AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 7, 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_IoV0Nr3AqM1jJTzA

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **INVOCATION**

IV. **PLEDGE OF ALLEGIANCE**

V. **PUBLIC HEARING**

1. **Public Hearing On The Proposed FY21-22 Annual Budget And Ad Valorem (Property) Tax Rate For The City Of Elgin**

   Documents:

   EXSUMMARY - BUDGET HEARING.PDF

2. **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 Land From "R-2" Single Family And Duplex Dwelling District" To "C-2" General Commercial District Located At 301 S. Main St (AWAD ADDITION, LOT 2, ACRES 0.332), Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

   Documents:

   PUBLIC HEARING CITY 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. Introduction Of New Cadets

Documents:

EX SUMMARY FINAL 9-7-2021.PDF

2. Texas Department Of Agriculture Grant Contract 7220042 US Department Of Housing And Urban Development Section 3 Presentation.

Documents:

EXSUMSEC3.PDF
TDASECTION 3 PRESENTATION_ELGIN 7220042.PDF

3. Review And Discussion Of Upcoming City Council Meeting Schedule

Documents:

EXSUMMARY - MEETING SCHEDULE.PDF
CITY COUNCIL PROPOSED REGULAR MEETINGS MEMO.PDF
ORD2020-12-33 REGULAR MONTHLY MEEETING SCHEDULE COUNCIL.PDF

4. Monthly Reports By Department

Monthly reports are a standard item that shows changes in the work load indicators for July 2020 and July 2021

Documents:

EX SUMMARY DEPARTMENTAL MONTHLY REPORT JULY 2021.PDF
02 MONTHLY REPORTS JULY DATA FY2020-21.PDF

5. General Activity Report And/Or Project Update

Documents:

EXSUMMARY - GENERAL ACTIVITY REPORT.PDF

VIII. CONSENT AGENDA

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the City Council and will be enacted with one motion, one second, and one vote. Any member of the City Council may pull any item from the Consent Agenda in order that the City Council discuss and act upon it individually as a part of the Regular Agenda.

1. City Council Regular Meeting Minutes - August 17, 2021

Documents:

EX SUMMARY-AUGUST 17, 2021 REGULAR MEETING MINUTES.PDF
8-17-21 CITY COUNCIL REGULAR MEETING MINUTES.PDF

2. **City Council Worksession Minutes - August 24, 2021**

Documents:

EX SUMMARY- AUGUST 24, 2021 WORKSESSION MINUTES.PDF
CITY COUNCIL WORKSESSION PACKET.PDF
8-24-21 CITY COUNCIL WORKSESSION MINUTES.PDF

3. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL SERVICES AND CONTRACT ADMINISTRATION RELATED TO PROVIDING ENGINEEERING SERVICES FOR THE WATER WELL #17 PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO.**

Documents:

EXSUMMARYWELL17 FINAL SIGNED.PDF
RESOLUTION TO APPROVE AN AGREEMENT WITH TRC-WATER WELL 17.PDF
PROPOSAL ELGIN WATER WELL17.PDF

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**

Documents:

EX SUMMARY INTERLOCAL AGREEMENT PD.PDF
RESOLUTION TO APPROVE INTERLOCAL AGREEMENT FOR DISPATCHING SERVICES.PDF
FY21-22 COMMUNICATIONS ILA.PDF

IX. NEW BUSINESS

1. **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PLACING A PROPOSAL ON THE SEPTEMBER 21, 2021 COUNCIL MEETING TO ADOPT A 2021 TAX YEAR PROPOSED PROPERTY TAX RATE THAT WILL EXCEED THE NO NEW REVENUE TAX RATE BUT DOES NOT EXCEED THE VOTER APPROVAL TAX RATE NOR THE DE MINIMIS RATE FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; CALLING A PUBLIC HEARING ON THE PROPOSED PROPERTY TAX RATE TO BE HELD ON SEPTEMBER 21, 2021 AT 6:30 PM**

Documents:

NOTICE OF PUB HEARING TAX RATE.PDF
EXSUMMARY ROLL CALL VOTE TAX 9.7.2021.PDF
CITY OF ELGIN 2021 TNT RATE CALCULATIONS.PDF
02 RESOLUTION SET TAX RATE.PDF

2. **AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS,**

FOR THE 2021-22 FISCAL YEAR; AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2021 TAX YEAR.

Documents:

EX SUMMARY ADOPT 2021-22 TAX RATE.PDF
ORD TO ADOPT TAX RATE FOR 2021-22 ELGIN.PDF

3. **AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, 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 AN EFFECTIVE DATE.**

   Documents:

   EXSUMMARY - BUDGET ADOPTION.PDF
   ORDBUDGETFY2022.PDF

4. **AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE TO C-2 GENERAL COMMERCIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 0.332 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS**

   Documents:

   CITY COUNCIL COVERSHEET.PDF
   COMBINED PACKET.PDF

X. EXECUTIVE SESSION

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

1. **Adjourn Into Executive Session Pursuant To (1) Section §551.072 Deliberations About Real Property: To Receive A Staff Briefing And Deliberate The Purchase, Exchange, Lease, Or Value Of Certain Real Property Located At 114 Depot Street; And (2) Adjourn Into Executive Session Pursuant To Section §551.074 Personnel Matters: To Deliberate The Appointment, Employment, Evaluation, Reassignment, Or Duties Of A Public Officer Or Employee**

   Documents:

   EXSUMMARY - EXECUTIVE SESSION6.PDF

XI. RECONVENE

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

XII. ANNOUNCEMENTS

XIII. ADJOURMENT

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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, September 3, 2021, in accordance with Chapter 551 of the Texas Government Code.

Jennifer Stubbs

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Jennifer Stubbs, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Public Hearing on the Proposed FY21-22 Annual Budget and Ad Valorem (Property) Tax Rate for the City of Elgin

DEPARTMENT: City Manager

PROPOSED ACTION:
No Council action proposed; This item is to allow for public comments on the proposed FY21-22 Annual Budget and Property Tax Rate prior to its consideration for adoption by the City Council.

BACKGROUND:
Discussed at previous meetings; This hearing was scheduled as part of the Budget Development Calendar and represents one of the final steps in the development of the FY21-22 Annual Budget.

The proposed *FY21-22 Annual Budget* is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

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

The proposed *FY21-22 Annual Budget* is predicated on a reduction of the current property tax rate to $.589977/$100 valuation.

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

RECOMMENDATION: N/A

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

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

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

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

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 Land From “R-2” Single Family and Duplex Dwelling District” to “C-2” General Commercial District Located At 301 S. Main St (AWAD ADDITION, LOT 2, ACRES 0.332), Being More Described In Exhibit “A”; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

DEPARTMENT: Development Services

ATTACHMENTS: None.

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow public comment on the above item.

FINANCE APPROVAL:

Signature: ______________________ **Date:**__________________________

BACKGROUND:

The Planning & Zoning Commission held a public hearing on the requested item at their August 23, 2021 meeting. At that meeting the Commission recommended approval of the item.

- [ ] **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:

Introduction of Police Cadets

DEPARTMENT: Public Safety and Human Resources

ATTACHMENTS: N/A

PROPOSED ACTION: N/A

FINANCE APPROVAL:

Signature: _______________________ **Date:**___________________________

BACKGROUND:

CAPCOG Police Academy begins September 13, 2021. The City will sponsor four (4) individuals to attend the academy and join the Elgin Police force upon graduation. The four (4) candidates are:

1. Carlos Hernandez
2. Tametra Cook
3. Reilly DeCoux (current Animal Control Officer)
4. Sue Ellen Gonzales (current Deputy Municipal Court Clerk)

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

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

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

Texas Department of Agriculture Grant Contract 7220042 US Department of Housing and Urban Development Section 3 presentation.

DEPARTMENT: Community Services

ATTACHMENTS: presentation

PROPOSED ACTION: Receive presentation

FINANCE APPROVAL:

Signature: ______________________ **Date:**__________________________

BACKGROUND:

This is a Community Development Block Grant through the U.S. Department Housing and Urban Development and the Texas Department of Agriculture. Grant Contract # 7220042 requires that the City of Elgin review Section 3 information. The grant award is $500,000, the local match required is $75,000. The project is sidewalks on Central Avenue, from Main Street to Avenue A, Depot Street from Avenue C to Avenue A and Avenue C, Avenue B and Avenue A from Depot Street to Central Avenue. Section 3 of the Housing and Urban Development Act of 1968 requires that to the greatest extent feasible, grant recipients must direct economic opportunities generated by CDBG funds to low and very low-income persons. Detailed information about Section 3 will be shared in a presentation at the meeting.

- [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.

A1024 Overview of Section 3 Goals
City of Elgin

The City recently received the following grant award:

- Grant Contract No. 7220042
- Award Amount: $500,000
  - Local Match: $75,000

Project: Sidewalk improvements throughout Downtown

The grant is funded through the Community Development Block Grant, via:

- U.S. Department of Housing and Urban Development

and

- Texas Department of Agriculture

Section 3 Concepts

- As a condition of funding, the City must comply with Section 3 of the Housing and Urban Development Act of 1968.

- To the greatest extent feasible, Grant Recipients must direct economic opportunities generated by CDBG funds to low- and very low-income persons.

In part, this means ensuring that:

- Section 3 Businesses have the information to submit a bid or proposal for the project; and

- Section 3 Workers have information about any available job opportunities related to the project.

For precise definitions, see TxCDBG Policy Issuance 20-01

Section 3 Business

A company may qualify as a Section 3 Business if:

- it is owned by low-income persons;
- it is owned by Section 8-Assisted housing residents; or
- 75% of all labor hours for the business in a 3 month period are performed by Section 3 Workers

Register at:

- HUD's Section 3 website: https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness
- Certify as a Section 3 Business (Form A1023)

Section 3 Business

This project is expected to include the following contracting opportunities:

- Grant Administration services (previously selected)
- Engineering Services (previously selected)
- Prime Contractor for sidewalk improvements
- Subcontractors (to be determined)

Section 3 Worker

You may qualify as a Section 3 Worker if:

- Your annual income is below the county threshold for your family size:

Family Size	1	2	3	4	5	6	7	8	9	10	11	12
Income **LESS** than:	< $54,700	< $62,500	< $70,300	< $78,100	< $84,350	< $90,600	< $96,850	< $103,100	< $109,340	< $115,588	< $121,836	< $128,084

- You are a current or recent Youthbuild participant

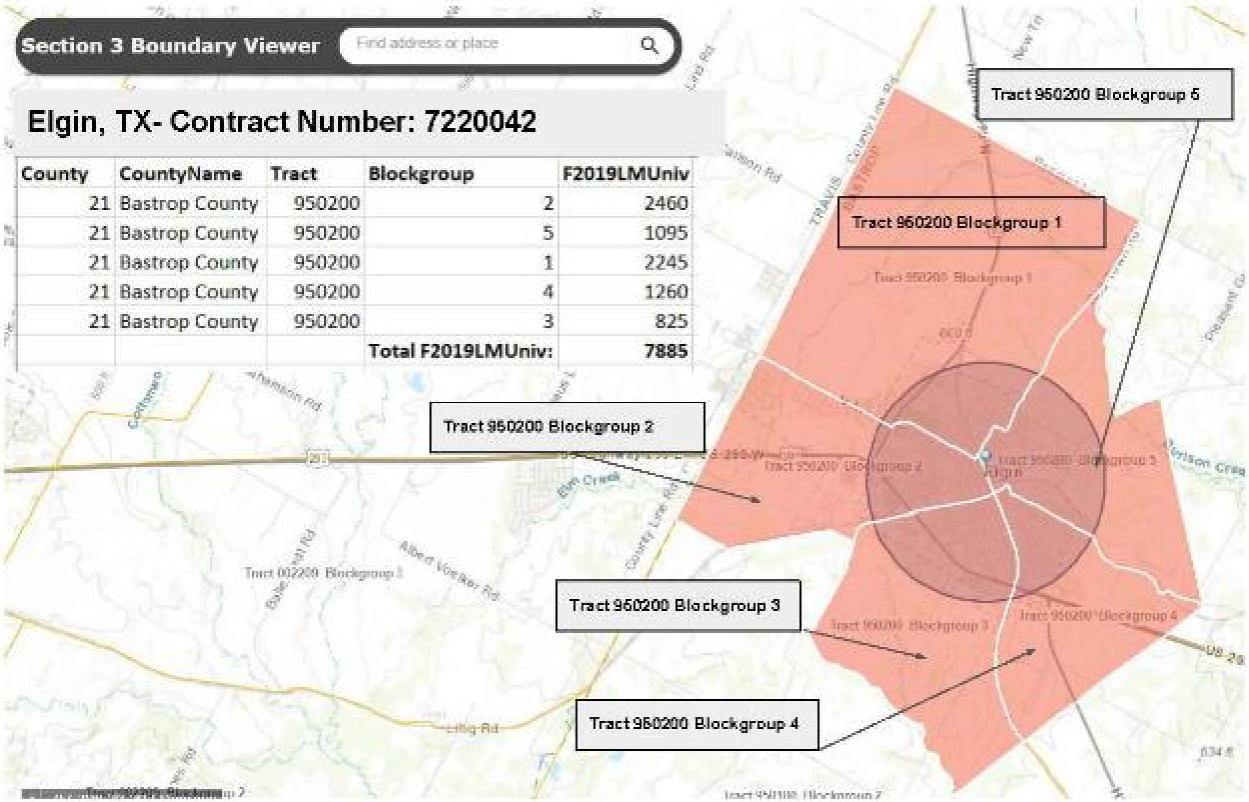
Register your information and search for opportunities at:

- WorkInTexas.gov
- HUD's Section 3 Opportunity Portal https://hudapps.hud.gov/OpportunityPortal/

Targeted Section 3 Worker

Section 3 Workers that reside near the project location may also qualify as Targeted Section 3 Workers.

For this project, that service area is defined by this map:



County	CountyName	Tract	Blockgroup	F2019LMUniv
21	Bastrop County	950200	2	2460
21	Bastrop County	950200	5	1095
21	Bastrop County	950200	1	2245
21	Bastrop County	950200	4	1260
21	Bastrop County	950200	3	825
			Total F2019LMUniv:	7885

Recordkeeping

The subrecipient will track all hours worked on the project based on the three categories of workers.

This will require collection of certain income information.

For More Information

TxCDBG Policy Issuance 20-01

[REVISED Policy Issuance 20-01 Section 3 v1.pdf (texasagriculture.gov)]

24 CFR Part 75

[Electronic Code of Federal Regulations (eCFR)]

Amy Miller, Director of Community Services

Mitch Hendrick, Project Manager

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Review and discussion of upcoming City Council Meeting Schedule

DEPARTMENT: City Manager

PROPOSED ACTION:
Review and discussion of Council Meeting schedule; and direction to staff regarding same.

BACKGROUND:
Due to a variety of factors including holidays, the rescheduling of prior meetings due to Election Day and National Night Out, the City Manager is recommending consideration be given to altering the upcoming City Council Meeting schedule through the end of the 2021 calendar year.

See the attached memorandum from City Secretary explaining the overall situation and detailing the specific schedule changes.

This revised schedule would not adversely affect any known city business to come before the Council; and would put the meeting schedule back on the traditional cycle in January (1st & 3rd Tuesdays). Obviously, Special Meetings could be called as necessary during this time.

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

RECOMMENDATION:
Direction to staff regarding the City Council Meeting schedule.

ATTACHMENTS: Staff memorandum

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

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

Memorandum

Date: August 31, 2021

To: Mayor and City Council
Department Heads

Subject: City Council Proposed Regular Meetings

Following is a proposed schedule for the Regularly scheduled City Council meetings for the remainder of 2021. The first week of October is National Night Out on October 5, 2021. The third week of October is Early Voting in Bastrop County and the Hogeye Festival. The fourth week of October is also Early Voting in Bastrop County. Tuesday, November 2nd is Election Day. Bastrop County will utilize the Elgin Public Library during Early Voting and on Election Day. December begins the holiday season. On December 15, 2020, the City Council passed Ordinance 2020-12-15-33 with the following dates:

OCTOBER

Tuesday, October 12, 2021.........Regular City Council Meeting

NOVEMBER

Tuesday, November 9, 2021 ……Regular City Council Meeting

DECEMBER

Tuesday, December 7, 2021……Regular City Council Meeting

Please let me know at your earliest convenience if you have any comments or questions.

Kind regards,

Jennifer Stubbs
City Secretary

ORDINANCE NO. 2020-12-15-33

AN ORDINANCE SETTING THE TIME AND PLACE OF THE REGULAR MONTHLY MEETING OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PROVIDING FINDINGS OF FACT; AND PROVIDING FOR A SAVINGS CLAUSE

WHEREAS, the City of Elgin City Charter stipulates and provides for the powers, duties, and obligations of the Elgin Mayor and City Council; and,

WHEREAS, Article IV, Section 10 of the City of Elgin City Charter states that, "The Council shall hold at least one (1) regular meeting each month as many additional meetings as it deems necessary to transact the business of the city and its citizens"; and,

WHEREAS, Article IV, Section 10 of the City of Elgin City Charter further provides that, "The Council shall fix, by Ordinance, the days and time of the regular meetings.

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

Section 1 – Findings - The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

Section 2 – Regular Meetings – The dates for all Regular Meetings of the Elgin City Council for calendar year 2021 shall be as follows:

Tuesday, January 5, 2021	Tuesday, July 6, 2021
Tuesday, February 2, 2021	Tuesday, August 3, 2021
Tuesday, March 9, 2021	Tuesday, September 6, 2021
Tuesday, April 6, 2021	Tuesday, October 12, 2021
Tuesday, May 4, 2021	Tuesday, November 9, 2021
Tuesday, June 1, 2021	Tuesday, December 7, 2021

Section 3 – Meeting Time – Each regular meeting of the Elgin City Council shall convene at 7:00PM CST at a location that shall be fixed by Council and posted upon the agenda of said meeting.

Section 4 – 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 was discussed and formally acted upon, all as required by the Open Meeting Act.

READ, PASSED, and **ADOPTED** on first reading this 15th day of December, 2020.

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:
Departmental Monthly Report - Period Ending July 31, 2021

DEPARTMENT: Administration

ATTACHMENTS: July 2021 Monthly Departmental Report

PROPOSED ACTION: No action required on this item

FINANCE APPROVAL:

Signature: ________________________ **Date:**____________________________

BACKGROUND:
Monthly Reports by Department
Attached is the Monthly Operations Report as of July 30, 2021 representing changes in work load indicators for July 2020 and July 2021 and Year-to-Date
HR
Municipal Court
Development Services
Library
Rec Center
Public Works
Water
Wastewater
Trash Collect
Police

☐ **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.

Monthly Report of Operations

As of July 2021

Administration	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Human Resources						
Total FTE - Filled Positions	106	116	9%			
Vacancies - all funds	7	16	129%			
New Hires	2	3	50%	18	40	129%
Separations	-	5	0%	12	27	121%
Muncipal Court						
Total Active Cases Pending (beg. of Month)	15,885	15,713	-1%			
New Cases Filed (incl reactivation of inactive)	102	247	142%	2,373	1,298	-45%
# of Magistrations	23	27	17%	285	266	-7%
Total Cases Disposed of	97	220	127%	2,065	1,149	-44%
Cases placed on Inactive Status	-	2	0%	495	19	-96%
Total Active Cases Pending (end of Month)	15,890	15,719	-1%			
Fines Collected	$ 25,374	$ 43,322	71%	$ 346,651	$ 229,607	-34%
Retained by City	$ 21,842	$ 38,622	77%	$ 267,622	$ 195,820	-27%

Development Services	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Construction Permits (all types)	36	121	236%	575	1,756	205%
Revenue from Bldg. Permits	$ 61,925	$ 49,373	-20%	205,830	771,125	275%
Inspections (all types)	382	1,394	265%	2,368	7,878	233%
Revenue from Inspections	$ 91,401	$ 94,974	4%	330,584	1,111,308	236%
Housing Plats approved (number of lots)	-	-	0%	348	441	27%

Community Services	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Library-						
Materials circulated	2,715	5,875	116%	42,675	38,141	-11%
# Visitors (incl. Progs)	3,313	3,600	9%	31,528	20,747	-34%
Public Computer Use hrs.	-	148	0%	1,785	448	-75%
Public Computer Use Persons	-	276	0%	3,029	769	-75%
Civic Center - Rentals (all)	-	20	0%	166	81	-51%
Recreation Program -						
Annual Memberships	-	4	0%	48	25	-48%
Monthly Rec Memberships	7	145	1971%	965	529	-45%
Facility Rental Fleming Center	-	9	0%	251	28	-89%
Facility Rental Recreation Center	-	11	0%	122	14	-89%
Sponsored Events	$ 30	$ 96	220%	$ 7,589	$ 1,342	-82%

Public Works	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Streets:						
Lane miles maintained	57.8	57.8	0%	173	173	0%
Pot holes patched - Square Yards	24	10	-58%	343	578	69%
Wide Area patching/renovation - SY	549	107	-81%	1,228	1,291	5%
Tree Trimming - Yards (new)	-	80	0%	-	80	0%
Street Sign Installation/Repair (new)	-	17	0%	-	17	0%
Crack Seal Lbs of Sealent	-	-	0%	6,870	7,092	3%
Paint Striping Linear feet	2,371	3,584	51%	2,371	3,584	51%
Drainage:						
Linear feet of drains cleaned	9,419	8,290	-12%	44,190	33,002	-25%
# Culverts Cleared	-	-	0%	13	32	146%

As of July 2021

Monthly Report of Operations

Parks:						
Acres Mowed/maintained	240	400	67%	640	1,516	137%
Reserved Park Facilities	-	-	0%	-	88	0%
# Organized Sports Events	-	-	0%	-	186	0%

Utilities	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Water System:						
# Customers Total/Added by month *		-		3,363	3,550	
Amount Billed	$271,642	$255,967	-6%	$ 2,165,306	$ 2,187,147	1%
Meters Replaced	-	-	0%	331	608	84%
# Leaks Repaired	8	5	-38%	48	56	17%
Vol. water produced (x1,000 gallons)	40,739	33,571	-18%	294,328	284,765	-3%
Hydrants Tested (new)	-	8	0%	-	8	0%
Main Line Breaks	2	-	0%	12	19	58%
Service Line Breaks	5	-	-100%	28	26	-7%
Wastewater System:						
# Customers Total/Added by month *		(6)		3,073	3,151	2.5%
Amount Billed	$ 160,110	$ 161,554	1%	$ 1,418,126	$ 1,450,406	2.3%
Main Lines repaired	1	3	0%	3	10	233%
Lines replaced (Linear Feet.)	15	6	0%	21	110	424%
Manholes Cleaned	10	6	-40%	35	49	40%
Average Daily Flow (MGD)	0.5671	0.7352	30%	0.5704	0.6310	11%
Total Monthly Flow (MGD)	17.0122	22.0567	30%	17.6208	19.1875	9%
Trash Collection:						
# Customers Total/Added by month *		20		3,205	3,555	10.9%
Amount Billed	$ 97,455	$ 120,690	24%	$ 901,492	$ 1,025,931	13.8%

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

Police Department	July '20	July '21	%	YTD 7-31-20	YTD 7-31-21	%
Part I Index Offenses						
Murder (# Victims)	-	-	0%	-	-	0%
Rape(# Victims)	-	1	0%	6	7	17%
Robbery (# Victims)	-	-	0%	6	3	-50%
Aggrivated Assault (# Victims)	1	-	-100%	8	3	-63%
Total Violent Index Crimes*	1	1	0%	20	13	-35%
Burglary (# premises entered)	2	4	0%	16	31	94%
Theft (# offenses)	6	6	0%	82	91	11%
Auto Theft (#vehicles)	1	2	100%	8	15	88%
Arson (# premises)	-	-	0%	2	-	-100%
Total Property Index Crimes*	9	12	33%	108	137	27%
Total Part I Index Crimes*	10	13	30%	128	150	17%
Part II Index Offenses						
Other Assaults	5	10	100%	83	75	-10%
Weapons	1	1	0%	1	7	600%
Narcotics	4	4	0%	25	35	40%
DUI	2	4	100%	38	50	32%
All Other Part II Offenses	31	61	97%	381	454	19%
Total Part II Index Crimes*	43	80	86%	528	621	18%
Total All Index Crimes*	**53**	**93**	75%	**656**	**771**	18%

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- August 17, 2021.

DEPARTMENT: Administration

ATTACHMENTS: City Council Meeting Minutes

PROPOSED ACTION: Approval of the City Council Meeting Minutes- August 17, 2021.

FINANCE APPROVAL:

Signature: ________________________ **Date:**____________________________

BACKGROUND:

N/A

☐ **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.

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
August 17, 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 III, Council Member
Jessica Bega, Council Member
Thomas Ibis, Council Member
Matthew Callahan, Council Member
Forest Dennis, Council Member
Susie Arreaga, Council Member

Absent: Skyler Maldonado, Council Member

Mayor Ramirez stated there was a quorum. Mr. Maldonado let the Council know he would not be in attendance. Ms. Arreaga let the Council know she is running a few minutes late. Mr. Ibis made a motion to excuse Mr. Maldonado from the meeting and Ms. Arreaga who is running late. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried. Ms. Arreaga arrived at 6:33 p.m.

Staff: Thomas L. Mattis, City Manager
Mysty Nauck, Acting Chief Financial Officer
Pamela Sanders, HR Director
Amy Miller, Community Development Director
Chris Noble, Police Chief
Jennifer Stubbs, City Secretary
David Harrell, Development Services Director
Owen Rock, ED Director
Michael Gonzalez, Public Works Director

INVOCATION

Mayor Ramirez provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor Ramirez led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

PUBLIC COMMENT

There was no one from the public who wished to speak under the public comment item.

CITY MANAGERS REPORT

1. Introduction Of New Employees

Ms. Sanders recognized the following new employees:

Clarence Perkins, Streets.

Glen Howard, Streets.

Christopher Anderson, Streets.

Michael Birran, Utilities.

Mark Jardine, Maintenance.

Timothy Eubanks, Streets.

Carlos Navejas, Permitting.

2. General Activity Report And/Or Project Update

Mr. Mattis invited Chief Noble up to the dais. Chief Noble stated the Police Department arranged for the night shift to work overtime in anticipation of the masks protest at the Elgin ISD Administration Building. Chief Noble stated the protest numbers were light and limited to the Administration Building and not at the campuses. He stated the traffic situation was heavily congested around the city because of the first day of school. Mr. Mattis stated the Police Department will continue to provide support to the School District when the city can. However, the Police Department’s goal is to provide safety to the community at large. Discussion followed.

CONSENT AGENDA

1. City Council Special Meeting Minutes – August 3, 2021

The item passed on the consent agenda.

2. Consideration Of Request To Use City Hall Grounds And Parking Lots For The Relay For Life Event On Saturday, September 18, 2021, From 10:00 a.m. To Midnight, And Waive Fees Associated With Event The item passed on the consent agenda.

The item was removed from the consent agenda and moved to new business.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE THE TRINITY RANCH WASTEWATER SERVICE AGREEMENT WITH THE ELGIN MUNICIPAL UTILITY DISTRICT NO. 1 AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution was removed from the consent agenda and moved to new business.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE THE TRINITY RANCH WASTEWATER SERVICE AGREEMENT WITH THE ELGIN MUNICIPAL UTILITY DISTRICT NO. 2 AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution was removed from the consent agenda and moved to new business.

Mayor Pro Tem Brashar made a motion to approve the consent agenda. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. Consideration Of Request To Use City Hall Grounds And Parking Lots For The Relay For Life Event On Saturday, September 18, 2021, From 10:00 a.m. To Midnight, And Waive Fees Associated With Event The item passed on the consent agenda.

Mr. Mattis stated the Relay for Life Event will be downtown this year. Ms. Miller provided comments about the event. Ms. Krista Marx, Elgin ISD, provided a brief overview of the event and answered questions of the Council. She stated masks will be recommended but not required. A virtual Relay for Life is an option depending on the circumstances of COVID-19. Mr. Callahan made a motion to approve the item. Mr. Ibis seconded the motion. All voted in favor. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE THE TRINITY RANCH WASTEWATER SERVICE AGREEMENT WITH THE ELGIN MUNICIPAL UTILITY DISTRICT NO. 1 AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis presented on the item and answered questions of the Council. Mr. Mattis stated this Development Agreement is for Wastewater services only and that the MUD is responsible for all other services. Discussion followed. Mr. Dennis made a motion to approve the resolution. Ms. Arreaga seconded the motion. All voted in favor. The motion carried.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE THE TRINITY RANCH WASTEWATER SERVICE AGREEMENT WITH THE ELGIN MUNICIPAL UTILITY DISTRICT NO. 2 AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated this is the same project as Item 2, but different MUD district. Mayor Pro Tem Brashar made a motion to approve the resolution as presented. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

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

Mr. Rock provided comments and answered questions of the Council. Mayor Pro Tem Brashar made a motion to approve the resolution as presented. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

5. Review and Discussion Of The Proposed FY2021-22 Annual Budget And Property Tax Rate

Mayor Ramirez asked the Council to email questions about the budget to the City Manager and himself in preparation of a Budget Worksession if the Council chooses to have one. Discussion followed. Mr. Mattis stated this is the largest budget in the City of Elgin's history. Mr. Mattis recommended that the Councilmembers look at the new items included in the budget. Mayor Ramirez stated to let him, and Mr. Mattis know if Tuesday, September 24th or Saturday, September 28th will work for a Budget Worksession. Mayor Ramirez tabled item 5.

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 stated there was no executive session this evening.

ANNOUNCEMENTS

Mayor Ramirez announced next week, there will be an initial meeting about an event for Día de los Muertos or Day of the Dead. Mayor Ramirez said this weekend, some volunteers set up a batting cage at the Little Leage Fields for the community to use. Mr. Mattis stated Mayor Ramirez made the initial connection and hopes the partnership will continue. Mr. Mattis encouraged the community to get involved with sesquicentennial and Día de los Muertos events.

ADJOURNMENT

Mayor Ramirez adjourned the meeting at 7:33 p.m.

____
Ron M. Ramirez, Mayor

ATTEST:

____
Jennifer Stubbs, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

August 24, 2021 Worksession Minutes.

DEPARTMENT: Administration

ATTACHMENTS: City Council Meeting Minutes

PROPOSED ACTION: Approval of the August 24, 2021 Worksession Minutes.

FINANCE APPROVAL:

Signature: ______________________ **Date:**__________________________

BACKGROUND:

N/A

☐ **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.

Memorandum

Date: August 24, 2021

To: Mayor and City Council

Subject: FY21-22 Proposed Budget –
City Council Inquiries/Questions

Following are various questions posed to the staff regarding the proposed FY2021-22 Annual Budget and the staff's responses to same:

1. *(A) breakdown the 15 new hiring positions proposed into priority needed hirings ie...how many and which ones needed in Qtr 1, how many and which could we wait until Qtr2, etc thru Qtr 4?*

   All fifteen new full-time positions are proposed at full-year funding levels (that would theoretically make all such positions immediately available for hire on October 1). Staff considers the funding of all such positions to be of equal priority.

2. *(a) Did we reclassify an Administrative Asst to Billing Specialist Position inn FY20-21? (b) Are we saying we need to add another Billing Specialist Position as well in FY 21-22? (c) What is current staffing? (d) Is this strictly workload related or future workload related?*

   (a) No - Did not reclassify an Administrative Assistant position last year

   (b) No – Are not adding another Billing Specialist Position; are not proposing a net addition in positions. Staff is proposing for FY21-22 to convert a Utility Fund Administrative Assistant position to a Utility Billing Specialist Position. This change will essentially have zero net impact on the budget or staffing numbers

   (c) Current Utility Billing staffing is One (1) Supervisor, Two (2) Customer Service Specialists, One (1) Meter Technician, and Two (2) Two Meter Reader positions

   (d) A little bit of both; but when we talk about "future workload", the "future" is the next fiscal year. The City will add a significant number of new utility customers in the next year which will warrant additional staff support.

3. *A proposed addition is for Administrative Asst/Receptionist in Human Resources. Did we not just hire one in last few weeks?*

   The City recently hired a new employee in the existing position to replace the prior individual who left to take a teaching position at EISD.

4. *Will the new Detective and Administrative Positions in EPD hold new responsibilities or be to complement a shortage?*

   All of the new positions proposed in the FY21-22 Budget are focused on addressing existing needs while also enhancing the City's ability to expand and improve services in the future – and these EPD positions are no exception.

   The new Detective is needed immediately to help clear the backlog of cases needing investigation as well as address the ever-increasing number crimes needing follow-up investigation that come in daily.

The new Administrative Assistant is needed immediately to assist the new Administrative Sergeant with the wide variety of duties. The new Sergeant will oversee departmental Planning & Analysis, Animal Control, and Fleet Management.

5. *Please expand on Municipal Court duties and employee responsibilities. (a) How did their long term closure affect employee duties? (b) We now have 2 Deputy Court Clerks...is this current workload or future workload? (c) I gather current operations are back to 100% capacity?*

   (a) The major Municipal Court operational modification caused by the COVID pandemic was the postponement of all court hearings (in compliance with state law). This has created a significant backlog of cases in need of court hearings. This situation also doubled the clerks workload in sending multiple notices to defendants, notifying them of their status and setting them up for the next available court date.

   (b) The current staffing of two Deputy Court Clerks are sufficient to cover the existing workload, but it is likely that additional will be needed in the near future.

   (c) Municipal Court is back to full operation; offices are open to the public and court hearings are being held in person.

6. *Under equipment/vehicle requests, 3 4x4 F-150 s requested for 2 city inspectors and 1 Building Official ...why must they be 4x4s? I would gather those are much more expensive . . .than F150s.*

   Upon further review by the staff, it has been determined that there was a miscommunication that caused these particular vehicles to be included in the budget as four-wheel drive, which is <u>not</u> required for their use. As such, the resulting amendment to the budget is estimated to result in a savings of $9,000.

7. *What Backhoes and conditions does city currently have and what jobs have we run across they cannot handle? Same for the F450 request please.*

   <u>Backhoes</u>

   1) 1993 John Deere – Used as yard loader and no longer functional for other work
   2) 2001 John Deere310G (Streets) – 20 years old with 30k work hours
   3) 2006 Cat 416E (Utilities) Planned for replacement through FY21-22 Budget; 66k work hours; multiple operational issues and maintenance costs
   4) 2011 John Deere310L (Utilities) – Maintained at Wastewater Treatment Plant to load sludge
   5) 2019 John Deere310L (Streets) - Newest; no issues

   For all practical purposes, the only jobs staff has faced that the backhoes "cannot handle" are ones where the required depth exceeds the mechanical reach of the standard backhoe (typically wastewater lines), but those occurrences are rare.

   <u>F450</u> -The current F450 that is well past its useful life and in need of replacement as a vehicle that is crucial to various maintenance operations; and provides the most versatility as a trailer hauler for mowers, roller tractors, skid steers, excavators, etc.

   An appropriately functioning F450 effective for this purpose, but it is the smaller F250s "cannot handle" or provide the necessary use.

8. *Do we have any information/documentation for the city street ages/upgrades?*

Yes. Staff has developed (and continues to develop through our GIS system), a Pavement Management Report which is designed to help determine the timing of which city streets receive maintenance upgrades. Due to the fact that there has been little or no money devoted to street maintenance over the last three years, this report has not been reviewed with Council previously.

However, with the funding of the $500,000 Street Maintenance Fund proposed in the FY21-22 Budget, the Pavement Management Report will be utilized to develop the staff recommendation on which streets or street projects should be addressed with such funding

Upon the submittal and review of such report and staff-recommended projects, the City Council will make the final determination on what projects are to be included in the FY21-22 Street Maintenance Fund.

9. *Police dispatch/telecommunications was discussed and in a later email Thomas Ibis proposed reallocating $8000 for drone licensing that didn't get added into the initial budget.*

There is an apparent misunderstanding on the part of Councilman Ibis relative to "drone licensing" for the EPD:

1) No funding of any kind was left out or "didn't get added" to the EPD's budget.
2) The EPD did not request funding for drone licensing in their proposed departmental budget; nor are they requesting it now.
3) There is no such funding to "reallocate" to the EPD
4) While viewing it as a potential investigatory advancement, the EPD does not view this funding as essential to current operations.

The EPD Acting Chief has discussed a plan with me whereby the City would send the appropriate staff to a specialized training program that would provide necessary training (and a drone) in support of EPD operations.

This proposal was specifically based on an opportunity to create a unique partnership within the community by allowing residents and businesses to voluntarily contribute to the costs of this program.

Conditional approval of this program was given only with the assurance that the EPD would not present it based on a shortage of funding or that the City "couldn't afford it" through the annual budget. It is our belief that there are people in the community that want to provide additional support to the EPD – and this program will provide an "ownership" opportunity for those residents and businesses.

10. *Permitting fees were discussed and the question was when do we review these?*

The schedule for all city fees is now approved every year as part of the annual budget adoption process. An ordinance to affect same will be provided to Council in the coming weeks. Aside from the previously-discussed increase in Utility Rates, the staff is proposing no other changes to the existing fee structure for FY21-22.

11. *City marshal was discussed - Can we get an update on that one?*

The plan is the same as originally approved by Council: to develop a process for clearing the significant backlog of unprocessed warrants (that would be paid for through the collection of related fines). However, we have faced the same personnel challenges have not had success in hiring qualified staff. The process is under review to consider alternatives, but staff remains committed to the original goal.

12. *Fleet maintenance - do we have a contract in place for maintenance needs? If not, is this something that can be negotiated for a better price?*

The City does not have a vehicle maintenance agreement with any specific vendor; and it is unlikely that a better price can be negotiated for such services.

Vehicle maintenance costs continue to increase to meet the demands of an ever growing fleet. There will likely be a time in the foreseeable future where it will be cost-effective for the City to develop its own in-house vehicle maintenance operation, but we are not there yet.

13. *Police chief - do we have one or are we hiring one?*

I anticipate having an update for Council on this matter in the very near future.

Let me know if you have any questions or would like to request additional information.

Thomas L. Mattis
City Manager

Tom Mattis

From:	Tom Mattis
Sent:	Wednesday, August 18, 2021 5:23 PM
To:	Thomas Ibis
Cc:	Owen Rock; Mysty Nauck; Bryan Bracewell (bbracewell@southsidemarket.com); agibson@ci.elgin.tx.us; Elginmayor@ci.elgin.tx.us; Forest Dennis (fdennis@ci.elgin.tx.us); Jessica Bega (jbega@ci.elgin.tx.us); Matthew Callahan (mcallahan@ci.elgin.tx.us); Skyler Maldonado (smaldonado@ci.elgin.tx.us); Sue Brashar (sbrashar@ci.elgin.tx.us); Susie Alvarado Arreaga (sarreaga@ci.elgin.tx.us); tibis@ci.elgin.tx.us
Subject:	RE: Budget Org Chart EDC TRIZ

Councilmember Ibis –

See my following response to your questions

Why has the Org Chart changed in the proposed budget? – Every year we review reoccurring documents in the budget to update them in an appropriate manner.

Will this change how the EDC operates? – No. The Org Chart does not determine how the EDC operates.

At the TML training that I attended there was a session on economic development. The trainer from TML Legal Council said city council should set the economic development priorities. Council should ask the EDC to come up with options to achieve council priorities rather than council just approving deals at the end from the EDC.

This statement appears to assume that the City Council has not established economic development priorities, which I do not believe is accurate. To my knowledge, the Council and EDC have communicated effectively over the years as to general priorities and goals; given the fact that the Council has routinely endorsed the EDC's work and supported major land acquisition, infrastructure construction, and economic development agreements with various projects – with essentially little or no objections being expressed (neither individually nor by Council as a whole). This is the exact situation from last night's Council Meeting where the Council unanimously approved the proposed economic development agreement without any suggestion – from anyone - that the project did not somehow address Council priorities or goals.

Given that history, it seems reasonable to infer that the EDC and City Council are already on the same page as to economic development priorities. Otherwise, I would expect Council's decisions/directions to have been different.

In addition, the "council . . . approving deals at the end from the EDC" is a legal requirement. The EDC does not have the authority to commit the City to economic development agreements without the specific approval of the Council, in an open/public meeting. Such a process also represents an opportunity for any Councilmember to raise any concern about the project being proposed or if it fails to address the desired priorities.

Is this report from the Texas Comptroller showing Elgin TIRZ Total Debt of $9,455,463 accurate? I have not specifically verified the numbers included in the report you have provided and do not know the specific moment in time is for that report, but I assume it is generally accurate. As shown, the $9.45M is the sum/gross total of all payments that are scheduled to be paid over the life of the loan. As with any long-term loan, financing costs represents a significant portion of the final, overall cost to be paid.

Ultimately, the total amount paid can be effected by potentially refinancing the loan or an early payoff, but this number appears to represent the maximum possible amount of total payments.

It is important to understand that this is **TIRZ** debt that will be retired by annual payments - made exclusively from City and Bastrop County tax collections from properties located within the TIRZ. The benefitting properties located within the TIRZ are responsible for re-paying this loan and the TIRZ Total Debt of $9,455,463 has no impact nor cost implications for any other City of Elgin resident, property owner, or tax payer.

Thomas L. Mattis
City Manager

Elgin TEXAS
perfectly situated...

310 North Main Street P.O. Box 591
Elgin, Texas 78621 (512)281-5724
www.elgintx.com

From: Thomas Ibis <tibis@ci.elgin.tx.us>
Sent: Wednesday, August 18, 2021 1:42 PM
To: Elgin Mayor <Elginmayor@ci.elgin.tx.us>; Tom Mattis <TMattis@ci.elgin.tx.us>
Subject: Budget Org Chart EDC TRIZ

Mayor Ramirez and City Manager Mattis,

Why has the Org Chart changed in the proposed budget? It now shows Economic Development under the City Manager. Will this change how the EDC operates?

At the TML training that I attended there was a session on economic development. The trainer from TML Legal Council said city council should set the economic development priorities. Council should ask the EDC to come up with options to achieve council priorities rather than council just approving deals at the end from the EDC.

Is this report from the Texas Comptroller showing Elgin TIRZ Total Debt of $9,455,463 accurate?

Thank You,
Thomas Ibis

https://comptroller.texas.gov/economy/local/ch312/biennial-reports.php

Austin County

City of Sealy – TIRZ #2

The City of Sealy established TIRZ #2 on a 315-acre tract of undeveloped land. The city did not report on when the zone was established or the duration of the zone. The proposed improvements to the property in the TIRZ include water/sewer and drainage projects.

PARTICIPATING TAXING UNITS AND PERCENTAGE OF PARTICIPATION	
City of Sealy	Not Reported

TAX INCREMENT BASE	$1,979,350

CAPTURED APPRAISED VALUE	$16,733,007

TOTAL APPRAISED VALUE	$18,712,357

OUTSTANDING BONDED INDEBTEDNESS	
Principal	$0
Interest	$0
Total Debt	$0

FINANCIALS	
TIF Fund Balance	$5,116
Revenues	$108,491
Expenditures	$105,000

Source: City of Sealy TIRZ #2, FY 2019 TIF Registry Annual Report Form 50-806

Bastrop C

City of Elgin – TIRZ #1

The City of Elgin establis
years, terminating in 20
land. The size of the zone
improvements include ro
and drainage.

PARTICIPATING TAXING UNIT
City of Elgin

TAX INCREMENT BASE

CAPTURED APPRAISED VALU

TOTAL APPRAISED VALUE

OUTSTANDING BONDED INDE
Principal
Interest
Total Debt

FINANCIALS
TIF Fund Balance
Revenues
Expenditures

Source: City of Elgin TIRZ #1, FY 2(

From: Jessica Bega <jbega@ci.elgin.tx.us>
Sent: Tuesday, August 17, 2021 10:01 AM
To: Tom Mattis <TMattis@ci.elgin.tx.us>
Cc: Arthur Gibson <agibson@ci.elgin.tx.us>
Subject: Re: Aug 17 Council Meeting

Good morning, Tom, Arthur, and I had a good conversation on Saturday regarding a few particulars related to the budget and mostly a general conversation about other items. Anticipating further discussion about the streets maintenance program later on in the year, I wanted to go ahead and list a few areas in Ward 1 that we hope are considered in the overall assessment and prioritization of streets to be maintained or brought to an acceptable and drivable level.

290 Frontage Rd (from Carver to Washington St.)
Brown St.
Ridings St.
Church St.
Monroe St. (from MLK to Washington St,)
Zaragoza St.
W. Cleveland (from Main St. to S. Ave. A)
Harris St.
Ramirez Rd.

As a heads up, tonight I am hoping we can speak to what is the long-term strategy for the use of the speed trailer and its collected data and how might our budget account for measures the city can put in place to address this long-standing problem.

Thanks and see you this evening.

Jessica

MINUTES
ELGIN CITY COUNCIL WORKSESSION
FLEMING COMMUNITY CENTER, GRAND HALL ROOM
804 N AVENUE C ELGIN, TEXAS 78621
August 24, 2021

CALL TO ORDER

Mayor Ramirez called the meeting to order at 5:34 p.m.

Present: Ron Ramirez, Mayor
Arthur Gibson III, Council Member
Jessica Bega, Council Member
Thomas Ibis, Council Member
Forest Dennis, Council Member
Susie Arreaga, Council Member

Absent: Sue Brashar, Mayor Pro Tem
Skyler Maldonado, Council Member
Matthew Callahan, Council Member

Staff: Thomas L. Mattis, City Manager
Mysty Nauck, Acting Chief Financial Officer
Pamela Sanders, HR Director
Amy Miller, Community Development Director
Chris Noble, Police Chief
Jennifer Stubbs, City Secretary
David Harrell, Development Services Director
Michael Gonzalez, Public Works Director

NEW BUSINESS

1. Review And Discussion Of The Proposed City Of Elgin FY21-22 Annual Operating Budget As Presented By The City Manager, Including But Not Limited To Possible Discussion Of All Departments, Operations, Functions, Personnel, Infrastructure, Facilities, Taxes, And Tax Rates; And All Revenues, And Expenditures Related Thereto

Mr. Mattis provided opening comments about the layout of the Worksession. Staff provided a Worksession Packet that is attached to these minutes. Mr. Mattis answered questions of the Council relating to the department needs, position requests, equipment needs, and permitting fees. Ms. Bega stepped away from the meeting at 6:03 p.m. and returned at 6:05 p.m. Discussion followed. Mayor Ramirez stepped away from the meeting at 6:20 p.m. and returned at 6:22 p.m.

Ms. Arreaga inquired about the permitting fees relating to the Library and Pool. Mayor Ramirez mentioned he thought the Municipal Court fees were too high. Mr. Mattis stated staff would look at the fees. Mayor Ramirez stepped away at 6:34 p.m. and returned at 6:36 p.m. Discussion followed. Ms. Arreaga stepped away at 6:52 p.m. and returned at 6:55 p.m. Mayor Ramirez inquired about the COVID-19 reimbursement. Mr. Mattis stated the City has just received about half of the 2.2 million the City applied for. However, the Federal Government has not given out the rules or guidelines on how the City can spend the money. Mr. Mattis stated he will keep the Council informed and updated.

ADJOURNMENT

Mayor Ramirez adjourned the meeting at 7:31 p.m.

Ron M. Ramirez, Mayor

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 EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL SERVICES AND CONTRACT ADMINISTRATION RELATED TO PROVIDING ENGINEEERING SERVICES FOR THE WATER WELL #17 PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Public Works Department

ATTACHMENTS: Proposal for engineering services on water well #17, Resolution

PROPOSED ACTION: Review and consider approval of the resolution as presented

FINANCE APPROVAL:

Signature: Misty Nauck **Date:** 8/26/2021

BACKGROUND:

The City of Elgin is committed to being a superior public water system for its customers. In an effort to supply plentiful clean drinking water, it is recommended by our engineering team that the City installs and maintains a new water well for the production drinking water.

Staff has been working with TRC Engineers, Inc to preliminarily select a site for for the additional water well and introducing it to our water system.

TRC Engineers, Inc. has prepared this contract and scope for professional engineering services for the proposed Water Well No. 17 project. The project will consist of the installation of a new Water Well No. 17 to replace the existing Water Well No. 10 and all necessary appurtenances including the optional design of a backup generator.

- [ ] **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 EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL SERVICES AND CONTRACT ADMINISTRATION RELATED TO PROVIDING ENGINEEERING SERVICES FOR THE WATER WELL #17 PROJECT, AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, The City of Elgin has a long-standing history of providing water to its residents as a Superior Public Water System with its current infrastructure; and

WHEREAS, TRC Engineers, Inc would assist City in designing a new water well to sufficiently supply City of Elgin residents; and

WHEREAS, TRC is prepared to provide inspection services as well as facilitate the bid package and requirements for contractors; and

WHEREAS, the City has requested from TRC Engineers, Inc and received a proposal to provide said services in the amount of $155,241.00.

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

Section 1. The above recitals are true and correct; and the City Manager is authorized to execute a Letter of Agreement with TRC Engineers Inc. for professional engineering services in performance of inspection and related services as described in a proposed Letter Agreement, a copy of which is attached hereto as EXHIBIT A and made part of this Resolution as if copied verbatim therein.

Section 2**.** 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 3. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 7th day of September 2021.

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

ATTEST:

____
JENNIFER STUBBS, City Secretary

TRC

505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

August 2, 2021

Mr. Thomas Mattis, City Manager
City of Elgin
P.O. Box 59A1
Elgin, Texas 78621

RE: Elgin Water Well No. 17
Engineering Services Contract and Scope

Dear Mr. Mattis:

TRC Engineers, Inc. (Engineer) has prepared this contract and scope for professional engineering services for the proposed Water Well No. 17 project. The project will consist of the installation of a new Water Well No. 17 to replace the existing Water Well No. 10 and all necessary appurtenances including the optional design of a backup generator.

SCOPE OF WORK

A. Engineering Design

1. Attend one (1) preliminary conference with the Owner, and other interested parties regarding the Project.
2. Review existing information (logs, material settings, plans & specifications as available) of surrounding water wells.
3. Provide topographical surveying. The survey will include locates of all above ground planimetric features (edge of asphalt, trees, driveways, existing sidewalks, etc.).
4. Prepare construction plans in AutoCAD and specifications for the proposed Water Well No. 17 project including:
   a. Civil design for site plan and grading improvements
   b. Mechanical design for well pump, piping, valves, instrumentation, and all other necessary appurtenances for the proposed well.
   c. Structural design for the well slab and optional generator pad or elevated platform (if required).
   d. Electrical design for new service and metering equipment, automatic transfer switch (ATS), site lighting, convenience receptacles, pump control system and Supervisory Control and Data Acquisition (SCADA) interface to the existing Water SCADA system. Engineer will coordinate with the electric utility provider to identify required scope of work and utility requirements to establish new electrical service for the proposed well site, if required.

   e. The well and generator will be constructed such that the well head and generator will be located above the 100-year flood plain elevation.

5. The documents will be prepared in accordance with the latest version of applicable City of Elgin procedures, specifications, manuals, guidelines, standard drawings, standard specifications.
6. The Engineer will provide a 95% plan set, specifications, and opinion of probable construction costs to City Staff for review.
7. Prepare sanitary controls easement document required by TCEQ.
8. Prepare and submit well permit application and accompanying documents required by Lost Pines Groundwater Conservation District (LPGCD). Submit documentation for well permit consolidation (if allowed by LPGCD) for all city wells to brought under one permit.
9. Submit to TCEQ for approval of plans and specifications.
10. Furnish to the Owner three (3) copies of approved and sealed plans and bidding specifications.

B. Cultural Services

1. TRC will perform a cultural resources desktop study and a project consultation with the THC. An archeological file search and review of sources will be performed using the THC Historic and Archeological Sites Atlas (THC Atlas) and other sources to ensure compliance under the Antiquities Code of Texas within the Area of Potential Effects (APE) and within a 1-kilometer radius of the APE. The THC will review the letter of consultation and provide a response within 30 days of submission.
2. If after consultation THC determines that an archeological survey of the Project Area is required, then TRC will prepare a separate SOW and cost estimate for this service and submit to the City for approval.

C. Bidding/Construction Phase Services

1. Assist the City in the bid process of the project including:
   a. Preparation of advertisement document.
   b. Attendance at the pre-bid meeting.
   c. Address any RFI’s, addendums, or other contractor correspondence.
   d. Attendance at the bid opening.
   e. Assist the City in the opening and tabulation of bids.
   f. Prepare award recommendation letter.
   g. Attendance at the Council award meeting.
   h. Prepare construction contract documents.

2. Attendance at the pre-construction meeting.
3. Review driller and electric logs and review drillers proposed screen placement.
4. Review caliper log and video for conformance with standards.
5. Review pump test data and drillers recommended pumps size.
6. Direct the well driller in performing the well pump test and review the contractor's analysis and calculations for pump sizing and setting.
7. Assist Owner during construction consisting of contractor correspondence, submittal review, pay request review, periodic site visits, final inspection, preparation of contractor punch list and record drawing preparation as detailed below.
   a. Periodic visits to the site (as distinguished from the continuous services of a resident Project Representative) will be performed to observe the progress and quality of the executed work and to determine in general if the work is proceeding in accordance with Contract Documents. A maximum of three (3) site visits will be performed as part of this scope.
   b. Consult and advise the Owner; issue all instructions to the contractor requested by the Owner; and prepare routine change orders as required.
   c. Check and approve samples, catalog data, schedules, shop drawings, laboratory shop tests of material and equipment and other data which the contractor is required to submit, only for conformance with the design concept of the Project and compliance with the Contract Documents.
   d. Verify monthly and final estimates for payment to contractors and furnish to the Owner any necessary certifications as to payments to contractors and suppliers.
   e. Conduct, in company with the Owner, a final inspection of the Project for conformance with the design concept of the Project and compliance with the Contract Documents and approve in writing final payment to the contractor.
   f. Revise contract drawings, with the assistance of the resident Project Representative, to show the work as actually constructed. Furnish one set of prints of these revised drawings to the Owner.

ASSUMPTIONS

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

1. The City will provide access agreements for access to all private properties (if necessary).

2. All design will be done in accordance with the most recent LPGCD and TCEQ guidelines for the well design.
3. The City will be responsible for acquiring any new ROWs, easements, or properties, if applicable. It is assumed all work will be within City ROW and property.
4. TRC anticipates the proposed project will have no significant impacts or effects to environmental or cultural resources.
5. Water Well No. 17 will be located within 100 feet of the existing Water Well No. 10. Piping from Water Well No. 17 will connect to existing discharge piping from Water Well No. 10.
6. The well control panel and motor starter will be located at the well site.

EXCLUSIONS

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

1. Design of improvements or relocations for gas lines, electrical lines, telephone lines or other franchise utilities or City-owned utilities.
2. Design of stormwater infrastructure or detention facilities.
3. Design of disinfection equipment.
4. Construction staking.
5. Continuous construction inspection.
6. Detailed title search or title policy.
7. Attendance at or preparation for condemnation hearings.
8. Easement or plat documents, landowner contact or easement negotiations.
9. Mitigation planning, costs, implementation, and/or monitoring.
10. Regulatory agency (e.g., THC, USFWS, TPWD, USACE, etc.) coordination/consultation services other than those described in this proposal.
11. Preparation of drawings in Microstation.
12. Post construction topographical survey.
13. Permit application preparation or fees other than already included in scope.
14. Installation of tree survey tags.
15. Street traffic signal modifications, crossing pushbuttons at signals, etc.
16. Landscape design.
17. Determination of the 100-year FEMA floodplain.
18. Any other services not described in this proposal.

COMPENSATION FOR SERVICES

TRC will provide the professional engineering services as outlined herein and within the Master Services Agreement executed between the City and TRC, for a total lump sum fee as follows:

Topographic Surveying:	$4,400
Engineering Design	$98,443
Generator Design*:	$12,262
Cultural Services:	$3,100
Bidding/Construction Services:	$37,036
Total (lump sum):	$155,241

* This is an optional item for award.

This lump sum fee includes labor and material costs associated with the Scope of Work identified above. TRC's lump sum 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. 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 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.

Services are rendered in Bastrop County. The payment schedule will be via schedule of deliverables with percent of progress billing. Costs for services quoted herein are valid for a period of time not to exceed 60 days from the date of this letter. If you are in agreement with this contract, please sign and date in the space below and return back to TRC. We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval.

Sincerely,

K. Beau Perry, P.E. - TRC Vice President	Thomas Mattis City Manager
August 2, 2021 Date	Date

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

Interlocal Agreement For 12 Months Of FY2021-22 Emergency Communications Services Between Bastrop County and the City of Elgin

DEPARTMENT: Police Department

ATTACHMENTS: Resolution And Agreement

PROPOSED ACTION: Approval Of Resolution

FINANCE APPROVAL:

Signature: Mysty Nauck Digitally signed by Mysty Nauck DN: cn=Mysty Nauck, o=City of Elgin, ou=Finance, email=mnauck@ci.elgin.tx.us, c=US Date: 2021.08.30 15:37:04 -05'00' **Date:** 8/30/2021

BACKGROUND:

Term of Agreement, Termination, and Renewal. In order to evaluate call volume and all calls dispatched, this first year Agreement shall be for One (1) year from the effective date hereof and will automatically renew on October 1 every other year thereafter until modified or terminated by the Parties. One hundred and twenty (120) days prior to the termination date or anniversary date of this Agreement, the Parties will meet to determine if the Agreement will be continued, modified, or terminated. Notwithstanding anything to the contrary, either Party to this Agreement may terminate this Agreement with no penalty, with or without cause, by providing the other Party with ninety (90) days written notice of its desire and intention to terminate this Agreement.

The City agrees to pay the County the sum of One Hundred Eighty One Thousand Two Hundred and Ninety Six dollars ($181,296) per year, in quarterly installments of Forty Five Thousand Three Hundred Twenty Four Dollars ($45,324), for the term of this Agreement. The installment of quarterly payments by the City shall be due and payable within thirty (30) days of October I, January I, April I, and July I of each year thereafter for the term of the Agreement.

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

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

RESOLUTION NO. ____________

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.

WHEREAS, the public health and safety of the citizens of Elgin depend at least in part on the constant availability of dispatching services for its Police Department; and

WHEREAS, staffing for round the clock dispatching services is challenging due to Police Department building deficiencies; and

WHEREAS, Bastrop County is in a position to provide and is currently providing supplementary dispatching services to the City; and

WHEREAS, both Bastrop County and the City of Elgin desire to establish a fixed schedule for this arrangement by entering into an Agreement to formalize said arrangement;

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 *Bastrop County* of Bastrop, Texas, in the amount of $181,296.00 for the Dispatching Services to the City of Elgin Police Department, details of the compensation provided in the Agreement; and made part of this Resolution as if copied verbatim herein.

Section 3. Budget. The City Council does hereby acknowledge that this item was included within the *FY21-22 City of Elgin Annual Operating Budget*;

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 7th day of September, 2021

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

ATTEST:

____
JENNIFER STUBBS, City Secretary

AGREEMENT FOR EMERGENCY COMMUNICATIONS SERVICES BETWEEN BASTROP COUNTY AND THE CITY OF ELGIN

This Agreement ("Agreement"), effective on October 1, 2021 by and between Bastrop County (the "County"), and the City of Elgin, Texas (the "City"), a Home Rule Municipality incorporated and operating under the laws of the State of Texas, (to be collectively referred to herein as the "Parties," and individually as "Party").

WHEREAS, the County of Bastrop and the City of Elgin agree that the availability of police dispatching services to the citizens of Bastrop County and the City of Elgin is beneficial to the health and welfare of the citizens of Bastrop County and the City of Elgin; and

WHEREAS, the County of Bastrop has the facilities and personnel necessary to provide dispatching services to the City of Elgin Police Department to serve the residents of the City as well as the County; and

WHEREAS, Bastrop County has the proper equipment, training and personnel, necessary to receive police department assistance requests made by the citizens of the City of Elgin and Bastrop County, and further has the ability to then dispatch City of Elgin Police personnel to respond to such requests; and

WHEREAS, Bastrop County and the City of Elgin have in the past entered into agreements concerning the provision of dispatching service by the County to the City and desire to continue such inter-local contract arrangement related to the provision of police dispatching services to the City of Elgin Police Department by the County.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

ARTICLE I
DEFINITIONS

As used in the Agreement, the following terms will be defined as follows:

AGREEMENT means this contract between the City and the County related to provisions of dispatching services to the City of Elgin Police Department.
EMERGENCY COMMUNICATIONS SERVICES means the services provided by Bastrop County to the City of Elgin Police Departments, under this Agreement.
BASTROP COUNTY TELECOMMUNICATIONS OPERATOR(S) means the person(s) employed by Bastrop County and trained to process emergency call and dispatch City of Elgin Police Department personnel, pursuant to this Agreement.

ARTICLE II
MUTUAL AGREEMENT OF THE PARTIES

The parties agree to the operation of the Bastrop County Emergency Communications Services, described herein, in furtherance of the Parties' goals to protect the health, safety, and welfare of the residents of the City and the County, and that this service could not be similarly furnished to these citizens by other individuals or entities without this Agreement, and that this service by the County constitutes a public service by a governmental entity with immunity for the City and the County, their employees, agents, contractors, representatives, personnel being invoked to the full extent applicable under the laws of the State of Texas.

The Parties hereby agree and acknowledge that in order to perform the duties envisioned by the terms of the Agreement, the County must employ and train telecommunications operators to meet the emergency communications needs of the City of Elgin Police Department. The Parties further agree that the County will use the quarterly payment made by the City pursuant to the Agreement only to pay the salary and benefits provided to Bastrop County Telecommunications Operator(s) and costs of providing such services.

The Parties agree that the City of Elgin Police Chief or designee will participate as a member of the Bastrop County Emergency Communications Stakeholder Committee at least once a quarter or as scheduled by the committee throughout the duration of the Agreement. If it is determined that additional Bastrop County emergency communications personnel are needed to fulfill the needs of the City of Elgin Police Department, the Parties to this Agreement will work together to determine the required staffing increase and to determine what modifications to this Agreement shall be made, if any. If the Parties cannot reach an agreement as to the required staffing, either Party may terminate this Agreement by giving the other Party ninety (90) days written notice of its intention to terminate.

The Parties agree that the scheduling and assignment of the Bastrop County Tele-Communicator(s) shall be controlled solely by Bastrop County, provided that emergency communications services shall be provided to City of Elgin Police Department on a continuous, twenty-four (24) hour per day, seven (7) days per week, basis.

ARTICLE III
OBLIGATIONS OF THE COUNTY

Bastrop County through the employees, contractors, agents and/or personnel, agrees to provide emergency communications services to the City of Elgin Police Department in response to requests placed by the citizens of Bastrop County, and the City of Elgin, as follows:

1) The County agrees to budget and staff the Emergency Communications Center with a sufficient number of positions for the term of the Agreement and to provide emergency communications services for the City of Elgin Police Department on a continuous 24 hours per day, seven (7) day per week basis, with a minimal staffing of 3 Tele-communicators at all times. Bastrop County will train its Tele-Communicators in basic emergency communications operations and services, and will further train its Tele-Communicator in procedures related to emergency communications requirements and procedures concerning police dispatching and record keeping for same;

2) The parties acknowledge and agree that the Bastrop County Tele-Communicator(s) have employment responsibilities and duties to address citizens requests for the County in addition

to those required for emergency communications services to the City of Elgin Police Departments;

3) The Bastrop County Tele-Communicator(s) will service requests directed to the Bastrop County Communications Center by citizens of Bastrop County and the City of Elgin;

4) The Bastrop County Tele-Communicator(s) will dispatch City of Elgin Police Department personnel, according to their training, instruction, procedures and policies, agreed upon by the City of Elgin Chief of Police and Bastrop County, in accordance with generally excepted industry standards;

5) The County will be solely responsible for scheduling and maintaining a twenty-four (24) hour, seven (7) days per week, communication/dispatch center to receive requests for service and dispatch City of Elgin Police Department personnel to respond to service request, at all times during the term of this Agreement and any extensions thereof, beginning immediately after the effective date noted in the agreement;

6) The County shall provide and pay all costs associated with the purchase and/or installation of all radio communication equipment to be located at the Bastrop County Communications Center, which the City and the County agree is sufficient for emergency communications between the Bastrop County Communications Center and the City of Elgin Police Department. The required equipment shall remain the property of the County and may be removed by the County, at its sole expense, in the event of expiration or termination of the Agreement;

7) Unless otherwise required by law, no information regarding service requests dispatched by the County will be given to third parties, without consent of the City of Elgin Police Department;

8) The Parties acknowledge and agree that the services to be provided by the County under this Agreement are contingent upon service demands, public convenience, and existing needs and necessity of the citizens of Bastrop County and the City of Elgin, and that if such demands change in the future, amendments to this Agreement may be required;

9) At the discretion of the Elgin City Manager, the City of Elgin Chief of Police will act as the City's contact and contract administrator concerning this Agreement;

10) Bastrop County agrees to provide the City of Elgin Police Department with access to computerized records, reports, literature, and/or documentation that memorialize the services provided by the County under this Agreement and conformance with the County's requirements, the City's requirements, and/or any other applicable regulatory requirements;

11) All emergency communications calls dispatched by the County to the City shall be dispatched on frequencies approved by the City, unless it is not possible to do so because of emergency circumstances;

12) The County shall provide, at no additional cost to the City, all emergency communications training required by any Bastrop County employees, contractors, representatives, agents, or personnel who act as Bastrop County Tele-Communicator(s) pursuant to this Agreement;

13) The Parties agree that all telephone lines into the Bastrop County Communications Center remain the property of the entity that purchases and initiates service of the lines. Each respective entity shall be responsible for all maintenance on their respective telephone lines;

14) The Parties agree that in the event the Bastrop County Communications Center is relocated from its current location, during the term of this Agreement or any extension to such term, the parties shall work together to coordinate the equipment relocation and emergency communications services transition in a manner that ensures minimal disruption or alteration of all emergency communications services.

ARTICLE IV
OBLIGATIONS OF THE CITY

The City of Elgin, through its Police Department, employees, contractors, agents, and/or personnel, agrees to receive Emergency Communications Services from Bastrop County in response to requests placed by the citizens of Bastrop County and the City of Elgin, as follows:

1) The City agrees to be responsible for providing and maintaining all communications equipment necessary to receive radio communications from the Bastrop County Communications Center, and for communicating with the Bastrop County Communications Center and between the City's personnel.

2) The City shall be responsible for purchasing, maintaining, and repairing the City of Elgin Police Department's base, mobile, and portable communications equipment including pagers and computers.

3) The City agrees to save and hold harmless the County from all claims and actions for liability arising from unlawful arrest, unlawful imprisonment, or any other claims resulting from the City's warrants being entered into TCIC/NCIC.

ARTICLE V
COMPENSATION

As compensation from the Emergency Communications Services provided by the County, pursuant to the terms of this Agreement, the Parties agree to the following:

1) The City agrees to pay the County the sum of **One Hundred Eighty One Thousand Two Hundred and Ninety Six dollars ($181,296)** per year, in quarterly installments of **Forty Five Thousand Three Hundred Twenty Four Dollars ($45,324),** for the term of this Agreement. The installment of quarterly payments by the City shall be due and payable within thirty (30) days of October 1, January 1, April 1, and July 1 of each year thereafter for the term of the Agreement.

2) In the event this Agreement is extended by the mutual consent of the Parties on a month-to-month basis payments shall continue to be made by the City to the County on or before the 15th calendar day of each month, in a monthly pro-rated amount, unless the Parties agree to a modification in compensations for the month-to-month extension of services.

3) The cost of providing communication services to the City shall be reviewed annually prior to the City adopting its final budget. This review process will involve at a minimum the Bastrop County Judge, the Bastrop County Communications Center Director and the City of Elgin Chief of Police. This group will be a part of the process utilized to determine needed improvements, expansion of services and the future cost of providing those services.

ARTICLE VI
MISCELLANEOUS PROVISIONS

Term of Agreement, Termination, and Renewal. In order to evaluate call volume and all calls dispatched, this first year Agreement shall be for **One (1) year** from the effective date hereof and will automatically renew on **October 1 every other year thereafter** until modified or terminated by the Parties. One hundred and twenty (120) days prior to the termination date or anniversary date of this Agreement, the Parties will meet to determine if the Agreement will be continued, modified, or terminated. Notwithstanding anything to the contrary, either Party to this Agreement may terminate this Agreement with no penalty, with or without cause, by providing the other Party with ninety (90) days written notice of its desire and intention to terminate this Agreement.

Force Majeure. If either Party is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under the Agreement other than an obligation to pay or provide money, then such obligations of that Party to the extent affected by such force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided but for no longer Period. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term "force majeure", as used herein, shall mean acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind of any governmental entity or any civil or military authority, acts, orders or delays thereof of any regulatory authorities with jurisdiction over the Parties, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, or any other conditions which are not within the control of such Party. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of either Party hereto, and that the above requirements that any force majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts by acceding to the demand at the opposing Party or Parties when such settlement is unfavorable to it in the judgment of either Party hereto.

Severability. The provisions of the Agreement are severable, and if any provision or part of the Agreement or the application thereof to any person or circumstance shall ever be held by any agency or court of competent jurisdiction to be void, invalid or unenforceable for any reason, the remainder of the

Agreement and the application of such provision or part of the Agreement to other persons or circumstances shall not be affected thereby.

Modification. This Agreement shall be subject to change, amendment or modification only with the mutual consent of the city and the county. All modifications shall be memorialized in writing between the Parties.

Addresses and Notices. Unless otherwise notified in writing by the other, the addresses of the County and the City are and shall remain as follows:

Bastrop County
Bastrop County
Attn: Bastrop County Judge
804 Pecan Street
Bastrop, Texas 78602

Bastrop County Communications Director
Bastrop County Courthouse
804 Pecan Street
Bastrop, Texas 78602

With copy to: District Attorney
804 Pecan Street
Bastrop, Texas 78602

The City of Elgin
Attn: Mayor

With copy to:
City Attorney of the City of Elgin

Authority of Parties Executing Agreement. By their execution hereof, each of the undersigned Parties represents and warrants to the Parties to this document that he or she has the authority to execute the document in the capacity shown on this document.

Captions. The captions appearing at the first of each numbered section or paragraph in the Agreement are inserted and included solely for convenience and shall never be considered or given any effect construing this Agreement.

Assignment. This Agreement may not be assigned by the County or the City to any other Party without the express written consent of the other Party. Any permitted assignee of the County shall be obligated by contract with the County and the City to honor the County's obligations to the City under the terms of the Agreement.

Successor Rights and Responsibilities. In the event of any occurrence which renders the County incapable of performing under this Agreement, any successor of the County, whether the result of legal process, assignment, or otherwise, shall succeed to the rights and obligations of this Agreement. In the event of any occurrence which renders the City incapable of performing under the Agreement, any successor of the City, whether the result of legal process, assignment or otherwise, shall succeed to the rights and obligations of the Agreement.

Non-Waiver. Any waiver at any time by either Party to this Agreement of rights under this Agreement shall not constitute and shall not be deemed to be a waiver of any other rights held by either Party.

Scope of the Agreement. This is the entire Agreement between the Parties hereto. There are no other conditions, agreements or representations between the Parties except as expressed herein. This Agreement may not be amended except by written instrument executed by both Parties.

Indemnity. To the extent permitted by applicable law, but without waiver or expansion of any limits established by the Texas Tort Claims Act, each Party to this Agreement will indemnify and hold harmless the other Party and their officers, affiliates, representatives, employees, and agents, from and against any and all claims proximately caused by negligence, breach, or other act or omission by the indemnifying Party of its officers, employees, or agents.

Release By County. For good and valuable consideration, the receipt of which is hereby acknowledged, including specifically entering into this Agreement, the County hereby releases, dismisses, and forever, discharges the City Police Department, the city, it's officers, representatives, affiliates, agents, employees, attorneys, successors, and assigns from any and all manner of actions or causes of action, liabilities, suits, debts, costs (including, but not limited to, defense costs, and attorneys' fees), claims, strict liability, and demands of every kind and nature, whether arisen or not, and whether known or unknown to the County, which the County may now have or hereafter claim to have, resulting from arising out of, associated with, or in any way related to this Agreement. The County agrees to release the City from any and all liability including, but not limited to, the following:

(1) Liability caused by the County's employees, contractors, subcontractors, or agents for all injuries and damage to property of the County, the City or third parties that is caused by the County, it's employees, contractors, subcontractors or agents actions, omissions or negligence, or by the failure of the County, it's employees, contractors, subcontractors or agents to comply at any time with the terms of this Agreement, except that which is caused in the majority by the acts and/or omissions of the City.

(2) Liability for such injuries to the County, it's employees, contractors, subcontractors or third parties, or for damages to the County, it's employees, contractors, subcontractors or third parties property, which may be caused by the concurrent negligence of both Parties, except that which is caused in the majority by the acts and/or omissions of the City.

(3) Liability for any damages to any of the County's property which may be caused by any action or omission of any Party, including but not limited to removal, maintenance, repairs, relocation or exchange of equipment, except that which is caused in the majority by the acts and/or omissions of the City.

(4) Liability resulting from natural damage or man-made causes, including any liability due to lightning strikes, vehicle collision, maintenance or any other use by the City of any equipment,

policies, procedures, maps, routing information, or templates provided by the County, except that which is caused in the majority by the acts and/or omissions of the City.

(5) Liability caused by trespass by the County, its employees, agents, contractors, or subcontractors.

Release By City. For good and valuable consideration, the receipt of which is hereby acknowledged, including specifically entering into this Agreement, the City hereby releases, dismisses, and forever discharges the County, it's officers, representatives, affiliates, agents, employees, attorneys, successors, and assigns from any and all manner of actions or causes of action, liabilities, suits, debts, costs (including, but not limited to, defense costs, and attorneys' fees), claims, strict liability, and demands of every kind and nature, whether arisen or not, and whether known or unknown to the city, which the city may now have or here after claim to have, resulting from arising out of, associated with, or in any way related to this Agreement. The City agrees to release the County from any and all liability including, but not limited to, the following:

(1) Liability caused by the City's employees, contractors, subcontractors, or agents for all injuries and damage to property of the City, the County or third parties that is caused by the City, it's employees, contractors, subcontractors or agents actions, omissions or negligence or by the failure of the City, it's employees, contractors, subcontractors or agents to comply at any time with the terms of the Agreement, except that which is caused in the majority by the acts and/or omissions of the County.

(2) Liability for such injuries to the City, it's employees, contractors, subcontractors or third parties, or for damages to the City, it's employees, contractors, subcontractors, or third parties property, which may be caused by the concurrent negligence of both Parties, except that which is caused in the majority by the acts and/or omissions of the County.

(3) Liability for any damages to any of the City's property which may be caused by any action or omission of any Party, including but not limited to removal, maintenance, repairs, relocation or exchange of equipment, except that which is caused in the majority by the acts and/or omissions of the County.

(4) Liability resulting from natural damage or man-made causes, including any liability due to lightning strikes, vehicle collision, maintenance or any other used by the County of any equipment, policies, procedures, maps, routing information, or templates provided by the City, except that which is caused in the majority by the acts and/or omissions of the County.

(5) Liability caused by trespass by the City, its employees, agents, contractors, or subcontractors.

Dispute Resolution. Any dispute arising from or related to this Agreement shall be addressed through mediation, prior to the filing of any civil action. Only if such alternative dispute resolution efforts fail shall the Parties seek redress of complaints through civil suit.

Law. The terms and conditions of this Agreement, and the rights and obligations thereunder shall be determined by the laws of the State of Texas. Any suits, causes of action, or claims related to performance, non-performance or interpretation of this Agreement shall be brought in Bastrop County, Texas.

Construction of Agreement. The Parties acknowledge that each, and if it so chooses, it's legal counsel has reviewed the Agreement and that the normal rule of construction, to the effect that ambiguities are to be resolved against the drafting Party, shall not be employed in the interpretation of this Agreement or its amendments or exhibits.

IN WITNESS WHEREOF, The Parties hereto have executed this Agreement in multiple copies, each of which shall be deemed to be an original and of equal force and effect, and have agreed that the Agreement shall be effective when signed by a duly authorized representative of each Party, and on the latest date shown under the signature lines below.

THE CITY OF ELGIN

By:____________________________
Ron Ramirez, Mayor

Date:__________________________

ATTEST:

By:____________________________
City Secretary

BASTROP COUNTY

By: Paul Pape
Paul Pape, County Judge

Date: August 9, 2021

ATTEST:

By: Rose Pietsch
County Clerk

Approved as to form:

____
Greg Gilleland
First Assistant Criminal District Attorney
Bastrop County, Texas
SBOT #07923050

NOTICE OF PUBLIC HEARING ON TAX INCREASE

A tax rate of .589977 per $100 valuation has been proposed by the governing body of City of Elgin.

PROPOSED TAX RATE	$0.589977 per $100
NO-NEW REVENUE TAX RATE	$0.576322 per $100
VOTER-APPROVAL TAX RATE	$0.589994 per $100
DE MINIMIS RATE	$0.647913 per $100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Elgin from the same properties in both the 2020 tax year and the 2021 tax year.

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

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

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Elgin is proposing to increase property taxes for the 2021 tax year.

Public hearing on the proposed tax rate will be held on September 21, 2021, at 6:30PM in City Council Chambers located at 404 N. Main St. Elgin TX 78621.

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

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

property tax amount = (tax rate) X (taxable value of your property)/100

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

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

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

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

	2020	2021	. Change	
Total Tax Rate {per $100 of value)	$0.635663	$0.589977	*decrease of*	8%
: Average homestead taxable value	$163,492	$182,500	*increase of*	12%
. Tax on average homestead	$1,039	$1,077	*increase of*	4%
Total tax levy on all properties	$4,000,821	$4,120,425	. *increase of*	3%

For assistance with tax calculations, please contact the tax assessor for City of Elgin at (512) 581-7161 or taxoffice@co.bastrop.tx.us or visit bastroptac.com for more information.

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

A ROLL CALL VOTE SETTING THE MAXIMUM PROPOSED TAX RATE FOR 2021 AT $0.0589977/$100 WHICH IS MORE THAN NO-NEW REVENUE TAX RATE OF $0.0576322/$100 BUT LESS THAN VOTER-APPROVAL TAX RATE OF $0.589994/$100

DEPARTMENT: Finance

ATTACHMENTS: Truth in Taxation Calculation and Notice of Public Hearing on Tax Increase

PROPOSED ACTION: Staff Recommends setting the Maximum Proposed Tax rate for 2021 at $0.589977/$100

FINANCE APPROVAL:

Signature: Misty Nauck **Date:** 8/27/2021

BACKGROUND:

In 2019, The 86th State Legislature passed Senate Bill 2 that radically changed the procedures and impact on how cities and counties propose and consider their tax rate that is set each year in the budget process. Cosmetic changes included changing the names of two of the terms that define tax rate setting thresholds which consisted of substituting "No New Revenue"(NNR) for the former "Effective Tax Rate" and "Voter Approval Rate"(VAR) for the "Rollback Rate".

SB2 sets a cap of 3.5% over the previous year's collection amount unless a mandated election is conducted. The Maximum Proposed Tax Rate does not exceed the Voter Approval Rate so no election will be needed.

The attached NOTICE OF PUBLIC HEARING ON TAX RATE INCREASE, describes the actions needed by the City Council to comply with Provisions of SB 2. Th language in the notice is stipulated by the State of Texas and cannot be added to in order to provide context.

- [ ] **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.

2021 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

City Of Elgin	(512) 229-3214
Taxing Unit Name	Phone *(area code and number)*
310 North Main, Elgin, Tx. 78621	www.elgintx.com
Taxing Unit's Address, City, State, ZIP Code	Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per $100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements.*

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet.*

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet		Amount/Rate
1.	**2020 total taxable value.** Enter the amount of 2020 taxable value on the 2020 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17).[1]		$668,594,391
2.	**2020 tax ceilings.** Counties, cities and junior college districts. Enter 2020 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step.[2]		$ 0
3.	**Preliminary 2020 adjusted taxable value.** Subtract Line 2 from Line 1.		$668,594,391
4.	**2020 total adopted tax rate.**		$ 0.635663 /$100
5.	**2020 taxable value lost because court appeals of ARB decisions reduced 2020 appraised value.**		
	A. Original 2020 ARB values:	$ 0	
	B. 2020 values resulting from final court decisions:	- $ 0	
	C. 2020 value loss. Subtract B from A.[3]		$ 0
6.	**2020 taxable value subject to an appeal under Chapter 42, as of July 25.**		
	A. 2020 ARB certified value:	$ 0	
	B. 2020 disputed value:	- $ 0	
	C. 2020 undisputed value. Subtract B from A.[4]		$ 0
7.	**2020 Chapter 42 related adjusted values.** Add Line 5C and Line 6C.		$ 0

[1] Tex. Tax Code §26.012(14)
[2] Tex. Tax Code §26.012(14)
[3] Tex. Tax Code §26.012(13)
[4] Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	**2020 taxable value, adjusted for actual and potential court-ordered adjustments.** Add Line 3 and Line 7.	$668,594,391
9.	**2020 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2020.** Enter the 2020 value of property in deannexed territory. [5]	$ 6,231,118
10.	**2020 taxable value lost because property first qualified for an exemption in 2021.** If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2021 does not create a new exemption or reduce taxable value. A. **Absolute exemptions.** Use 2020 market value: .... $ 617,586 B. **Partial exemptions.** 2021 exemption amount or 2021 percentage exemption times 2020 value: .... + $ 700,394 C. **Value loss.** Add A and B. [6]	$ 1,317,980
11.	**2020 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2021.** Use only properties that qualified in 2021 for the first time; do not use properties that qualified in 2020. A. **2020 market value:** .... $ 0 B. **2021 productivity or special appraised value:** .... - $ 0 C. **Value loss.** Subtract B from A. [7]	$ 0
12.	**Total adjustments for lost value.** Add Lines 9, 10C and 11C.	$ 7,549,098
13.	**2020 captured value of property in a TIF.** Enter the total value of 2020 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2020 taxes were deposited into the tax increment fund. [8] If the taxing unit has no captured appraised value in line 18D, enter 0.	$148,277,129
14.	**2020 total value.** Subtract Line 12 and Line 13 from Line 8.	$512,768,164.00
15.	**Adjusted 2020 total levy.** Multiply Line 4 by Line 14 and divide by $100.	$3,259,477.49
16.	**Taxes refunded for years preceding tax year 2020.** Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2020. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. [9]	$ 5,293.93
17.	**Adjusted 2020 levy with refunds and TIF adjustment.** Add Lines 15 and 16. [10]	$3,264,771.42
18.	**Total 2021 taxable value on the 2021 certified appraisal roll today.** This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. [11] A. **Certified values:** .... $ 723,407,132 B. **Counties:** Include railroad rolling stock values certified by the Comptroller's office: .... + $ 0 C. **Pollution control and energy storage system exemption:** Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: .... - $ 0 D. **Tax increment financing:** Deduct the 2021 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2021 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. [12] .... - $ 72,713,247 E. **Total 2021 value.** Add A and B, then subtract C and D.	$650,693,885

[5] Tex. Tax Code § 26.012(15)
[6] Tex. Tax Code § 26.012(15)
[7] Tex. Tax Code § 26.012(15)
[8] Tex. Tax Code § 26.03(c)
[9] Tex. Tax Code § 26.012(13)
[10] Tex. Tax Code § 26.012(13)
[11] Tex. Tax Code § 26.012, 26.04(c-2)
[12] Tex. Tax Code § 26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	**Total value of properties under protest or not included on certified appraisal roll.** [13] A. **2021 taxable value of properties under protest.** The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. [14] .... $ 47,710,410 B. **2021 value of properties not under protest or included on certified appraisal roll.** The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. [15] .... + $ 0 C. **Total value under protest or not certified.** Add A and B.	$47,710,410
20.	**2021 tax ceilings.** Counties, cities and junior colleges enter 2021 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2020 or a prior year for homeowners age 65 or older or disabled, use this step.[16]	$ 0
21.	**2021 total taxable value.** Add Lines 18E and 19C. Subtract Line 20. [17]	$698,404,295
22.	**Total 2021 taxable value of properties in territory annexed after Jan. 1, 2020.** Include both real and personal property. Enter the 2021 value of property in territory annexed. [18]	$ 0
23.	**Total 2021 taxable value of new improvements and new personal property located in new improvements.** New means the item was not on the appraisal roll in 2020. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2020 and be located in a new improvement. New improvements **do** include property on which a tax abatement agreement has expired for 2021. [19]	$39,760,801
24.	**Total adjustments to the 2021 taxable value.** Add Lines 22 and 23.	$39,760,801
25.	**Adjusted 2021 taxable value.** Subtract Line 24 from Line 21.	$658,643,494
26.	**2021 NNR tax rate.** Divide Line 17 by Line 25 and multiply by $100. [20]	$0.495681/$100
27.	**COUNTIES ONLY.** Add together the NNR tax rates for each type of tax the county levies. The total is the 2021 county NNR tax rate. [21]	$ ______/$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

1. **Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
2. **Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	**2020 M&O tax rate.** Enter the 2020 M&O tax rate.	$0.415379/$100
29.	**2020 taxable value, adjusted for actual and potential court-ordered adjustments.** Enter the amount in Line 8 of the *No-New-Revenue Tax Rate Worksheet.*	$668,594,391

[13] Tex. Tax Code § 26.01(c) and (d)
[14] Tex. Tax Code § 26.01(c)
[15] Tex. Tax Code § 26.01(d)
[16] Tex. Tax Code § 26.012(6)(B)
[17] Tex. Tax Code § 26.012(6)
[18] Tex. Tax Code § 26.012(17)
[19] Tex. Tax Code § 26.012(17)
[20] Tex. Tax Code § 26.04(c)
[21] Tex. Tax Code § 26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	**Total 2020 M&O levy.** Multiply Line 28 by Line 29 and divide by $100	$2,777,200.70
31.	**Adjusted 2020 levy for calculating NNR M&O rate.** A. **M&O taxes refunded for years preceding tax year 2020.** Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2020. This line applies only to tax years preceding tax year 2020. .... + $ 3,451.33 B. **2020 taxes in TIF.** Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2021 captured appraised value in Line 18D, enter 0. .... – $ 209,248.91 C. **2020 transferred function.** If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. .... +/- $ 0.00 D. **2020 M&O levy adjustments.** Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. .... $ -205,797.58 E. Add Line 30 to 31D.	$2,571,403.12
32.	**Adjusted 2021 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$658,643,494.00
33.	**2021 NNR M&O rate (unadjusted).** Divide Line 31E by Line 32 and multiply by $100.	$0.390408 /$100
34.	**Rate adjustment for state criminal justice mandate.** [23] A. **2021 state criminal justice mandate.** Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. $ 0.00 B. **2020 state criminal justice mandate.** Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies .... – $ 0.00 C. Subtract B from A and divide by Line 32 and multiply by $100. .... $ 0.00000/$100 D. Enter the rate calculated in C. If not applicable, enter 0.	$0.00000 /$100
35.	**Rate adjustment for indigent health care expenditures.** [24] A. **2021 indigent health care expenditures.** Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state assistance received for the same purpose .... $ 0.00 B. **2020 indigent health care expenditures.** Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state assistance received for the same purpose .... – $ 0.00 C. Subtract B from A and divide by Line 32 and multiply by $100. .... $ 0.00000/$100 D. Enter the rate calculated in C. If not applicable, enter 0.	$0.00000 /$100

[22] [Reserved for expansion]
[23] Tex. Tax Code § 26.044
[24] Tex. Tax Code § 26.0441

Line	Voter-Approval Tax Rate Worksheet		Amount/Rate
36.	**Rate adjustment for county indigent defense compensation.** [25]		
	A. **2021 indigent defense compensation expenditures.** Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2020 and ending on June 30, 2021, less any state grants received by the county for the same purpose...............	$ 0.00	
	B. **2020 indigent defense compensation expenditures.** Enter the amount paid by a county to provide appointed counsel for indigent individuals for the period beginning on July 1, 2019 and ending on June 30, 2020, less any state grants received by the county for the same purpose.	$ 0.00	
	C. Subtract B from A and divide by Line 32 and multiply by $100..	$ 0.00000/$100	
	D. Multiply B by 0.05 and divide by Line 32 and multiply by $100..	$ 0.00000/$100	
	E. Enter the lesser of C and D. If not applicable, enter 0.		$ 0.00000/$100
37.	**Rate adjustment for county hospital expenditures.** [26]		
	A. **2021 eligible county hospital expenditures.** Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2020 and ending on June 30, 2021.	$ 0.00	
	B. **2020 eligible county hospital expenditures.** Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2019 and ending on June 30, 2020.	$ 0.00	
	C. Subtract B from A and divide by Line 32 and multiply by $100..	$ 0.00000/$100	
	D. Multiply B by 0.08 and divide by Line 32 and multiply by $100..	$ 0.00000/$100	
	E. Enter the lesser of C and D, if applicable. If not applicable, enter 0.		$ 0.00000 /$100
38.	**Rate adjustment for defunding municipality.** This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code 26.0444 for more information.		
	A. **Amount appropriated for public safety in 2020.** Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year	$ 0.00	
	B. **Expenditures for public safety in 2020.** Enter the amount of money spent by the municipality for public safety during the preceding fiscal year	$ 0.00	
	C. Subtract B from A and divide by Line 32 and multiply by $100	$....... 0.00000/$100	
	D. Enter the rate calculated in C. If not applicable, enter 0.		$ 0.00000 /$100
39.	**Adjusted 2021 NNR M&O rate.** Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.		$ 0.390408 /$100
40.	**Adjustment for 2020 sales tax specifically to reduce property values.** Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2020 should complete this line. These entities will deduct the sales tax gain rate for 2021 in Section 3. Other taxing units, enter zero.		
	A. Enter the amount of additional sales tax collected and spent on M&O expenses in 2020, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent	$ 0.00	
	B. Divide Line 40A by Line 32 and multiply by $100...	$....... 0.00000/$100	
	C. Add Line 40B to Line 39.		$ 0.390408 /$100
41.	**2021 voter-approval M&O rate.** Enter the rate as calculated by the appropriate scenario below. **Special Taxing Unit.** If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - **Other Taxing Unit.** If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.		$ 0.404073 /$100

[25] Tex. Tax Code § 26.0442
[26] Tex. Tax Code § 26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	*Disaster Line 41 (D41):* **2021 voter-approval M&O rate for taxing unit affected by disaster declaration.** If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08. [27] If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	$0.00000 /$100
42.	**Total 2021 debt to be paid with property taxes and additional sales tax revenue.** Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. **Debt** also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. [28] Enter debt amount .... $ 1,343,474.00 B. Subtract **unencumbered fund amount** used to reduce total debt .... –$ 0.00 C. Subtract **certified amount spent from sales tax to reduce debt** (enter zero if none) .... –$ 0.00 D. Subtract **amount paid from other resources** .... –$ 0.00 E. **Adjusted debt.** Subtract B, C and D from A.	$1,343,474.00
43.	**Certified 2020 excess debt collections.** Enter the amount certified by the collector. [29]	$ 19,068.94
44.	**Adjusted 2021 debt.** Subtract Line 43 from Line 42E.	$1,324,405.06
45.	**2021 anticipated collection rate.** A. Enter the 2021 anticipated collection rate certified by the collector. [30] .... 102% B. Enter the 2020 actual collection rate. .... 101% C. Enter the 2019 actual collection rate. .... 102% D. Enter the 2018 actual collection rate. .... 101% E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%. [31]	102%
46.	**2021 debt adjusted for collections.** Divide Line 44 by Line 45E.	$1,298,436.33
47.	**2021 total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$ 698,404,295.
48.	**2021 debt rate.** Divide Line 46 by Line 47 and multiply by $100.	$0.185914/$100
49.	**2021 voter-approval tax rate.** Add Lines 41 and 48.	$0.589987/$100
D49.	*Disaster Line 49 (D49):* **2021 voter-approval tax rate for taxing unit affected by disaster declaration.** Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	$0.00000/$100

[27] Tex. Tax Code § 26.042(a)
[28] Tex. Tax Code § 26.012(7)
[29] Tex. Tax Code § 26.012(10) and 26.04(b)
[30] Tex. Tax Code § 26.04(b)
[31] Tex. Tax Code §§ 26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	**COUNTIES ONLY.** Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2021 county voter-approval tax rate.	$______/$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	**Taxable Sales.** For taxing units that adopted the sales tax in November 2020 or May 2021, enter the Comptroller's estimate of taxable sales for the previous four quarters.[32] Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2020, enter 0.	$______
52.	**Estimated sales tax revenue.** Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue.[33] **Taxing units that adopted the sales tax in November 2020 or in May 2021.** Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95.[34] **- or -** **Taxing units that adopted the sales tax before November 2020.** Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	$______
53.	**2021 total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$______
54.	**Sales tax adjustment rate.** Divide Line 52 by Line 53 and multiply by $100.	$______/$100
55.	**2021 NNR tax rate, unadjusted for sales tax.**[35] Enter the rate from Line 26 or 27, as applicable, on the *No-New-Revenue Tax Rate Worksheet.*	$______/$100
56.	**2021 NNR tax rate, adjusted for sales tax.** **Taxing units that adopted the sales tax in November 2020 or in May 2021.** Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2020.	$______/$100
57.	**2021 voter-approval tax rate, unadjusted for sales tax.**[36] Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the *Voter-Approval Tax Rate Worksheet.*	$______/$100
58.	**2021 voter-approval tax rate, adjusted for sales tax.** Subtract Line 54 from Line 57.	$______/$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	**Certified expenses from the Texas Commission on Environmental Quality (TCEQ).** Enter the amount certified in the determination letter from TCEQ.[37] The taxing unit shall provide its tax assessor-collector with a copy of the letter.[38]	$______
60.	**2021 total taxable value.** Enter the amount from Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$______
61.	**Additional rate for pollution control.** Divide Line 59 by Line 60 and multiply by $100.	$______/$100
62.	**2021 voter-approval tax rate, adjusted for pollution control.** Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	$______/$100

[32] Tex. Tax Code § 26.041(d)
[33] Tex. Tax Code § 26.041(i)
[34] Tex. Tax Code § 26.041(d)
[35] Tex. Tax Code § 26.04(c)
[36] Tex. Tax Code § 26.04(c)
[37] Tex. Tax Code § 26.045(d)
[38] Tex. Tax Code § 26.045(i)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate before the unused increment rate for the prior three years. [39] In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the unused increment rate for that year would be zero.

The difference between the adopted tax rate and voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020; [40]
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a); [41] or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval. [42]

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit. [43]

Line	Unused Increment Rate Worksheet	Amount/Rate
63.	**2020 unused increment rate.** Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate. If the number is less than zero, enter zero.	$0.000007 /$100
64.	**2019 unused increment rate.** Subtract the 2019 actual tax rate and the 2019 unused increment rate from the 2019 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	$0.000000 /$100
65.	**2018 unused increment rate.** Subtract the 2018 actual tax rate and the 2018 unused increment rate from the 2018 voter-approval tax rate. If the number is less than zero, enter zero. If the year is prior to 2020, enter zero.	$0.000000 /$100
66.	**2021 unused increment rate.** Add Lines 63, 64 and 65.	$0.000007 /$100
67.	**2021 voter-approval tax rate, adjusted for unused increment rate.** Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	$0.589994 /$100

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise $500,000, and the current debt rate for a taxing unit. [44]

This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit. [45]

Line	De Minimis Rate Worksheet	Amount/Rate
68.	**Adjusted 2021 NNR M&O tax rate.** Enter the rate from Line 39 of the *Voter-Approval Tax Rate Worksheet*	$0.390408 /$100
69.	**2021 total taxable value.** Enter the amount on Line 21 of the *No-New-Revenue Tax Rate Worksheet.*	$698,404,295.00
70.	**Rate necessary to impose $500,000 in taxes.** Divide $500,000 by Line 69 and multiply by $100.	$.071591 /$100
71.	**2021 debt rate.** Enter the rate from Line 48 of the *Voter-Approval Tax Rate Worksheet.*	$0.185914 /$100
72.	**De minimis rate.** Add Lines 68, 70 and 71.	$0.647913 /$100

SECTION 7: Voter-Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year. [46]

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year. [47]

NOTE: This section will not apply to any taxing units in 2021. It is added to implement Senate Bill 1438 (87th Regular Session) and does not apply to a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a declared disaster in 2020, as provided for in the recently repealed Tax Code Sections 26.04(c-1) and 26.041(c-1).

In future tax years, this section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago.

[39] Tex. Tax Code § 26.013(a)
[40] Tex. Tax Code § 26.013(c)
[41] Tex. Tax Code §§ 26.0501(a) and (c)
[42] Tex. Local Gov't Code § 120.007(d), effective Jan. 1, 2022
[43] Tex. Tax Code § 26.063(a)(1)
[44] Tex. Tax Code § 26.012(8-a)
[45] Tex. Tax Code § 26.063(a)(1)
[46] Tex. Tax Code § 26.042(b)
[47] Tex. Tax Code § 26.042(f)

In future tax years, this section will also apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	**2020 adopted tax rate.** Enter the rate in Line 4 of the *No-New-Revenue Tax Rate Worksheet.*	$____/$100
74.	**Adjusted 2020 voter-approval tax rate.** Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2020 and the taxing unit calculated its 2020 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2020 worksheet due to a disaster, enter the 2020 voter-approval tax rate as calculated using a multiplier of 1.035 from Line 49. - or - If a disaster occurred prior to 2020 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2020, complete the separate *Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet* to recalculate the voter-approval tax rate the taxing unit would have calculated in 2020 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster.[48] Enter the final adjusted 2020 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2020 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	$____/$100
75.	**Increase in 2020 tax rate due to disaster.** Subtract Line 74 from Line 73.	$____/$100
76.	**Adjusted 2020 taxable value.** Enter the amount in Line 14 of the *No-New-Revenue Tax Rate Worksheet.*	$____
77.	**Emergency revenue.** Multiply Line 75 by Line 76 and divide by $100.	$____
78.	**Adjusted 2021 taxable value.** Enter the amount in Line 25 of the *No-New-Revenue Tax Rate Worksheet.*	$____
79.	**Emergency revenue rate.** Divide Line 77 by Line 78 and multiply by $100.[49]	$____/$100
80.	**2021 voter-approval tax rate, adjusted for emergency revenue.** Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	$____/$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate .... $0.495681 /$100
As applicable, enter the 2021 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
Indicate the line number used: 26

Voter-approval tax rate .... $ 0.589994 /$100
As applicable, enter the 2021 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).
Indicate the line number used: 67

De minimis rate .... $ 0.647913 /$100
If applicable, enter the 2021 de minimis rate from Line 72.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in Tax Code.[50]

print here Ellen Owens Tax Assessor / Collector
Printed Name of Taxing Unit Representative

sign here Ellen Owens
Taxing Unit Representative

Date July 30, 2021

[48] Tex. Tax Code §26.042(c)
[49] Tex. Tax Code §26.042(b)
[50] Tex. Tax Code §§ 26.04(c-2) and (d-2)

RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PLACING A PROPOSAL ON THE SEPTEMBER 21, 2021 COUNCIL MEETING TO ADOPT A 2021 TAX YEAR PROPOSED PROPERTY TAX RATE THAT WILL EXCEED THE NO NEW REVENUE TAX RATE BUT DOES NOT EXCEED THE VOTER APPROVAL TAX RATE NOR THE DE MINIMIS RATE FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; CALLING A PUBLIC HEARING ON THE PROPOSED PROPERTY TAX RATE TO BE HELD ON SEPTEMBER 21, 2021 AT 6:30 PM;

WHEREAS, the City of Elgin met and determined the necessary appropriations required for Fiscal Year 2021-2022 on the 24th day of August 2021 and have determined it to be in the best interest of the citizens of Elgin to propose a tax rate that will not exceed the Voter Approval Tax Rate nor the De Minimis Tax Rate.

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

Section 1. Findings. That the City Council hereby approves consideration of proposed property tax rate for the fiscal year beginning October 1, 2021, and ending September 30, 2022, of $0.589977 per $100 of valuation. The members of the governmental body voted on this proposal to consider the proposed property tax rate as follows:

FOR:
AGAINST:
PRESENT and not voting:
ABSENT:

Section 2. Actions Required. The City Manager is hereby directed to place consideration and adoption of the 2021 Tax Year Proposed Property Tax Rate for the City of Elgin, Texas on the City Council meeting agenda for September 21, 2021, at 6:30 PM at the Elgin Council Chambers, 404 N. Main St, Elgin, TX 78621

Section 3. Actions Required. The City Manager is hereby directed to place a public hearing on the 2021 TAX YEAR PROPOSED PROPERTY TAX RATE FOR THE CITY OF ELGIN, TEXAS on the City Council meeting agenda for September 21, 2021, at 6:30 PM at the Elgin Council Chambers, 404 N. Main St, Elgin, TX 78621

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

Section 5. <u>Effective Date</u>. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED THIS 7th day of September 2021

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:
AN ORDINANCE LEVYING AD VALOREM TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, FOR THE 2021-22 FISCAL YEAR; AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2021 TAX YEAR.

DEPARTMENT: Finance

ATTACHMENTS: Ordinance

PROPOSED ACTION: Approval under First Reading FY2021-2022

FINANCE APPROVAL:

Signature: Misty Nauck **Date:** 8/30/2021

BACKGROUND:
The final step in approving at least a funding plan for general fund expenses plus annual debt payments (interest and principal) on outstanding bonds, notes or other borrowing instruments, is adoption of an Ordinance to set the annual tax rate.

State law requires that local governments considering a tax rate that would increase tax revenues above that collected in the previous year (No New Revenue Rate -NNR) , must hold a public hearing prior to adoption of such tax rates, to give the public an opportunity to comment on the tax rates proposed to be adopted by the Council. Further, a vote to adopt the tax rates must be held no later than seven days after the final public hearing. The first public hearing was held regarding proposed tax rates tonight, September 7, 2021 and another will be held September 21, 2021.

The Ordinance, a copy of which follows this executive summary sets forth the proposed tax rates as well as provides authority for their collection.

- [ ] **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.

ORDINANCE NO ___________

AN ORDINANCE LEVYING *AD VALOREM* TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, FOR THE 2021-22 FISCAL YEAR; AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2021 TAX YEAR.

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

Section 1. That there is hereby levied and there shall be collected for the **maintenance and operation** of the municipal government of the City of Elgin, Texas for the 2021-22 Fiscal Year upon all property, real, personal, and mixed, within the corporate limits of said City subject to taxation, a tax of **$0.404063** cents on each One Hundred Dollars ($100) valuation on property.

DESPITE THE FACT THAT THIS IS A REDUCTION IN THE TAX RATE FROM LAST YEAR, THIS TAX RATE WILL RAISE MORE TAXES FOR **MAINTENANCE AND OPERATIONS** THAN LAST YEAR'S TAX RATE BY VIRTUE OF THE ADDITION OF NEW PROPERTY AND INCREASES IN ASSESSED VALUE OF CERTAIN PROPERTIES.

Section 2. That there is hereby levied and there shall be collected for the City of Elgin, Texas to provide for **Interest and Sinking Funds** for the 2021-2022 Fiscal Year upon all property, real, personal, and mixed, within the corporate limits of said City subject to taxation, a tax of **$0.185914** cents on each One Hundred Dollars ($100) valuation on property.

SUMMARY

1.	Maintenance and operations of the general government (General Fund),	$0.404063
2.	Interest and Sinking fund (Debt Rate)	$0.185914
	Total Tax per $100 of valuation	**$0.589977**

That the City Secretary shall ensure that the City's home page of its internet website shall include the following statement: "THE CITY OF ELGIN ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEARS EQUIVALENT TAX RATE."

Section 3. That all monies collected under this Ordinance for the specific items herein named, be and the same hereby appropriated and set apart for the specific purposes indicated in each item and the Assessor/Collector of Taxes, and the Director of Finance shall keep these accounts so as to readily and distinctly show the amount collected, the amount expended and the amount on hand at any time belonging to such funds. All receipts for the City not specifically apportioned are hereby made payable to the General fund.

Taxes levied under this Ordinance shall be due October 1, 2021, and if not paid on or before January 31, 2022, shall immediately become delinquent.

Section 4. All taxes shall become a lien upon the property against which assessed, and the tax assessor and collector for the City of Elgin is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and laws of the State of Texas and Ordinances of the City of Elgin shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest, and the interest and penalty collected from such delinquent taxes shall be appropriated to the General Fund of the City of Elgin. All delinquent taxes shall bear interest from date of delinquency at the rate prescribed by state law.

Section 5. That this ordinance shall take effect and be in force from October 1, 2021.

PASSED AND APPROVED ON THIS ___TH DAY OF SEPTEMBER 2021.

APPROVED:

____

MAYOR: Ron M Ramirez

ATTEST:

____

CITY SECRETARY: Jennifer Stubbs

APPROVED AS TO FORM:

____

CITY ATTORNEY: Charlie Crossfield

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, 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 AN EFFECTIVE DATE.

DEPARTMENT: City Manager

PROPOSED ACTION:

Approval under First Reading FY2021-22 Annual Operating Budget for the City of Elgin.

BACKGROUND:

Discussed at previous meetings; The proposed *FY21-22 Annual Budget* is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval under First Reading FY2021-22 Annual Operating Budget for the City of Elgin; and related direction to staff as may be deemed appropriate by Council.

ATTACHMENTS:

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

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

ORDINANCE NO. _____________

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, AND ENDING SEPTEMBER 30, 2022, 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 AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Elgin has submitted to the City Council, a proposed budget of revenues and expenditures of the City of Elgin; and,

WHEREAS, the City Council has received said proposed budget, a copy which has been filed with the City Secretary of the City of Elgin; and,

WHEREAS, proper and timely notice that public hearings on such budget would be held on September 7, 2021 and September 21, 2021 was given and made in accordance with the law and within the time limits set forth by law; and

WHEREAS, such public hearings were held in accordance with applicable law, prior to final adoption of this Ordinance.

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

Section 1 The proposed budget of revenue and expenses for conducting the affairs of the City of Elgin, providing a financial plan for the ensuing fiscal year beginning October 1, 2021, and ending September 30, 2022, as submitted to the City Council by the City Manager of said City, and which budget is attached hereto as Exhibit "A", and the same is in all things adopted and approved as the budget of all current expenditures/expenses as well as fixed charges against said City for the fiscal year beginning October 1, 2021, and ending September, 30, 2022.

Section 2 The included in the attached budget are hereby appropriated from the prospective funds for the payment of expenditures on behalf of the city government as established in the approved budget document for the fiscal year ending September 30, 2022.

Section 3 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 final budget as adopted by the City Council, and the City Secretary is directed to certify as a true copy said budget and file it with this Ordinance in the official records of the City.

Section 4 In accordance with § 102.008(2), Local Government Code, The Director of Finance is directed to act to ensure that a copy of the budget is posted on the City's website.

Section 5 All ordinances or parts of ordinances in conflict with this Ordinance are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the city, the terms and provisions of this ordinance shall govern.

Section 6 The provisions of this Ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provision of this Ordinance which are not specifically designated as being illegal, invalid or unenforceable, and that all said remaining provisions shall continue in full force and effect.

Section 7 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.

Section 8 This Ordinance shall be and remain in full force and effective on October 1, 2021, in accordance with state law.

PASSED AND ADOPTED ON FIRST READING this 7th day of September, 2021

PASSED AND ADOPTED ON SECOND READING this ___th day of September, 2021

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

ATTEST:

____
JENNIFER STUBBS, City Secretary

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM:

An Ordinance Amending The Official Zoning Map Of The City of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map To Wit: To Rezone Land From "R-2" Single Family and Duplex Dwelling District" to "C-2" General Commercial District Located At 301 S. Main St (AWAD ADDITION, LOT 2, ACRES 0.332), Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

DEPARTMENT: Development Services

ATTACHMENTS: Staff Report, Application, Ordinance, Land Use Map, Zoning Map,

PROPOSED ACTION: Discussion, consideration, and action on an Ordinance, amending the official zoning map of the City of Elgin, Texas in order to rezone to C-2 General Commercial District, the property being approximately 0.332 acres of land and being described in Exhibit "A", attached hereto and providing a savings clause.

FINANCE APPROVAL:

Signature: ________________________ **Date:**____________________________

BACKGROUND:

Please see attached staff report. The Planning & Zoning Commission recommended approval of the rezoning at their August 23, 2021 meeting.

- ☐ **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.

Development Service Department

STAFF REPORT

Rezoning from R-2 to C-2

Project #: 202101422

Date: August 13, 2021

Applicant: Jason D. Shibley

Representative: SAME

Hearing Dates: Planning & Zoning Commission – August 23, 2021
City Council – September 7, 2021

Location: 301 S. Main St. (BCAD Parcel #95213)

APPLICATION SUMMARY

Recommendation of a rezoning of 0.332 acres of land located at 301 S. Main St. (a change to the official zoning map). The proposal is to change the zoning from "R-2" Single Family and Duplex Dwelling District to "C-2" General Commercial District.

DEPARTMENT COMMENTS

The current R-2 zoning doesn't allow for a commercial retail business at the location, although the site has existed as this use since 2003 and records indicate this site has been used for commercial related uses longer than this point. This would make the present use non-conforming to the current zoning. If the business were ever shut down for more than six (6) months, it could not reopen at this location. This rezoning request would make the present use conforming to the zoning category.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Elgin Main Street category. This category's primary land usage is commercial retail (see attachment 3) according to the provided map and associated land use language. The proposed zoning category will allow for commercial uses 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. With the rezoning the residential uses will be subtracted, and many commercial uses will be added to the site.

R-2 District (Existing)	C-2 District (Proposed)
Detached single-family dwelling.	[redacted]
Duplex	
Garage Apartments	
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 regularly used for housing and sleeping.	
R-2 District (Existing)	**C-2 District (Proposed)**
Public park and playground.	
Library.	
Growing of farm products.	
Municipal use	
Telephone exchanges.	
Home occupations.	
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.
	Advertising signs or structures.
	Antique shop.
	Ambulance service, office or garage.
	Amusement enterprises.
	Appliance shop.
	Arts school, gallery or museum.
	Artists materials, supply studio.
	Automobile parking lot.
	Automobile retail gasoline service station.
	Baby shop.
	Bakery goods store.
	Bank.
	Barbershop.
	Beauty shop.
	Bathhouse.
	Billiard hall.
	Boat sales.
	Book or stationery store.
	Bus terminal.
	Camera shop.
	Cafe
	Candy store.
	Catering establishment.
	Cleaning, pressing, laundry collection agency.
	Clothing or apparel store
	Commercial school or hall.
	Curio or gift shop.
	Drug store or fountain.
	Dry goods store.
	Dairy products or ice cream store.
	Delicatessen.

R-2 District (Existing)	C-2 District (Proposed)
[redacted]	Department store.
	Dress shop.
	Feed and fuel store.
	Florist shop, greenhouse, nursery.
	Frozen food locker.
	Funeral parlor or mortuary.
	Furniture store.
	Golf course, miniature, or practice range.
	Grocery store or supermarket.
	Hardware store.
	Heating, ventilating or plumbing supplies, sales and service.
	Hospital for small animals.
	Hotel.
	Ice storage locker plant, or storage house for food.
	Interior decorating store.
	Key shop.
	Jewelry or notion store.
	Laboratories, testing and experimental.
	Laundry.
	Leather goods shop.
	Lodge hall.
	Meat market.
	Medical facility.
	Messenger or telegraph service.
	Museums.
	Musical instrument sales.
	Newspaper or magazine sales.
	Novelty club
	Novelty shop
	Nursery or garden supply store
	Office business.
	Outdoor advertising signs.
	Optometrists sales and service.
	Pawn shop.
	Pet shop.
	Photographer studio.
	Pharmacy.
	Printing plant.
	Radio and television sales and service.
	Recreation center.
	Research laboratories.
	Restaurant.
	Sale of beer for off-premises consumption.

R-2 District (Existing)	C-2 District (Proposed)
[redacted]	Self-service laundry or dry cleaning.
	Sewing machine sales, instruction
	Sign painting shop.
	Sporting goods sales.
	Shoe repair shop.
	Stocks and bonds broker.
	Storage warehouse.
	Tailor shop.
	Theater.
	Toy store.
	Travel store.
	Travel trailer park.
	Used automobile sales.
	Variety store.
	Wholesale distributing center.

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

	R-1 (Existing)	C-2 (Proposed)
Height	2.5 stories or 35 feet	50 feet.
Front Setback	25 feet; garage at 25 feet	None.
Side Setback	5 feet for 1 story; 10 feet for more than 1 story	None or 10 feet if adjoining residential.
Rear Setback	10 feet	None or 10 feet if adjoining residential.
Lot Width	60 feet	None.
Lot Area	7,500 sq. ft.	None.
Impervious Cover on Lot (buildings only)	45% interior; 50% corner	None.

Based on the information within the packet, staff has no issues or concerns regarding the proposal. The zoning request to C-2 is similar to other lots in the general area (see attachment 3) and the underlying land use in the Comprehensive Plan of Elgin Main Street is supportive of commercial retail as the primary use of the category (see attachment 2).

ATTACHMENTS

Additional information is provided through attached exhibits.

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

Attachment 1

Application

Created: 1-20-2020

Elgin TEXAS perfectly situated...

NON-PDD REZONING APPLICATION

Date: 6/28/2021

SITE INFORMATION

Project Address: 301 S. Main St. Ste B

Parcel Identification Number (if no address): ______

APPLICANT

Name: Jason D. Shibley

Postal Address: 301 S. Main St. Ste B
Elgin, TX 78621

E-Mail Address: 4northcrose@gmail.com **Phone Number:** 512-922-5743

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.

Signature	Printed Name	Date
Jason Shibley	Jason D. Shibley	6/28/2021

Project Description:

Jay Tire & Automotive request to have rezoned commercial C-2 from residential R-2. We have been in business since August 5th 2003. The zoning status was like this when we came into existance. We are requesting it be changed to commercial. We were not aware of the status of our zone label.

Attachment 2

Ordinance

ORDINANCE NO. 2021-09-07-??__

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE TO C-2 GENERAL COMMERCIAL DISTRICT, THE PROPERTY BEING APPROXIMATELY 0.332 ACRES OF LAND AND BEING DESCRIBED IN EXHIBIT "A", ATTACHED HERETO 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-2 Single Family and Duplex Dwelling District to C-2 General Commercial 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 August 23, 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 C-2 General Commercial District, and

WHEREAS, on September 7, 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-2 Single Family and Duplex Dwelling District to C-2 General Commercial 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 7th day of September 2021.

____

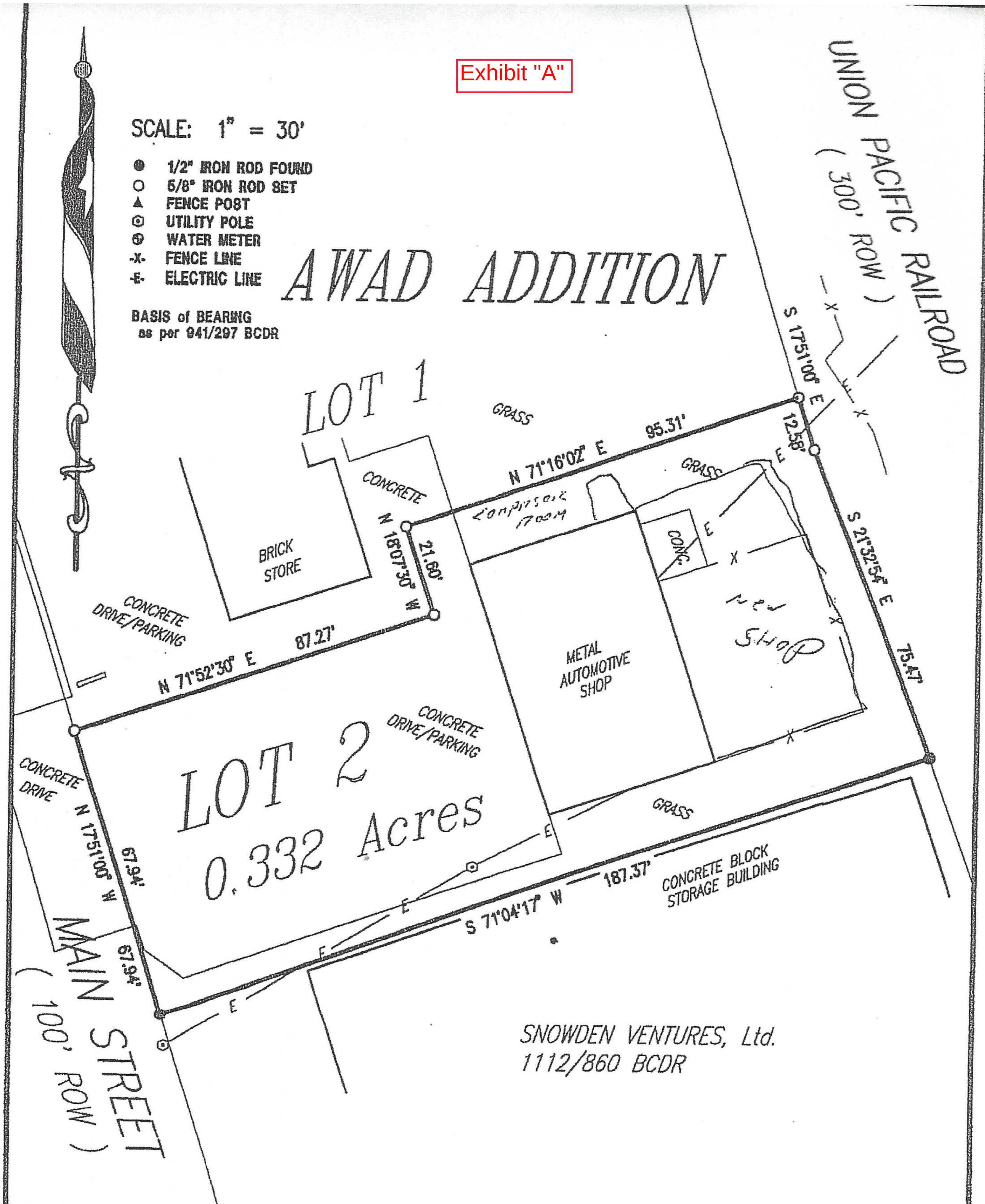
Ron M. Ramirez, Mayor

ATTEST:

____

Jennifer Stubbs, City Secretary

Exhibit "A"



No portion of this tract appears to be in a Federally designated FLOOD PRONE AREA according to FIRM No. 48021C 0075 C for BASTROP COUNTY, TEXAS.
Effective Date 08/19/91
This Tract lies in Zone(s) X.
Base Flood Elevation: N/A

The undersigned does hereby certify to; the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has access to and from a dedicated road way, except as shown hereon.

WARNING:

This Flood Statement, as determined by a FIRM, DOES NOT IMPLY that the Property or Improvements

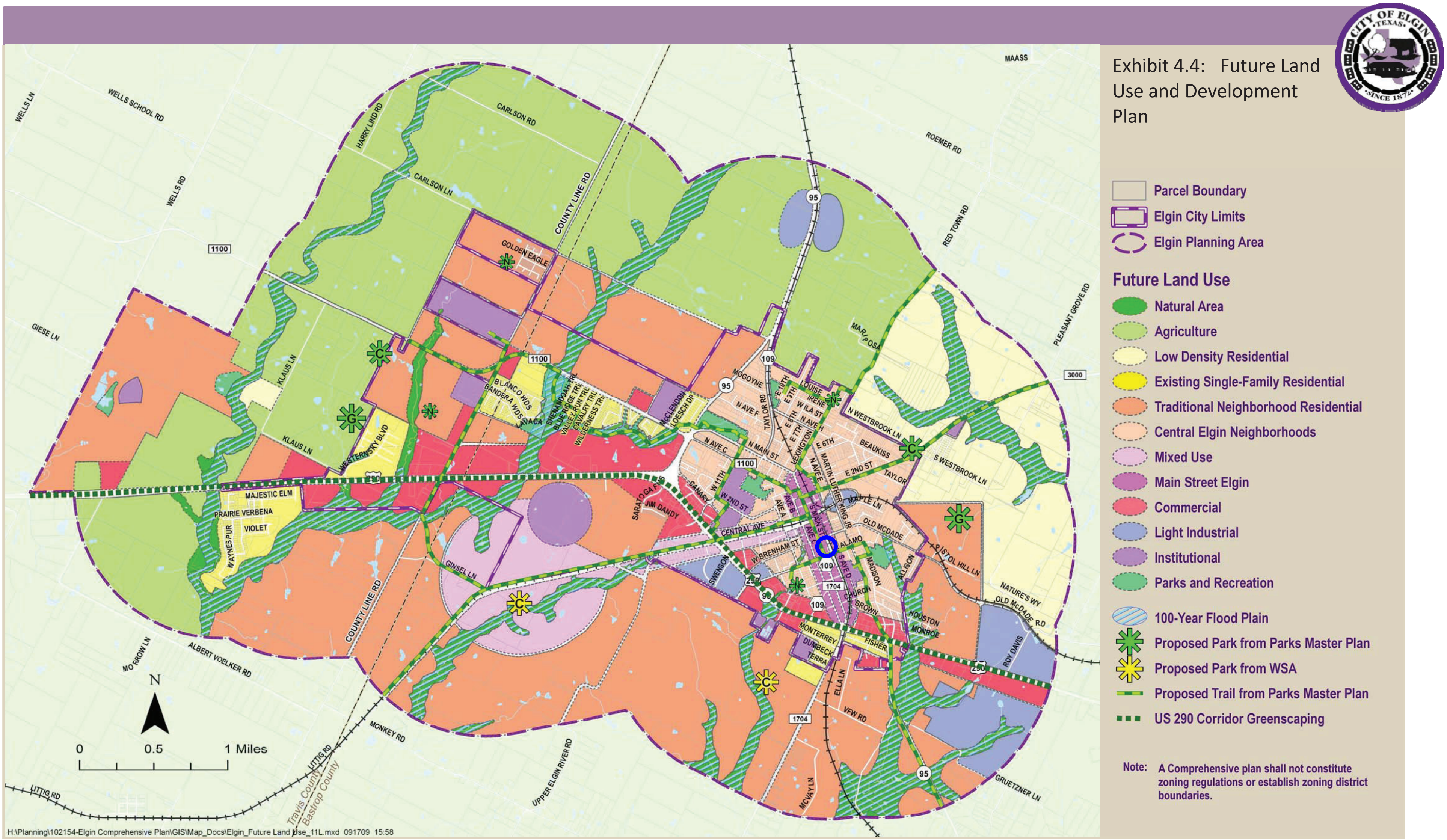
DALE L. OLSON
REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of LOT 2, AWAD ADDITION, to the City of Elgin, as recorded in Plat Cabinet 4.

Attachment 3

Staff Added Comprehensive Plan Exhibit 4.4

Exhibit 4.4: Future Land Use and Development Plan



Source: Wilbur Smith Associates, Inc., 2009.

Main Street

General Description: As the heart of Elgin and the community's historic town center, the Main Street area is an important district to preserve and revitalize as Elgin develops. Many of the buildings along Main Street were constructed with local Elgin brick from the late 1800s to the mid 1900s, and as a result, are a true representation of Elgin's local history. This area continues to be a center for retail, business, local government, community festivals, and art. It is an area that Elgin residents treasure and many community members have worked to preserve and promote through efforts such as the Main Street Program, the Historic Review Board, and Elgin Art Walks.

Transect Zone: Urban Center (T5)

Primary Land Use: Commercial retail and office

Supporting Land Uses: Multi-family residential (apartments and condos typically above retail storefronts), single family residential, public, semi-public, light industrial, and industrial.

Residential Densities: Approximately 7 units per acre.

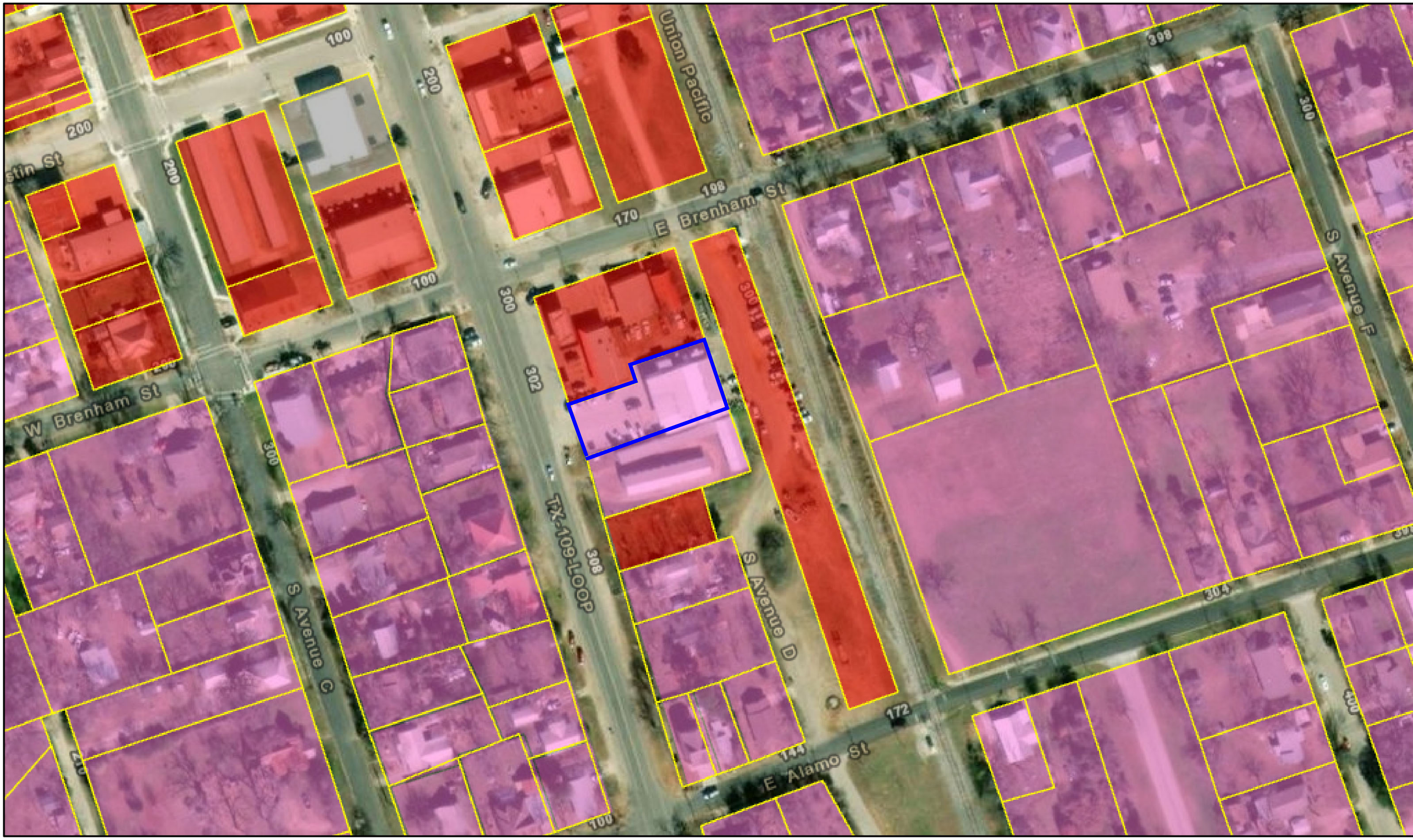
Form and Character: The core of Historic Main Street is mainly comprised of historic two-story brick buildings built between 1872 and 1947. Many of these buildings support an integrated mix of retail, office, and residential uses in a walkable environment. The official Main Street Historic District is subject to design guidelines that aim to maintain the historic integrity of the district. As such, all development and restoration should conform to the design standards. Areas immediately surrounding the District may not be subject to the specific design guidelines, but should be developed with sensitivity to the surrounding context. Infill development should be encouraged in the area to attract additional residents to support Main Street businesses. Additionally, Main Street should remain a focus for promoting small-scale retail, restaurant, entertainment, and arts venues to provide a draw for Elgin residents as well as visitors.

Parks and Open Space: Open space is primarily provided in small pocket parks and plazas such as Veterans' Memorial Park. Additional streetscaping and landscaping should be encouraged along public frontages with bike and pedestrian connections to surrounding areas.

Attachment 4

Staff Added Zoning Map

ArcGIS Web Map



8/13/2021, 8:43:28 AM

Zoning

C1 - Neighborhood Shopping District

C2 - General Commercial District

I - General Industrial District

R2 - Single Family & Garage Apartment District

<all other values>

Bastrop Parcels July 2021

1:2,257

0 0.01 0.03 0.06 mi

0 0.03 0.05 0.1 km

Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Ga
OpenStreetMap contributors, and the GIS user community, Source: Esr
Earthstar Geographics, and the GIS User Community

Web AppBuilder fo

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community | Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community | Esri, HERE, Garmin, (c) OpenStreetMap contributors | TRC GIS, City

Elgin City Council Meeting
Agenda Item Executive Summary

ITEM: Adjourn into Executive Session pursuant to (1) Section §551.072 Deliberations about Real Property: to receive a staff briefing and deliberate the purchase, exchange, lease, or value of certain real property located at 114 Depot Street; and (2) Adjourn into Executive Session pursuant to Section §551.074 Personnel Matters: to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee

DEPARTMENT: City Manager

PROPOSED ACTION:
Consider information presented by staff in Executive Session.

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

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

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

ATTACHMENTS:
None.

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

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