 2020 and May 2021 and Year-to-Date.

HR

Municipal Court

Development Services

Library

Rec Center

Public Works

Water

Wastewater.

Trash Collect

Police

BUDGET/FINANCIAL IMPACT:

None

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

ATTACHMENTS: Summary Report of Operations – For the month of May 2021.

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

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

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

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



Monthly Report of Operations

As of May 2021

Administration	May '20	May '21	%	YTD 5-31-20	YTD 5-31-21	%
Human Resources						
Total FTE - Filled Positions	103.0	108.0	↑ 5%			
Vacancies - all funds	10	23	↑ 130%			
New Hires	-	10	→ 0%	14	27	↑ 100%
Separations	1	2	↑ 100%	12	20	↑ 63%
Municipal Court						
Total Active Cases Pending (beg. of Month)	15,856	11,433	↓ -28%			
New Cases Filed (incl reactivation of inactive)	132	169	↑ 28%	2,172	818	↓ -62%
# of Magistrations	17	29	↑ 71%	218	207	↓ -5%
Total Cases Disposed of	84	111	↑ 32%	1,850	691	↓ -63%
Cases placed on Inactive Status	-	6	→ 0%	495	16	↓ -97%
Total Active Cases Pending (end of Month)	15,904	15,821	↓ -1%			
Fines Collected	\$ 21,188	\$ 19,157	↓ -10%	\$ 301,333	\$ 159,054	↓ -47%
Retained by City	\$ 18,661	\$ 17,092	↓ -8%	\$ 228,688	\$ 140,346	↓ -39%
Development Services						
Construction Permits (all types)	43	191	↑ 344%	464	1,438	↑ 210%
Revenue from Bldg. Permits	\$ 11,356	\$ 89,876	↑ 691%	\$ 118,987	\$ 676,793	↑ 469%
Inspections (all types)	233	886	↑ 280%	1,586	5,224	↑ 229%
Revenue from Inspections	\$ 19,411	\$ 68,375	↑ 252%	\$ 203,415	\$ 891,365	↑ 338%
Housing Plats approved (number of lots)	-	-	→ 0%	252	281	↑ 12%
Community Services						
Library-						
Materials circulated	1,624	2,901	↑ 79%	37,257	27,110	↓ -27%
# Visitors (incl. Progs)	2,781	1,636	↓ -41%	23,956	14,910	↓ -38%
Public Computer Use hrs.	-	52.00	→ 0%	1,734	193	↓ -89%
Public Computer Use Persons	-	79.00	→ 0%	2,954	314	↓ -89%
Civic Center - Rentals (all)	-	7.00	→ 0%	165	52	↓ -68%
Recreation Program -						
Annual Memberships	-	8	→ 0%	48	12	↓ -75%
Monthly Rec Memberships	-	64.00	→ 0%	953	261	↓ -73%
Facility Rental Fleming Center	-	5.00	→ 0%	251	6	↓ -98%
Facility Rental Recreation Center	-	2.00	→ 0%	122	2	↓ -98%
Sponsored Events	\$ 270	\$ 159	↓ -41%	\$ 7,289	\$ 1,131	↓ -84%
Public Works						
Streets:						
Lane miles maintained	57.8	57.8	→ 0%	58	58	→ 0%
Pot holes patched - Square Yards	44	200	↑ 352%	279	493	↑ 77%
Wide Area patching/renovation - SY	-	49	→ 0%	637	858	↑ 35%
Crack Seal Lbs of Sealant	1,200	-	↓ -100%	6,810	7,092	↑ 4%
Drainage:						
Linear feet of drains cleaned	11,910	9,070	↓ -24%	20,460	16,422	↓ -20%
# Culverts Cleared	-	-	→ 0%	13	32	↑ 146%
Parks:						
Acres Mowed/maintained	-	-	→ 0%	-	716	→ 0%
Reserved Park Facilities	-	-	→ 0%	-	88	→ 0%
# Organized Sports Events	-	-	→ 0%	-	186	→ 0%



Monthly Report of Operations

As of May 2021

Utilities	May '20	May '21	%	YTD 5-31-20	YTD 5-31-21	%
Water System:						
# Customers Total/Added by month *		21	➡	3,363	3,471	
Amount Billed	\$239,908	\$229,904	↓ -4%	\$ 1,645,703	\$ 1,690,836	↑ 3%
Meters Replaced	40	68	↑ 70%	242	527	↑ 118%
# Leaks Repaired	4	15	↑ 275%	34	41	↑ 21%
Vol. water produced (x1,000 gallons)	31,701	27,705	↓ -13%	221,060	218,824	↓ -1%
Main Line Breaks	2	-	➡ 0%	8	19	↑ 138%
Service Line Breaks	3	6	↑ 100%	20	26	↑ 30%
Wastewater System:						
# Customers Total/Added by month *		-	➡	3,073	3,151	↑ 2.5%
Amount Billed	\$ 155,709	\$ 161,755	↑ 4%	\$ 1,098,631	\$ 1,127,833	↑ 2.7%
Main Lines repaired	-	-	➡ 0%	1	4	↑ 300%
Lines replaced (Linear Feet.)	-	-	➡ 0%	6	104	↑ 1633%
Manholes Cleaned	4	5	↑ 25%	20	37	↑ 85%
Average Daily Flow (MGD)	0.6938	0.8175	↑ 18%	0.5713	0.5908	↑ 3%
Total Monthly Flow (MGD)	21.5068	25.3432	↑ 18%	17.7097	18.0455	↑ 2%
Trash Collection:						
# Customers Total/Added by month *		37	➡	3,215	3,512	↑ 9.2%
Amount Billed	\$ 97,214	\$ 119,396	↑ 23%	\$ 706,112	\$ 785,191	↑ 11.2%

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

Police Department	May '20	May '21	%	YTD 5-31-20	YTD 5-31-21	%
Part I Index Offenses						
Murder (# Victims)	-	-	➡ 0%	-	-	➡ 0%
Rape(# Victims)	1	-	➡ 0%	5	5	➡ 0%
Robbery (# Victims)	-	-	➡ 0%	5	2	↓ -60%
Aggravated Assault (# Victims)	1	-	↓ -100%	6	3	↓ -50%
Total Violent Index Crimes*	2	-	↓ -100%	16	10	↓ -38%
Burglary (# premises entered)	-	2	➡ 0%	12	20	↑ 67%
Theft (# offenses)	5	14	↑ 180%	63	74	↑ 17%
Auto Theft (#vehicles)	1	1	➡ 0%	4	8	↑ 100%
Arson (# premises)	-	-	➡ 0%	2	-	↓ -100%
Total Property Index Crimes*	6	17	↑ 183%	81	102	↑ 26%
Total Part I Index Crimes*	8	17	↑ 113%	97	112	↑ 15%
Part II Index Offenses						
Other Assaults	7	7	➡ 0%	65	58	↓ -11%
Weapons	-	-	➡ 0%	-	6	➡ 0%
Narcotics	2	4	↑ 100%	16	24	↑ 50%
DUI	3	7	↑ 133%	29	43	↑ 48%
All Other Part II Offenses	39	56	↑ 44%	308	346	↑ 12%
Total Part II Index Crimes*	51	74	↑ 45%	418	477	↑ 14%
Total All Index Crimes*	59	91	↑ 54%	515	589	↑ 14%

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: General Activity Report and/or Project Update

DEPARTMENT: City Manager/Staff

PROPOSED ACTION:

No Council action proposed or requested; This item is to allow for general update and/or activities report relating to various on-going city projects or issues.

BACKGROUND:

This item is to provide opportunities for miscellaneous updates and comments by the staff; and general Q&A with the City Council relative to on-going projects and/or issues.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

N/A

ATTACHMENTS:

None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Meeting Minutes – June 1, 2021.

DEPARTMENT: Administration

PROPOSED ACTION: Review and approve the City Council Meeting Minutes – June 1, 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 Meeting Minutes – June 1, 2021.

ATTACHMENTS:

City Council Meeting Minutes – June 1, 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.

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MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
JUNE 1, 2021

CALL TO ORDER

Mayor Ramirez called the meeting to order at 6:30 p.m.

ROLL CALL

Present: Ron Ramirez, Mayor
Sue Brashar, Mayor Pro Tem
Arthur Gibson, Council Member
Jessica Bega, Council Member
Skyler Maldonado, Council Member
Susie Arreaga, Council Member
Thomas Ibis, Council Member
Mathew Callahan, Council Member
Forest Dennis, Council Member

Mayor Ramirez stated there was a quorum and that Council Member Dennis was not present.
Council Member Dennis arrived at 6:38 pm

Staff: Thomas L. Mattis, City Manager
Charles Cunningham, Finance Director
Michael Gonzalez, Public Works Director
Pamela Sanders, HR Director
Amy Miller, Community Development Director
Chris Noble, Police Chief

INVOCATION

Council Member Bega gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Ramirez led the Pledge of Allegiance and Texas Flag Pledge.

Mayor Ramirez stated that typically the Public Hearing would be next, but they would come back to that after 7:00pm and would now move to Public Comments.

CITY COUNCIL REGULAR MEETING

June 1, 2021 – Page 2

Elgin Public Library Annex Council Chambers

PUBLIC COMMENT

Debra Trevino spoke and stated that from 2019 until now the spending was not showing up on paperwork and they were not getting answers and asked if they needed to keep doing their own investigations and finding out more stuff. She stated that her investigation included local news channels to figure out what is going on here.

Stephanie Lippke spoke and stated that the Council consider this a formal and final complaint on continuing issues with new red flags. She stated that the City Manager failed to comply with several public information requests and that the Attorney General had ruled that the city must release former Chief Patrick South's location services and had failed to do so. She stated another concern were severely erroneous quarterly financial statements and that the first and second quarter 2021 quarterly investment reports in their packet had been revised but were just figures added back to make final numbers add up right. She stated that the fourth quarter 2019 financials do not match the first quarter 2020 financials and that this is where goes off the rails. She stated that this has been happening for years and the report is riddled with date typos as well as millions of dollars missing, and no one noticed. She stated that the auditors missed all of this, and these were poor financial reports that need to be fixed. She stated that they were requesting an external independent investigation to City Manager Tom Mattis's actions for mismanagement and failure to maintain accurate financial records and failure to comply with order to release public information by Texas law and the Attorney General and overall mismanagement and actions unbecoming a City Manager. She stated that voters could petition the recall of City Council Members who refuse to take action over the serious issues they have presented for over a year.

PRESENTATION

1. Winter Storm Appreciation Letters – Mayor Ramirez

Mayor Ramirez read the names of citizens that were nominated for their help during the winter freeze and stated there was certificate of appreciation for each person.

Recognized were the following: Michael Gonzalez and team, Monica Nava, Dodie Navejas, Tom Mattis, Amy Miller, Elizabeth Marzec, Guillermo Nieavas, Donna Snowdon, David Glass, Sue Beckwith, Molly and Gary Alexander, Roland Nava, John Smith, Veronica and Brad Seever, Steph, Tiffany, and Deklan Finley, Erin and Zack Tatro, Charlotte Swenson, Tim Swenson, Lysa Hillestad and Danny Geer.

CITY MANAGERS REPORT

1. Revised Quarterly Investment Reports – 1st And 2nd Quarter Fiscal Year 2020-21.

Charles Cunningham, Finance Director presented the Revised Quarterly Investment Reports, 1st and 2nd Quarter Fiscal Year 2020-21

CITY COUNCIL REGULAR MEETING

June 1, 2021 – Page 3

Elgin Public Library Annex Council Chambers

Mayor Ramirez stated they would move back to the Public Hearing as it was after 7:00 pm.

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 as R-3 Single Family, Two Family, And Industrialized Housing District, the Property being Approximately 0.48 Acres of Land and being Described in Exhibit “A”, attached hereto and Providing a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

Deyanita. Rocha, the property owner, spoke and stated this property had been in her family for a long time, from her grandfather to her father, who had built the home that was there now, to her uncle and now to her. She stated she was a single mom of four children and wanted to make the house a little bigger for her family and to keep the property in the family. She stated she was told she could not do that because the property is zoned commercial, and she would need to zone it back to residential.

2. Public Hearing on a Specific Use Permit for the Continuation and Enlargement of a Childcare Center at Property Located at 1512 & 1520 N. Ave. C (FM 1100).

Jackie Mabry, the property owner spoke and stated she opened in 2004 and was given five-year permits for specific use, but that she owned the property next door with each lot being over an acre. She stated that she decided that if she wanted to enlarge, she should go ahead and do the specific use permit for both at the same time. She stated that with all the city growth more daycare centers would be needed so she thought she should go bigger, which is why she was trying to include both properties to have enough land to do that if she chose to.

NEW BUSINESS

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 AS R-3 SINGLE FAMILY DWELLING DISTRICT, THE PROPERTY BEING APPROXIMATELY 0.4800 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mayor Pro Tem Brashar moved to approve the Ordinance as presented. Council Member Bega seconds the motion. Motion carried 9-0.

CITY COUNCIL REGULAR MEETING

June 1, 2021 – Page 4

Elgin Public Library Annex Council Chambers

3. AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR THE CONTINUATION AND ENLARGEMENT OF A CHILDCARE CENTER AT PROPERTY LOCATED AT 1512 AND 1520 N. AVENUE C (ELGIN WEST COUNTRYSIDE, LOT 10, ACRES 1.105 & LOT 11, ACRES 1.076), CITY OF ELGIN, BASTROP COUNTY, TEXAS BEING MORE DISCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mayor Pro Tem Brashar moved to grant the special use permit with the stipulation to not include limitations on the lot as proposed. Council Member Ibis seconds the motion. Motion carried 9-0.

2. Presentation of the Proposed 2021 City of Elgin Five-Year Capital Improvement Plan.

City Manager Thomas Mattis stated that this was an update as it is every year of the Five-Year Capital Improvement Plan and copies would be available to the public and would be posted on the city website. Mr. Mattis provided a presentation of the Proposed 2021 City of Elgin Five-Year Capital Improvement Plan.

3. General Activity Report and/or Project Update.

City Manager Thomas Mattis stated that on the Budget Adoption Schedule there was a planned work session next Tuesday but had since been asked by the EISD Superintendent to meet in a joint work session with the school board next Tuesday, so they would be rescheduling the five-year capital plan work session. Mr. Mattis spoke about a City Council planning retreat now that a new Council is seated after the election, so they would be working on scheduling that and hoping to do it before the budget presentation in August. Mr. Mattis mentioned that the city was implementing the neighborhood traffic and safety projects that the Council had been discussing for a while. He stated that changes had been made on Avenue A and new stop signs at Houston and Madison were up, with barricades on order for Ramirez as well as signage.

Mr. Mattis mentioned that the General Activity Report is on every agenda to give Council Members an opportunity to ask questions about anything.

CONSENT AGENDA

1. City Council Regular and Special Meeting Minutes – May 18, 2021, and May 17, 2021.

Mayor Pro Tem Brashar moved to approve the Consent Agenda with two typo corrections provided to the City Secretary. Council Member Dennis seconds the motion. Motion carried 9-0.

1. Election of the Mayor Pro-Tem by City Council.

Council Member Callahan moved to nominate Council Member Ibis as Mayor Pro Tem. There was no second. Motion failed. Council Member Dennis moved to nominate Mayor Pro Tem

Brashar. Council Member Maldonado seconds the motion. Motion carried 8-1 with Council Member Callahan voting no.

CITY COUNCIL REGULAR MEETING

June 1, 2021 – Page 5

Elgin Public Library Annex Council Chambers

4 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE A SERVICE AGREEMENT WITH BASTROP COUNTY TO PROVIDE DISPATCHING SERVICES TO THE ELGIN POLICE DEPARTMENT; AND TO AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.

Council Member Dennis moved to approve the Resolution as presented. Council Member Arreaga seconds the motion. Motion carried 9-0.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH BASTROP COUNTY “COUNTY” TO SUPPORT THE 9-1-1 GEOGRAPHIC INFORMATION SYSTEM DATABASE MANAGEMENT AND MAKING CERTAIN FINDINGS RELATED THERETO.

Mayor Pro Tem Brashar moved to approve the Resolution as presented. Council Member Bega seconds the motion. Motion carried 9-0.

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING A MASTER SIGNAGE PLAN FOR WALMART LOCATED AT 1320 W. U.S. HIGHWAY 290 (FRONTIER CROSSING SUBDIVISION, LOT 1, ACRES 17.9877).

Council Member Bega moved to approve the Resolution as presented. Council Member Maldonado seconds the motion. Motion carried 8-1 with Council Member Callahan voting no.

7. County Line Road Safety – Councilmember Ibis

Council Member Ibis stated that at the approaching the northern end of the city limits there are still no speed limit signs after the high school going north on County Line Road. He stated that there needed to be speed limit signs on northbound County Line Road as there have been crashes into the neighborhood at the entrance to Eagles Landing. He stated he knew there was some of these developer funds and the city got grant money for sidewalks further south on County Line Road and some of his neighbors and he wondered what options there are with those funds and what kind of safety improvements can be made. This item was for discussion only and no action was taken.

ANNOUNCEMENTS

Amy Miller reminded everyone about the sidewalk sale on Saturday.

ADJOURNMENT

Mayor Ramirez adjourned the City Council Meeting at 9:05 pm.

CITY COUNCIL REGULAR MEETING

June 1, 2021 – Page 6

Elgin Public Library Annex Council Chambers

Ron M. Ramirez, Mayor

ATTEST:

Amelia Sanchez, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: CONSIDERATION OF A REQUEST BY SACRED HEART CATHOLIC CHURCH AS PART OF THEIR ANNUAL FIESTA ON SEPTEMBER 4-5, 2021, TO (1) WAIVE THE OPEN CONTAINER ORDINANCE FOR SEPTEMBER 4 8AM to 4PM AND ON SEPTEMBER 5 FROM 3:00 PM to 10:30 PM AND (2) ALLOW LIVE MUSIC TO CONTINUE AT ELGIN MEMORIAL PARK UNTIL 10:00PM ON SUNDAY SEPTEMBER 5.

DEPARTMENT: Community Services

PROPOSED ACTION: Consideration of a request by Sacred Heart Catholic Church to grant certain waivers in support of their Annual Fiesta on September 4-5, 2021.

BACKGROUND: The Sacred Heart Catholic Church Annual Fiesta is an annual community event traditionally held at Elgin Memorial Park. The organizers have typically requested the stated waivers in support of the fiesta

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

RECOMMENDATION: Consideration of a request by Sacred Heart Catholic Church to grant certain waivers in support of their Annual Fiesta on September 4-5, 2021; and direction to staff, if any, regarding same.

ATTACHMENTS:
{ } 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.

Sacred Heart Catholic Church
Request for use of Elgin Memorial Park

May 10, 2021

Dear Council members:

Re: Elgin Sacred Heart Catholic Church
Annual Fiesta – September 5, 2021

Sacred Heart Catholic Church and Father George would like to request your consideration on the following items in reference to our Annual Fiesta on Sunday, September 5, 2021.

- Request to waive the open container alcohol ordinance for Saturday September 4, 2021 and Sunday September 5, 2021.
- Request to allow the music to extend until 10 PM Sunday September 5, 2021.
- Request to allow our Church members to set up booths on the park grounds on Saturday, September 4, 2021 and to take down all booths and clean up the Park on Monday, September 6, 2021.
- Allow us to block the front entrance to the Park, in front of the ball field and next to the tennis courts.

Your consideration is greatly appreciated.

Sincerely,

Pete Bega

Fiesta Representative

City of Elgin
Parks & Recreation Department

361 N Hwy 95
Elgin, TX 78621
(512) 285-6434
parks@ci.elgin.tx.us

What will you need?

- | | |
|---|---|
| ☒ Usage of streets | ☐ Security |
| ☒ Usage of parks | ☐ Traffic Control |
| ☒ Usage of parking areas | ☐ Signs |
| ☒ Barricades | ☐ EMS Stand-By |
| ☐ Trash & Clean up | ☐ Fire Control |
| ☐ Port-A-Potties | ☐ Insurance |
| ☐ Electricity | ☐ Inspection |
| ☒ Electrical Outlets | ☐ Assistance of city crews |
| ☒ Water | ☐ Other equipment |
| ☐ Water/Sewer Outlets | |
| ☒ Will food be served: <u>yes</u> | |
| ☐ Other Requests: _____ | |

Fees for park use and City facilities will apply. Please meet with the Parks & Recreation Department at least 2 -6 months in advance of your event.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS ALL OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY AS ORIGINALLY ADOPTED BY ORDINANCE NO. 2020-09- 08-26 ADOPTED SEPTEMBER 8, 2020; IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

DEPARTMENT: City Manager

PROPOSED ACTION: Review and adopt Ordinance as presented.

BACKGROUND: Amending the original budget is a routine exercise each year that is needed to adjust revenue and expenditures based on changes that inevitably occur during the course of a budget year. It gives the Council an opportunity to review the experience to-date of operations and to make course corrections that arise due to unforeseen occurrences. While every effort is made to forecast revenue and expenditures as precisely as possible when the original budget is prepared for adoption by the Council in September, it is an inexact science that requires adjustment as the year progresses.

BUDGET/FINANCIAL IMPACT:

Adoption of the proposed changes will provide a more reasoned expectation of financial outcomes for each fund based on more up-to-date historical data and identification of trends that may not have been apparent when the original budget was proposed.

RECOMMENDATION: Recommended for acceptance

ATTACHMENTS: The Ordinance amending the Budget is provided without EXHIBIT A. That is the detail by line item for each fund and proposed changes in the number and classes of authorized positions. In order to avoid any misunderstandings, misinterpretations or deliberate mischaracterizations of the information contained in EXHIBIT A, a detailed review will be presented by staff at the meeting and questions that Council wishes to raise will be entertained at that time.

{X} Staff will be making a detailed presentation on this agenda 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.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING THE AMOUNT OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS ALL OTHER FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR VARIOUS DEPARTMENTS OF THE CITY AS ORIGINALLY ADOPTED BY ORDINANCE NO. 2020-09-08-26 ADOPTED SEPTEMBER 8, 2020; IN ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN, TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Elgin, Texas approved Budget Ordinance No. 2020-09-08-26 for the 2020-21 Fiscal Year on September 8, 2020; and

WHEREAS, the City Manager of the City of Elgin has submitted to the City Council, a proposed budget amendment of revenues and expenditures of the City of Elgin for the fiscal year ending September 30, 2021; and

WHEREAS, the City Council of the City of Elgin, Texas desires to amend the approved Budget Ordinance for the 2020-21 Fiscal Year;

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

SECTION 1: AMENDMENT TO CURRENT BUDGET

That appropriations for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021, for support of the general government of the City of Elgin, Texas be amended for said term in accordance with changes in expenditures shown in Exhibit A, attached hereto for the purposes stated herein.

SECTION 2: APPROVAL OF AMENDMENT

That the budget amendment, as shown in words and figures in Exhibit A are hereby approved in all aspects and adopted as an amendment to the City budget for the Fiscal Year beginning October 1, 2020 and ending September 30, 2021.

SECTION 3: APPROVAL OF APPENDIX A

That adoption of the budget amendment includes approval of staffing changes identified in APPENDIX A with the same effective date as shown in SECTION 8 below.

SECTION 4: BUDGET AMENDMENT FILING

In accordance with § 102.008(1), Local Government Code, The Director of Finance is directed to file with the City Secretary a true copy of the amended final budget as adopted by the City Council, and the City Secretary is directed to certify as a true copy said amended budget and file it with this Ordinance in the official records of the City.

SECTION 5: BUDGET AMENDMENT POSTING

In accordance with § 102.008(2), Local Government Code, The Director of Finance is directed to take action to ensure that a copy of the amended budget is posted to the City's website.

SECTION 6: CONFLICT

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 7: OPEN MEETINGS

That it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of time, place, location and the purpose of said meeting was given as required by the Open Meetings Act, Ch. 551 LGC.

SECTION 8: PUBLICATION

The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption of this Ordinance as an alternative method of publication provided by law.

SECTION 9: EFFECTIVE DATE

This Ordinance shall be in full force and effective from and after the date of its final passage and adoption in accordance with state law.

PRESENTED, REVIEWED, CONSIDERED AND APPROVED ON THIS _____ DAY OF JUNE 2021 BY A VOTE OF.._____AYES,_____NAYS AND _____ABSTENTIONS, AT A REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS.

CITY OF ELGIN by:

Ron M. Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Charles Crossfield, City Attorney

EXHIBIT A

ORDINANCE NO.

**AMENDED Operating
Budget CITY OF
ELGIN**

**FISCAL YEAR
2020-21**

Ending September 30th, 2021



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE CITY OF ELGIN POLICE DEPARTMENT ROOF REPAIR PROJECT TO JA-MAR ROOFING & SHEET METAL OF AUSTIN, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Building Services/Police

PROPOSED ACTION: Approval of the Resolution authorizing an agreement with Ja-Mar Roofing & Sheet Metal of Austin, Texas, in the amount of \$28,240.00 for the City of Elgin Police Department Roof Repair Project.

BACKGROUND: The City of Elgin Police Department (EPD) Station is located at 202 Depot Street and houses all city police operations, services, and staff - in addition to sensitive records and criminal evidence. The existing building is well past its useful life and presents a wide range of operational challenges for both City and EPD staff.

A new and/or renovated EPD Station was planned for this year through funding provided by the 2021 Certificates of Obligation (COs) Program. However, an alleged petition of registered city voters objecting to this project and others was purported to have existed, which ultimately caused the project to be deleted from the 2021 COs Program.

Now, however, EPD Station is in need of immediate and extensive emergency roof repairs to allow police operations to allow EPD operations to continue in a safe, secure, healthy, and productive environment – including security of evidence connected to various criminal cases.

Had the 2021 COs Program proceeded as planned, it would have been a source for funding of this project. At this time, however, no such funding exists nor was approved as part of the current-year operating budget.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution as presented authorizing an agreement with Ja-Mar Roofing & Sheet Metal of Austin, Texas, in the amount of \$28,240.00 for the City of Elgin Police Department Roof Repair Project and additional direction to staff by Council, if any, regarding same.

ATTACHMENTS: (1) Resolution and (2) Ja-Mar 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.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING
THE CITY MANAGER TO AWARD A BID FOR THE CITY OF
ELGIN POLICE DEPARTMENT ROOF REPAIR PROJECT TO JA-
MAR ROOFING & SHEET METAL OF AUSTIN, TEXAS; AND
MAKING CERTAIN FINDINGS RELATED THERETO.**

WHEREAS, the City of Elgin Police Department (EPD) Station is located at 202 Depot Street and houses all city police operations, services, and staff, including sensitive records and evidence, and;

WHEREAS, a new and/or renovated EPD Station was planned for this year through funding provided by the 2021 Certificates of Obligation Program, but the project was ultimately deleted from the Program in response to an alleged petition of registered city voters, and;

WHEREAS, the roof of the EPD Station is now in need of extensive emergency repairs to allow police operations to continue in a safe, secure, healthy, and productive environment, and;

WHEREAS, city staff has completed an emergency bidding process, fully vetted bids received, and has determined *Ja-Mar Roofing & Sheet Metal* of Austin, Texas has submitted the lowest and best bid.

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

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

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an agreement with *Ja-Mar Roofing & Sheet Metal* of Austin, Texas, in the amount of \$28,240.00 for the City of Elgin Police Department Roof Repair Project, a copy of the bid regarding same being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. Project Change Orders. Through the approval of this Resolution, the City Manager is further authorized to approve project contract change orders in a total amount not to exceed 25% of the approved contract as stated above.

Section 4. Future Budget Amendment. The City Council does hereby acknowledge that this item was neither included nor approved within the *FY20-21 City of Elgin Annual Operating Budget*; and that said budget will be amended at a future date to formally appropriate funds for this item.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 15th day of June, 2021

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Mailing Address

PO Box 40159
Austin, Texas 78704
www.JaMarRoofing.com
RCAT License #03-0309

**Corporate Location**

16712 IH-35 S
Buda, Texas 78610
Phone: (512) 441-8437
Fax: (512) 441-8446

Client's Name: City Of Elgin attn: Michael Gonzales**Date:** 5/26/2021**Job Site Address:** 202 Depot St**City:** Elgin**St:** Tx**Zip:** 78621**Mailing Address (if different):** _____**City:** _____**St:** _____**Zip:** _____**Phone:** _____ **Cell:** 512-748-4402 **Email:** mgonzales@ci.elgin.tx.us

DESCRIPTION:	UNIT PRICE:	TOTAL:
60 Mil TPO recover over existing roof at Police station	\$	\$
Work shall include:	\$	\$
1/2" fan fold cover board	\$	\$
Mechanically attached 60 Mil TPO membrane	\$	\$
Flash TPO membrane up and over parapet walls.	\$	\$
New scupper sleeves	\$	\$
All curbs and penetrations flashed per manufacturer specifications.	\$	\$
New 24 gauge metal parapet cap flashing. Color to be selected from standard color chart.	\$	\$
Two year Jamar Workmanship warranty	\$	\$
Twenty year NDL system warranty (Transferable).	\$	\$
Bid Price	\$	\$ 28,240.00
Sales tax is excluded COE to provide exempt cert.	\$	\$
	\$	\$
Owner to provide coordination with IT equipment movement and replacement	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$

Price Quoted for Cash, Check or ACH Transfer

3% Convenience fee to be applied on Credit Card Payments

TOTAL	\$	28,240.00
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Payment to be made as follows: 50% down and balance a completion

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. *Ja-Mar Roofing & Sheet Metal* is hereby authorized to do the work as specified and payment will be made to *Ja-Mar Roofing & Sheet Metal* as outlined above. This contract both **front and back** constitutes the entire understanding of the parties, and no other understanding, collateral or otherwise, shall be binding unless in writing and signed by both parties.

Isi Sekula 512-913-8416 isi@jamarroofing.com

MARKETING: Customer agrees to allow company to take aerial photos and utilize for marketing purposes. Initials: _____

THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 90 **DAYS.**

FINANCING AVAILABLE**AUTHORIZED AGENT**

SIGNATURE

DATE

SIGNATURE

DATE



THIS CONTRACT BETWEEN JA-MAR ROOFING & SHEET METAL ("COMPANY") AND THE CUSTOMER(S) IDENTIFIED HEREIN ON THE REVERSE SIDE WILL BE SUBJECT TO ALL APPLICABLE LAWS, REGULATIONS AND ORDINANCES OF THE STATE OF TEXAS AND THE FOLLOWING TERMS AND CONDITIONS.

1. All Contracts are subject to approval by Company's Credit Department & Management. Any cancellation by Customer after materials have been ordered will incur a 15% restocking fee of the contract price.
2. This Contract does not cover the replacement of deteriorated, warped or damaged decking, fascia, soffit, roof jacks, ventilators, flashings or other non-specified materials unless specifically stated otherwise. Any such replacement or repair, if necessary, will be subject to additional charges. This Contract does not cover any electrical, plumbing or mechanical work unless specifically stated otherwise. HVAC and plumbing vents should be inspected by a licensed technician after a roofing project. Any changes to this Contract shall be put forth in writing and signed by both parties.
3. Oil canning is inherent to roll formed metal products and shall not be cause for rejection of materials. Flat metal surfaces will commonly display waviness referred to as oil canning. This phenomenon is caused by steel mill production tolerances and will not be accepted as cause for field rejection. Use of 24-gauge metal, striations, backer rods or stiffening ribs may help reduce the effect of oil canning.
4. The Company hereby disclaims all liability for any damage as a result of torrential rainfall, hurricane, fire, tornado, windstorm in excess of 54 mph, hail, ice, or force majeure, natural or otherwise, unless specified by written agreement prior to the commencement of work under the Contract. Furthermore, all liability for any damages as a result of circumstances beyond the control of the Company, including, but not limited to, labor controversies, strikes, fires, weather, pre-existing construction defects, or inability to obtain materials from usual sources, all liability for any damages from roof loading or placement of materials on property by supplier or anyone else other than the Company, all liability for any damages as a result of punctures to air conditioner, gas, security, plumbing or electrical lines that have been installed closer than 3" to the underside of roof deck, all liability for any consequential or incidental damages of any kind, including, but not limited to, interior or exterior damages and/or mold growth are hereby disclaimed. The Company's liability is limited to the repair of any workmanship defect that is causing a roof leak.
5. Upon completion and payment in full the Company will provide the Customer with a Written Limited Warranty. **THIS IS THE ONLY WARRANTY ISSUED BY THE COMPANY IN RELATION TO THIS CONTRACT OR ANY WORK PERFORMED UNDER THE CONTRACT. ALL OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE AND IMPLIED WARRANTY OF MERCHANTABILITY, ARE HEREBY DISCLAIMED, OR IN THE ALTERNATIVE LIMITED TO THE FULL EXTENT ALLOWED BY LAW. WARRANTIES, IF ANY, COVERING THE MATERIALS USED BY THE COMPANY ARE ISSUED BY THE MANUFACTURER, AND ARE SIMILARLY DISCLAIMED BY THE COMPANY.** Please see Limited Warranty for complete terms and conditions. Regular Maintenance is required for proper roof performance and shall be the responsibility of the Customer. Company offers maintenance agreements and service contracts at an additional cost.
6. **TEXAS LAW REQUIRES A PERSON INSURED UNDER A PROPERTY INSURANCE POLICY TO PAY ANY DEDUCTIBLE APPLICABLE TO A CLAIM MADE UNDER THE POLICY. IT IS A VIOLATION OF TEXAS LAW FOR A SELLER OF GOODS OR SERVICES WHO REASONABLY EXPECTS TO BE PAID WHOLLY OR PARTLY FROM THE PROCEEDS OF A PROPERTY INSURANCE CLAIM TO KNOWINGLY ALLOW THE INSURED PERSON TO FAIL TO PAY, OR ASSIST THE INSURED PERSON'S FAILURE TO PAY, THE APPLICABLE INSURANCE DEDUCTIBLE (HB 2102)**
7. If Contract is estimated from blueprints prior to build, or an aerial measurement report, the price may be adjusted accordingly once actual field measurements have been verified. The Customer grants the Company full access to the entire perimeter of structure for staging and execution of work unless otherwise agreed. Customer also grants the Company use of water and electricity as needed for equipment and clean-up. All materials used or unused remain the property of the Company.
8. Payment is due upon substantial completion, payable to Ja-Mar Roofing & Sheet Metal. Substantial completion shall be defined as the stage of construction when the project is sufficiently complete, in accordance with the specifications of the Contract. Quoted prices are for payment by cash, check, or ACH transfer. A 3% convenience fee will apply to all credit card payments. Cash payments will only be accepted in exchange for a proper written receipt from Company. Any portion remaining unpaid will bear interest at the rate of 1.5% per month not to exceed the maximum rate allowed by law commencing 30 days after substantial completion. Customer agrees to pay reasonable collection fees and/or legal fees needed in pursuit of collecting any remaining unpaid portion commencing 60 days after substantial completion.
9. It is expressly understood and agreed that this Contract constitutes the entire understanding and agreement between the Parties hereto, and supersedes and replaces all prior negotiations, communications, agreements or understandings between them, whether written, oral or otherwise. If any provision of this Contract shall be invalid, illegal or otherwise unenforceable, such provision shall be severable from other provisions of this Contract, and the validity, legality and enforceability of the remaining provisions of this Contract shall not be adversely affected or impaired, and shall thereby remain in full force and effect. Customer agrees to completely indemnify and hold harmless the Company, its owners, officers, agents, employees and subcontractors against any lawsuits or claim for damages of any kind including but not limited to, damages arising out of personal injury, death or property damage resulting from a condition of the premises or negligent or intentional activity unrelated to the work performed hereunder by the Company.
10. Any dispute between the parties to this contract which is not resolved through informal discussion will be submitted to a mutually acceptable mediation service or provider. The parties to the mediation shall bear the costs equally. If mediation is unsuccessful, said dispute shall be decided by arbitration
11. **IMPORTANT NOTICE: You and your contractor are responsible for meeting the terms and conditions of this contract. If you sign this contract and you fail to meet the terms and conditions of this contract, you may lose your legal ownership rights in your home. KNOW YOUR RIGHTS AND DUTIES UNDER THE LAW. This Agreement is subject to Chapter 27 of the Texas Property Code. The provisions of that chapter may affect your right to recover damages arising from a construction defect. If you have a complaint concerning a construction defect and that defect has not been corrected as may be required by law or by Agreement, you must provide the notice required by Chapter 27 of the Texas Property Code to the Contractor by certified mail, return receipt requested, not later than the 60th day before the date you file suit to recover damages in a court of law or initiate arbitration. The notice must refer to Chapter 27 of the Texas Property Code and must describe the construction defect. If requested by the Contractor, you must provide the Contractor an opportunity to inspect and cure the defect as provided by Section 27.004 of the Texas Property Code (For Residential Properties Only).**



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY, INC. OF ROUND ROCK, TEXAS FOR THE COUNTY LINE ROAD SCHOOL ZONE BEACONS CONSTRUCTION PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with Austin Traffic Signal Construction Company in the amount of \$57,550.00 for the County Line Road School Zone Beacons Project.

BACKGROUND: Discussed at previous meetings; A proposal was previously made to Council to consider the installation of School Zone Beacons adjacent to County Line Road. In response to this proposal, the staff was directed to conduct the appropriate planning, analysis, and bidding of this project.

Staff has now has completed said process, fully vetted bids received, and has determined *Austin Traffic Signal Construction Company* of Round Rock, Texas, has submitted the lowest and best bid.

A project to completely re-build and widen County Line Road – *including the installation of school zone beacons* - was planned for this year through funding provided by the 2021 Certificates of Obligation (COs) Program. However, an alleged petition of registered city voters objecting to this project and others was purported to have existed, which ultimately caused the project to be deleted from the 2021 COs Program.

Had the 2021 COs proceeded as planned, it would have provided a source for funding of this project. At this time, however, no such funding exists nor was approved as part of the current-year operating budget.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution as presented authorizing an agreement with Austin Traffic Signal Construction Company in the amount of \$57,550.00 for the County Line Road School Zone Beacons Project and additional direction to staff by Council, if any, regarding same.

ATTACHMENTS: (1) Resolution and (2) Austin Traffic Signal proposal

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY, INC. OF ROUND ROCK, TEXAS FOR THE COUNTY LINE ROAD SCHOOL ZONE BEACONS CONSTRUCTION PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, a proposal was previously made to the Elgin City Council to consider the installation of School Zone Beacons adjacent to County Line Road, and;

WHEREAS, in response to this proposal, the City Council directed staff to conduct the appropriate planning, analysis, and bidding of this project as described, and;

WHEREAS, city staff has completed said process, fully vetted bids received, and has determined *Austin Traffic Signal Construction Company* of Round Rock, Texas, has submitted the lowest and best bid.

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

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

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an agreement with *Austin Traffic Signal Construction Company* of Round Rock, Texas, in the amount of \$57,550.00 for the County Line Road School Zone Beacons Project, a copy of the bid regarding same being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. Project Change Orders. Through the approval of this Resolution, the City Manager is further authorized to approve project contract change orders in a total amount not to exceed 25% of the approved contract as stated above.

Section 4. Future Budget Amendment. The City Council does hereby acknowledge that this item was neither included nor approved within the *FY20-21 City of Elgin Annual Operating Budget*; and that said budget will be amended at a future date to formally appropriate funds for this item.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 15th day of June, 2021

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

AUSTIN TRAFFIC SIGNAL CONSTRUCTION COMPANY, INC.

P.O. Box 130
Round Rock, Texas 78680

Ph. (512) 255-9951
Fax (512) 255-0146

June 10, 2021

PROPOSAL

CONTROL : CITY OF ELGIN
PROJECT: 438106
HIGHWAY: COUNTY LINE ROAD
COUNTY: BASTROP

Item No.	Bid Item Description	Unit of Measure	Approx. Quantities	Unit Bid Price	Amount
P.1.	PERFORMANCE AND PAYMENT BOND	LS	1	\$750.00	\$750.00
P.2.	MOBILIZATION	LS	1	\$5,500.00	\$5,500.00
P.3.	REMOVE EXISTING SCHOOL ZONE SIGNS	EA	6	\$1,050.00	\$6,300.00
P.4.	INSTALL NEW SCHOOL ZONE BEACONS	EA	4	\$11,250.00	\$45,000.00
				TOTAL	\$57,550.00

NOTES:

SIGNS SHALL BE REUSED AS PER MISCELLANEOUS DETAILS NOTE SHEET 5

Contact Clark Thomas 512-255-9951 ext 214

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO J. L. GRAY CONSTRUCTION INC. OF GEORGETOWN, TEXAS FOR THE HILLSIDE DRIVE AT OLD MCDADE ROAD TRAFFIC & SAFETY IMPROVEMENTS PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, area city residents previously contacted members of City Council to express various concerns about traffic and safety in the area Hillside Drive at the Old McDade Road/East Brenham Street intersection in the northwest portion of the City of Elgin, and;

WHEREAS, the City Council and staff conducted a lengthy and detailed review of potential upgrades or improvements to address the stated concerns, and;

WHEREAS, the Council approved a project construction predicated on the utilization of a combination of city forces and private contractors, and;

WHEREAS, city staff has now fully vetted contractor bids and has determined *J. L. Gray Construction Inc.* of Georgetown, Texas, has submitted the lowest and best bid.

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

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

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an agreement with *J. L. Gray Construction Inc.* of Georgetown, Texas, in the amount of \$65,627.50 in support of the Hillside Drive at Old McDade Road Traffic & Safety Improvements Project, a copy of the bid regarding same being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. Project Change Orders. Through the approval of this Resolution, the City Manager is further authorized to approve project contract change orders in a total amount not to exceed 25% of the approved contract as stated above.

Section 4. Future Budget Amendment. The City Council does hereby acknowledge that this item was neither included nor approved within the *FY20-21 City of Elgin Annual Operating Budget*; and that said budget will be amended at a future date to formally appropriate funds for this item.

Section 5. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 15th day of June, 2021

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE FINAL TERMS AND AWARD A CONTRACT TO J. L. GRAY CONSTRUCTION INC. OF GEORGETOWN, TEXAS FOR THE HILLSIDE DRIVE AT OLD MCDADE ROAD TRAFFIC & SAFETY IMPROVEMENTS PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with J. L. Gray Construction Inc. of Georgetown, Texas, in the amount of \$65,627.50 in support of the Hillside Drive at Old McDade Road Traffic & Safety Improvements Project.

BACKGROUND: Discussed at previous meetings; Area city residents previously contacted members of City Council to express various concerns about traffic and safety in the area Hillside Drive at the Old McDade Road/East Brenham Street intersection in the northwest portion of the City of Elgin.

The City Council and staff conducted a lengthy and detailed review of potential upgrades or improvements to address the stated concerns.

The Council approved a project construction predicated on the utilization of a combination of city forces and private contractors; and the staff has now fully vetted contractor bids and has determined J. L. Gray Construction Inc. of Georgetown, Texas, has submitted the lowest and best bid.

The services to be provided under this contract represent only the outside contractor portion of the cost – and not total project costs.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution as presented authorizing an agreement with J. L. Gray Construction Inc. of Georgetown, Texas, in the amount of \$65,627.50 in support of the Hillside Drive at Old McDade Road Traffic & Safety Improvements Project and additional direction to staff by Council, if any, regarding same.

ATTACHMENTS: (1) Resolution and (2) J. L. Gray Construction proposal

{ } 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.

SECTION - PROPOSAL
CITY OF ELGIN TEXAS
E. BRENHAM STREET & OLD MCDADE ROAD INTERSECTION IMPROVEMENTS

DATE: 5/19

Gentlemen:

Having carefully examined the Instructions to Bidders, the General Conditions of the Contract, and Detailed Plans and Specifications, the undersigned Bidder hereby proposes to do all the work and furnish all necessary superintendence, labor, machinery, equipment, tools and materials, and to complete all the work this refers to, for the construction of all items listed at the prices shown for each item on the following bid schedule.

The bid schedule attached lists the various divisions of construction contemplated in the Plans and Specifications. Bid prices must be shown in Words and Figures for each item listed in the Proposal, and in the event of a discrepancy, the words shall control.

Receipt is hereby acknowledged of the following addenda to the Contract Documents:

Addendum No. 1 dated _____ Received _____

Addendum No. 2 dated _____ Received _____

Addendum No. 3 dated _____ Received _____

All the various phases of work enumerated in the detailed specifications with their individual jobs and overhead, whether specifically mentioned, included by implication or appurtenant thereto, are to be performed by the Contractor under one of the items listed in the bid schedule, irrespective of whether it is named in said list.

Bidder agrees to perform all of the work listed in the proposal and as described in the specifications and shown on the plans, for the following unit prices:

CITY OF ELGIN TEXAS
E. BRENHAM STREET & OLD MCDADE ROAD INTERSECTION IMPROVEMENTS
BASE BID PROPOSAL

ITEM NO.	NO. OF UNITS	UNIT	ITEM AND UNIT PRICE (FILL IN BOTH SCRIPT AND FIGURES)	TOTAL AMOUNT
P.1.	9	S.Y.	For saw cutting and removing asphalt paving and base material from the site, as shown on the plans complete in place, for the sum of: <u>THREE HUNDRED SEVENTY</u> <u>FIVE</u> Dollars <u>ZERO</u> Cents (\$ <u>375.00</u>) per square yard	<u>3,375⁰⁰</u> \$ _____
P.2.	148	L.F.	For removal of existing concrete curb and gutter including subgrade compaction, and reinforcing steel, as shown on the plans, complete in place, for the sum of: <u>THIRTY EIGHT</u> _____ Dollars <u>ZERO</u> Cents (\$ <u>38.⁰⁰</u>) per linear foot	<u>5,624⁰⁰</u> \$ _____
P.3.	152	L.F.	For replacement of concrete curb and gutter including subgrade compaction, reinforcing steel, and base material, as shown on the plans, complete in place, for the sum of: <u>SIXTY</u> _____ Dollars <u>ZERO</u> Cents (\$ <u>60⁰⁰</u>) per linear foot	<u>9,120⁰⁰</u> <u>9,120⁰⁰</u> \$ _____
P.4.	72	S.Y.	For furnishing all material, labor and equipment to install 4" Type D Hot Mix Asphaltic Concrete, including prime coat (and tack coat if necessary), complete in place, for the sum of: <u>FOUR HUNDRED TEN</u> _____ Dollars <u>ZERO</u> Cents (\$ <u>410⁰⁰</u>) per square yard	<u>29,520⁰⁰</u> \$ _____

**CITY OF ELGIN TEXAS
E. BRENHAM STREET & OLD MCDADE ROAD INTERSECTION IMPROVEMENTS
BASE BID PROPOSAL**

ITEM NO.	NO. OF UNITS	UNIT	ITEM AND UNIT PRICE (FILL IN BOTH SCRIPT AND FIGURES)	TOTAL AMOUNT
P.5.	48	EA.	For removing existing valley gutter, as described in these specifications, for the sum of: <u>Eighty Three</u> _____ Dollars <u>Zero</u> _____ Cents (\$ <u>83⁰⁰</u>) per each	<u>3,984⁰⁰</u>
P.6.	52	EA.	For replacing valley gutter, as described in these specifications, for the sum of: <u>One Hundred Six</u> _____ Dollars <u>Zero</u> _____ Cents (\$ <u>106⁰⁰</u>) per each	<u>5,512⁰⁰</u>
P.7.	203	L.F.	For furnishing all materials, labor, and equipment to install 4" white (solid) reflective pavement markings at locations shown in plans, including traffic control, complete in place, for the sum of: <u>Four</u> _____ Dollars <u>Fifty</u> _____ Cents (\$ <u>4.50</u>) per linear foot	<u>913⁵⁰</u>
P.8.	274	L.F.	For furnishing all materials, labor, and equipment to install 8" white (solid) reflective pavement markings at locations shown in plans, including traffic control, complete in place, for the sum of: <u>Eight</u> _____ Dollars <u>Fifty</u> _____ Cents (\$ <u>8.50</u>) per linear foot	<u>2,329⁰⁰</u>

**CITY OF ELGIN TEXAS
E. BRENHAM STREET & OLD MCDADE ROAD INTERSECTION IMPROVEMENTS
BASE BID PROPOSAL**

ITEM NO.	NO. OF UNITS	UNIT	ITEM AND UNIT PRICE (FILL IN BOTH SCRIPT AND FIGURES)	TOTAL AMOUNT
P.9.	45	L.F.	For furnishing all materials, labor, and equipment to install 24" white (solid) reflective pavement markings at locations shown in plans, including traffic control, complete in place, for the sum of: <u>Twenty Six</u> _____ Dollars <u>Zero</u> _____ Cents (\$ <u>26⁰⁰</u>) per linear foot	1,170 ⁰⁰
P.10.	6	EA.	For furnishing all material, labor, and equipment to install White Arrow Reflective Pavement Markings, at locations shown on the Plans, including traffic control, complete in place, for the sum of: <u>Four Hundred Fifty</u> _____ Dollars <u>Zero</u> _____ Cents (\$ <u>450⁰⁰</u>) per linear foot	2,700 ⁰⁰
P.11.	2	EA.	For furnishing all material, labor, and equipment to install White Yield Reflective Pavement Markings, at locations shown on the Plans, including traffic control, complete in place, for the sum of: <u>Four Hundred Fifty</u> _____ Dollars <u>Zero</u> _____ Cents (\$ <u>450⁰⁰</u>) per linear foot	900 ⁰⁰

CITY OF ELGIN TEXAS				
E. BRENHAM STREET & OLD MCDADE ROAD INTERSECTION IMPROVEMENTS				
BASE BID PROPOSAL				
ITEM NO.	NO. OF UNITS	UNIT	ITEM AND UNIT PRICE (FILL IN BOTH SCRIPT AND FIGURES)	TOTAL AMOUNT
P.12.	160	L.F.	For furnishing and installing silt fence, including maintenance and removal, complete in place, for the sum of: <u>THREE</u> _____ Dollars <u>ZERO</u> _____ Cents (\$ <u>3⁰⁰</u>) per linear foot	480 ⁰⁰
TOTAL BASE BID PROPOSAL: (SUMMATION OF ITEMS P.1. THROUGH P.12.) <u>SIXTY FIVE THOUSAND SIX</u> <u>HUNDRED TWENTY SEVEN</u> Dollars <u>FIFTY</u> Cents				65,627 ⁵⁰ \$ _____

The above prices shall include all labor, materials, overhead, profit, insurance, etc. to cover the finished work of the several kinds called for.

The work proposed to be done shall be accepted when fully completed and finished in accordance with the plans and specifications to the satisfaction of the Engineer.

The undersigned Bidder hereby declares that he has visited the site of the work and has carefully examined the contract documents pertaining to the work covered in the above bid, and that the bid prices contained in the proposal have been carefully checked and are submitted as correct and final.

The Contractor agrees to complete the project on which he has bid, as specified and shown on the plans, within 30 consecutive calendar days as provided in the General Conditions of the Agreement.

The Owner reserves the right to delete any bid items or portions thereof. If the Owner elects to delete any portions of the PROJECT from the contract, then the contract can be awarded on that basis.

The undersigned Bidder hereby declares that he has visited the site of the work and has carefully examined the Contract Documents pertaining to the work covered by the above bid. Upon issuance of notice to proceed, a mutually agreed upon start date will be determined.

Texas Government Code, Sections 2252.908 requires a business entity to submit a disclosure of interested parties to the governmental entity at the time the business entity submits the signed contract to the governmental entity following the guidelines prescribed by the Texas Ethics Commission at www.ethics.state.tx.us. The law applies to contracts that require an action or vote by the governing body of the governmental entity before the contract is signed. The Form 1295 is included herein for informational purposes. The completed Form 1295 must be submitted electronically by the business entity to the state. The original of the certified Form 1295 including the certification number generated by the state must be provided before a contract can be executed.

JL GRAY CONSTRUCTION, INC (Contractor)

By: BRIAN LEMONS

Printed Name



Signature

Title: VICE PRESIDENT

Date: 5/19/21

Address: PO BOX 508

GEORGETOWN TX 78627

City

State

Zip

Telephone Number: 512-772-2990

Fax Number: N/A

Email Address: ESTIMATING@JLGRAYCO.COM

Statement of Statutory Compliance: Israel Verification Form

I, BRIAN LEMONS, the undersigned representative of JL GRAY CONSTRUCTION, INC the "Company" being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby declare, represent, and verify under oath that the Company, under the provisions of Chapter 2270 of the Texas Government Code, as amended:

1. does not boycott Israel currently; and
2. will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001 of the Texas Government Code:

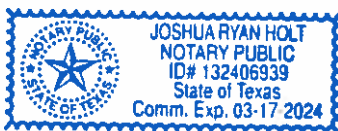
1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exist to make a profit.


SIGNATURE OF COMPANY REPRESENTATIVE

5/19/21
DATE

On this the 19TH day of MAY, 2021, personally appeared BRIAN LEMONS, the above-named person, who after by me being duly sworn, did swear and confirm that the above is true and correct.

NOTARY SEAL




NOTARY SIGNATURE
5/19/21
DATE

N/A

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
 Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO interested Party. ☐

6 UNSWORN DECLARATION

My name is _____ and my date of birth is _____

My address _____
 (street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.
 (month) (year)

 Signature of authorized agent of contracting business entity
 (Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

N/A

CONFLICT OF INTEREST QUESTIONNAIRE**FORM CIQ****For vendor doing business with local governmental entity**

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of vendor who has a business relationship with local governmental entity.

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed._____
Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes☐ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7_____
Signature of vendor doing business with the governmental entity_____
Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

- (a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

- (2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

- (a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

- (a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

- (1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

- (2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of the proposed City of Elgin 2021 Five-Year Capital Plan (5YRCP).

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested at this time; This item is for a wide-ranging discussion and Q&A between Council and the staff as it relates to the City of Elgin 2021 Five-Year Capital Plan (5YRCP) as proposed by the City Manager. The 5YRCP will be considered for formal adoption at a future date (tbd by Council).

BACKGROUND:

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Full discussion and review of the proposed 2021 Five-Year Capital Plan; and direction to staff, if any, regarding same.

ATTACHMENTS:

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

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

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

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

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