



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 3, 2022
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_loV0Nr3AqM1jTzA

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

- 1. Public Hearing On An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas To Wit: 49.93 Acres Of Land, Lying In And Being Situated Out Of The William Hines Survey, No. 53, In Travis County, Texas (Travis Co. Appraisal District #947820), Including Adjacent Right-Of-Way, And Being Fully Described In Exhibit A Attached Hereto; Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET.PDF](#)

VI. PUBLIC COMMENT

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

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

VII. PRESENTATION

1. A PROCLAMATION DECLARING MAY AS NATIONAL HISTORIC PRESERVATION MONTH IN ELGIN, TEXAS

Documents:

[EXSUMMARYNATLPRESMONTH.PDF](#)
[2022 NATIONAL HISTORIC PRESERVATION MONTH.PDF](#)

2. PROCLAMATION DECLARING MAY 1 THROUGH MAY 7, 2022 AS NATIONAL PUBLIC SERVICE RECOGNITION WEEK IN THE CITY OF ELGIN, TEXAS

Documents:

[EXSUMMARYPUBLICSERVICEWEEK.PDF](#)
[PUBLICSERVICERECOGNITIONWEEK.PDF](#)

3. Presentation Of The Annual Audit Report For The Period Ending September 30, 2021, By BrooksWatson & Co. PLLC

Documents:

[EXSUM ANNUAL AUDIT PRESENTATION 2021.PDF](#)

VIII. CITY MANAGERS REPORT

1. Presentation And Review Of Staff Recommendation For The Annual Street Improvements Program

Documents:

[EX SUMMARY - STREET IMP PROG522.PDF](#)
[2022 STREET IMPROVEMENTS - ENGINEERING SERVICES PROPOSAL.PDF](#)

2. General Activity Report And/Or Project Update

Documents:

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

IX. 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 - April 19, 2022

Documents:

[EX SUMMARY- APRIL 19, 2022 REGULAR MEETING MINUTES.PDF](#)
[04-19-22 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AND AGREEMENT WITH TRC COMPANIES, FOR

**ENGINEERING SERVICES FOR THOMAS MEMORIAL PARK IMPROVMENTS AS
PART OF 2021A CIRTIFICATES OF OBLIGATION**

Documents:

[EX SUMMARYTRC5.3.22.PDF](#)
[THOMAS MEMORIAL PARK.PDF](#)
[ENGINEERING PROPOSAL- CITY OF ELGIN THOMAS MEMORIAL PARK
PARKING LOT_04142022.PDF](#)

X. NEW BUSINESS

- 1. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY
OF ELGIN ECONOMIC DEVELOPMENT CORPORATION AND AVIATOR
ENTERPRISES LLC AND VERSION 1 LLC AND AUTHORIZING THE MAYOR TO
APPROVE THE AGREEMENT**

Resolution to approve an Economic Development Agreement

Documents:

[EXSUMMARY AVIATORS AGREEMENT.PDF](#)
[RESOLUTION FOR AVIATORS ED AGREEMENT.PDF](#)

- 2. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE
CITY OF ELGIN, TEXAS, TO WIT: 49.93 ACRES OF LAND, LYING IN AND BEING
SITUATED OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 53 IN TRAVIS
COUNTY TEXAS (TRAVIS COUNTY APPRAISAL DISTRICT # 947820), INCLUDING
ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT "A",
ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING
CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[ANNEXATION ORDINANCE - EXHIBIT A.PDF](#)

- 3. AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL
WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING
AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING
CONFLICTING ORDINANCES OR RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[ORDINANCE AND EXHIBIT A.PDF](#)

XI. 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.

XII. RECONVENE

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

XIII. ANNOUNCEMENTS

XIV. ADJOURNMENT

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, April 29, 2022, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, reading "Jennifer Stubbs", written in dark ink.

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing on an Ordinance Annexing Adjacent and Contiguous Territory to the City of Elgin, Texas to Wit: 49.93 Acres of Land, Lying In and Being Situated Out of The William Hines Survey, No. 53, in Travis County, Texas (Travis Co. Appraisal District #947820), Including Adjacent Right-of-Way, and Being Fully Described in Exhibit A Attached Hereto; Providing for a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council Action Proposed or Requested at This Time; This Item is to Allow for Public Comments on the Requested Proposed Annexation.

BACKGROUND: State Law Requires an Annexation to Have at Least One (1) Public Hearing. This Annexation is Not Part of any Annexation Development Agreements.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: None.

ATTACHMENTS: None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Proclamation May National Historic Preservation Month .

DEPARTMENT: Community Services

PROPOSED ACTION: presentation and photo

BACKGROUND:

May is National Historic Preservation month. Elgin benefits from a number of active historic preservation efforts and groups including the Main Street program, the Historic Review Board, the Certified Local Government program, the Elgin Historic Association, the Depot Museum, Elgin MLK Scholarship Committee, Juneteenth Festival Organization, the MCB Foundation, the Mary Christian Burleson Homestead, the Historic District which is listed on the National Register of Historic places, and the Bastrop County Historical Commission. The proclamation provides more details about historic preservation and highlights the downtown revitalization efforts.

Celebrate National Preservation Month with the following: dedication of a new mural at Sip Shop and Stroll for the Elgin Sesquicentennial by Tom Besson at 200 Depot Street May 12 at 5pm, Imagine the Possibilities Tour at 104 N Main Street at 5:30pm May 12, and Explore Elgin Art & Culture May 21 with Public Art Walking Tours, Church Sanctuary tours, Makers Market at Veterans Memorial Park, Artists' studios open, artists demonstrations, and not your Ordinary Yard Sales - details are available online at www.etx150.com and @etx150 overall historic preservation efforts additional information at www.elgintx.com.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Presentation

ATTACHMENTS: Proclamation

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

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

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

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

National Historic Preservation Month Proclamation

WHEREAS, historic preservation is an effective tool for communities across the nation, for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, the City of Elgin was established in 1872 on the Houston and Texas Central Railroad as a one square mile area around the H&TC Depot and named for Robert Morris Elgin, the railroad's land commissioner; and

WHEREAS, Elgin is celebrating its Sesquicentennial in 2022 with the Elgin Sesquicentennial Committee implementing a year long series of celebrations and projects featuring a diverse set of opportunities to celebrate, commemorate and educate, and

WHEREAS, it is important to celebrate the contributions made by dedicated individuals and groups in helping to preserve the tangible aspects of the heritage that has shaped us as a people including locally the Elgin Main Street Board, Elgin Historical Association, the Elgin MLK Scholarship Committee, the MCB Foundation, the Juneteenth Festival Organization, and the Bastrop County Historical Commission; and

WHEREAS, downtown Elgin has a historic district with 14 city blocks of commercial buildings constructed from locally produced brick and erected from 1872 to 1947 which is listed on the National Register of Historic Places; and

WHEREAS, Elgin is a Nationally Accredited Main Street Community, where the Main Street Board partners with organizations throughout the community to implement an award winning downtown revitalization program including the Hogeys Festival, more than \$22 million in public & private sector reinvestment, 100 locally owned businesses and organizations, 50 apartments downtown, active renovation and new construction projects, and more than 24,000 volunteer hours; and

WHEREAS, People Saving Places is the theme for 2022 recognizing the historic place-savers who pour their time, energy, and resources into protecting places they care about, often without recognition; a national high-five to everyone doing the great work of saving places in hopes that it will inspire and empower others to do the same;

NOW, THEREFORE, I, Mayor of the City of Elgin, do proclaim May 2022 as Historic Preservation Awareness Month, and call upon the people of Elgin to join their fellow citizens across the United States in recognizing and participating in this special observance.

Ron M. Ramirez, Mayor



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Proclamation National Public Service Recognition Week May 1 thru May 7

DEPARTMENT: Human Resources

PROPOSED ACTION: presentation

BACKGROUND:

May 1 – 7 is National Public Service Recognition Week. Public service is at least 4,000 years old and has been officially recognized the first week of May since 1985. This is one way to recognize the dedicated service of our talented and diverse employees with the City of Elgin.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Presentation

ATTACHMENTS: Proclamation

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

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

**PROCLAMATION DECLARING MAY 1 THROUGH MAY 7, 2022
AS NATIONAL PUBLIC SERVICE RECOGNITION WEEK IN THE
CITY OF ELGIN, TEXAS**

WHEREAS, the citizens of Elgin are served each day by public servants at the federal, state, county and city levels; and

WHEREAS, 106 hard-working, talented people with a variety of certifications, specialty trade backgrounds, training and education are employed by the City of Elgin, Texas; and

WHEREAS, these individuals provide our community with safe drinking water, wastewater services, police services, utilities, streets, drainage, facilities and grounds maintenance, municipal court, economic development, development services, library, parks and recreation, downtown development, finance, human resources, management, and administration; and

WHEREAS, in often difficult circumstances, our civil servants work to protect and improve the quality of life for our residents, businesses and visitors; and

WHEREAS, without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials; and

WHEREAS, Public Service Recognition Week has been celebrated the first week of May since 1985 to honor the men and women who serve our nation as government employees; and

WHEREAS, all citizens of the City of Elgin are encouraged to recognize the accomplishments and contributions of your local public servants,

NOW, THEREFORE, I, Mayor of the City of Elgin, do proclaim May 1-7, 2022, as National Public Service Recognition Week, and call upon the people of Elgin to join their fellow citizens across the United States in recognizing and participating in this special observance.

RON M. RAMIREZ, Mayor



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Presentation of the Annual Audit Report for the period ending September 30, 2021, by BrooksWatson & Co. PLLC

DEPARTMENT: Finance

PROPOSED ACTION: This item is for formal presentation of the Annual Audit Report for the fiscal year ending September 30, 2021.

BACKGROUND: In compliance with State Law and the Elgin City Charter, the City's external auditor has reviewed and audited the financial statements of governmental activities, the business-type activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Elgin as of and for the year ended September 30, 2021 and related notes to the financial statements, which collectively comprise the City's basic financial statements of said report. In the auditor's opinion, "the financial statements referred to above, present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund and the aggregate remaining fund information of the City of Elgin September 30, 2021 and the respective changes in financial position and, where applicable, cashflows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America".

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: Mysty Nauck Date: 4/22/2022

RECOMMENDATION:

ATTACHMENTS:

- ☐ Staff will be making a detailed presentation on this agenda item at the meeting.
- ☒ The Auditor 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: Presentation and review of staff recommendation for the Annual Street Improvements Program

DEPARTMENT: City Manager/City Engineer

PROPOSED ACTION:

Review and consideration of recommended improvements to various city streets through the Annual Street Improvements Program and as funded in the FY21-22 Annual Budget.

BACKGROUND:

Discussed during the budget development process; This program represents a greatly enhanced effort toward improving and maintain existing city streets.

In the recent past, the City has not maintained a consistent commitment to annual street maintenance – based primarily on financial limitations. Over the last 3 years combined, the City has spent only \$183,000 on street maintenance.

In response to this situation, the FY21-22 Budget includes a \$500,000 investment in street maintenance and/or improvements. This amount represents one of the highest one-year funding commitments to street maintenance ever made by the City from operating revenues.

The attached report lists those streets proposed for upgrade under this year's program; and the recommended level of improvement.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and consideration of recommended Annual Street Improvements Program as described; and routine direction to staff, if any (The plan will be formally approved by a vote of the City Council at a future meeting)

ATTACHMENTS: Staff Report

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

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

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

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



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

April 5, 2022

Mr. Michael Gonzalez, Public Works Director
City of Elgin
P.O. Box 591
Elgin, Texas 78621

**RE: Elgin 2022 Street Improvements
Engineering Services Proposal**

Dear Mr. Gonzalez:

At the request of the City of Elgin, this letter represents TRC's engineering services proposal for the preparation and submittal of chip seal, overlay plans, traffic markings, design drawings for curb and gutter, drainage inlets, pavement, and specifications for the City of Elgin in its upcoming 2022 maintenance schedule for improving select roadways.

ENGINEERING SCOPE OF WORK:

1. This project will consist of the following work tasks:
 - a) Initial site visit with the City of Elgin Public Works Director to determine the streets needing improvements and exact dimensions of the area.
 - b) Overall city map showing limits of 2" overlay of asphalt, chip seal, and traffic markings replacement.
 - c) Drawings showing curb and gutter, drainage inlets, and pavement improvements.
 - d) Project construction plans and specifications.
 - e) Bidding phase services including: advertisement for bids, issuing addendums, bid openings, bid tabulations, and contractor recommendation letters.
 - f) Construction phase services including submittal review, one site visit, punch list, final walk-through, and certificate of completion.
2. The following deliverables will be included:
 - a) Two copies of the approved plans and bidding specifications.

ASSUMPTIONS:

1. As a basis for the preparation of this proposal and the associated cost of services, the following assumptions were made, which if found to be incorrect, may result in additional compensation to TRC:
 - a) The following streets will be designed to have 2" overlay of asphalt:

Street

Ramirez Road
East 3rd Street
East 4th Street
East 5th Street
East 7th Street

Location

Highway 290 to N Ave C
N Ave E to N Ave G
N Ave E to N Ave G
Lexington Rd to N Ave F
N Ave F to N Ave H

b) The following streets will have chip seal:

Street

East 6th Street
Bill Street
Arthur Street
Caroline
Ball Park Road
East 10th Street
Thomas Street
Bull Run
Mogonye Lane
Hilltop Drive

Location

N Ave F to Q.S. Goins
To the limits of pavement
To the limits of pavement
To the limits of pavement
To the limits of pavement
Main St (loop 109) to the limits of pavement
MLKJ to the limits of pavement
Central Ave to Swenson Blvd
Taylor Road to Highway 95
Highway 95 access road to Hook Street

c) The following streets will have curb and gutter, drainage inlets and pavement:

Street

Hook Street
West Alamo Street

Location

In its entirety
Main Street to S Ave A

2. There will be no further changes in the proposed areas after the project has been advertised for bids.

EXCLUSIONS:

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

1. Design of improvements or relocations for gas lines, telephone lines or other franchise utilities.
2. Construction staking.
3. Continuous construction inspection.
4. Detailed title search or title policy.
5. Easements or plat documents, landowner contact or easement negotiations.
6. Archaeological surveys.
7. Any other services not identified in the Scope of Work.

Mr. Michael Gonzalez, Public Works Director
City of Elgin
April 5, 2022
Page 3 of 3

COMPENSATION FOR SERVICES:

TRC Engineers, Inc. will provide the professional engineering services as outlined in the Scope of Work and the Master Services Agreement, for a total lump fee of:

Engineering Design:	\$ 34,902.00
Bidding Services:	\$ 4,232.00
Construction Administration:	\$ 10,777.00
Total:	\$ 49,911.00

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

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

The services will be provided under the Master Services Agreement executed by the City and TRC. The opportunity to provide this proposal is greatly appreciated. If you have any questions regarding this information, please feel free to contact this office.

Sincerely,

K. Beau Perry, P.E.
Regional Vice President - DMS

City of Elgin

Date

Date





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: General Activity Report and/or Project Update

DEPARTMENT: City Manager/Staff

PROPOSED ACTION:

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

BACKGROUND:

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

N/A

ATTACHMENTS:

None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Regular Meeting Minutes - April 19, 2022

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Meeting Minutes- April 19, 2022

BACKGROUND: N/A

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Approval of the City Council Meeting Minutes- April 19, 2022

ATTACHMENTS: Minutes

☐ 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
April 19, 2022

CALL TO ORDER

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

ROLL CALL

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

Mayor Ramirez stated all were in attendance and there was a quorum.

Staff: Thomas L. Mattis, City Manager
Mysty Nauck, Acting Chief Financial Officer
Amy Miller, Community Development Director
Jennifer Stubbs, City Secretary
Michael Gonzalez, Public Works Director
Chris Noble, Chief of Police
Beau Perry, City Engineer

INVOCATION

Mr. Maldonado 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 were no public comments.

CITY MANAGERS REPORT

1. 2021 Certificates Of Obligation-Capital Investment Program Project Update

Ms. Mattis stated there is great progress with all the programs and provided an update on each of the projects. Mr. Mattis stated that the city is on track for 40 million dollars in capital infrastructure and that he is excited to move forward. Mayor Ramirez stated that he liked that the City Manager has continuously provided updates.

2. Elgin Sesquicentennial Update & Event Highlights

Mr. Mattis stated staff will continue to provide updates on the Sesquicentennial items. Ms. Miller introduced Sara O'Brien to the Council. Ms. O'Brien reminded the public about using the logo and signs that are available. Ms. O'Brien encouraged the public to learn about Elgin's history. Ms. O'Brien introduced Megan Stuart. She provided details on the Art Walk Program happening in Downtown Elgin on Saturday, May 21st.

3. 2nd Quarter Investment Report

Ms. Nauck stated some funds were moved over for investing. There were no comments.

4. Monthly Reports By Department

There was no discussion on this item.

5. General Activity Report And/Or Project Update

There was no discussion on this item.

CONSENT AGENDA

1. City Council Regular Meeting Minutes – April 5, 2022

The item passed on the Consent Agenda.

Mayor Pro Tem Brashar made a motion to approve the Consent Agenda. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

- 1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, DIRECTING THE CITY MANAGER TO PROVIDE A FINANCIAL DONATION TO THE BASTROP COUNTY LONG TERM RECOVERY TEAM IN SUPPORT OF MARCH 21**

TORNADO RECOVERY EFFORTS; AND MAKING CERTAIN FINDINGS
RELATED THERETO

Mr. Mattis stated that Mr. Dennis and Mayor Pro Tem Brashar came to him about this emergency event and wanted to provide a donation to the tornado victims. Mr. Dennis stated that he went out and heard how these residents were impacted and learned there were several out-of-pocket costs due to the storm. Mr. Dennis stated that he wanted to provide support to these residents financially. Mayor Pro Tem Brashar stated that Mr. Dennis stated everything perfectly and that she felt it was best to go this route. Mr. Mattis stated that the city is in a spot where we can afford this, and the donation would go to the Long-Term Recovery Team. He stated the team would ensure that these funds go directly to residents in Elgin. Mr. Dennis made a motion to approve the Resolution as presented. Mr. Callahan seconded the motion. All voted in favor. The motion carried. Mr. Dennis thanked Mr. Gibson for visiting the residents who were affected by the tornado.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPROVING THE
SCHEMATIC PLANS FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT
STATION AND AUTHORIZING THE STAFF TO PROCEED WITH
IMPLEMENTATION OF THE “CONSTRUCTION MANAGER AT RISK”
DELIVERY METHOD FOR THE FINAL DESIGN AND CONSTRUCTION OF
SAME; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided a presentation to the Council. He stated this police station is a 5–10-year police station and a 50-year city building. He stated that it is more expensive to go out and purchase new land at an alternate location. He stated this police building would not have a jail, court, or communications center. Mr. Mattis stated this project is focused on police operations and timing is crucial. He stated that the recommendation is agreed upon by the building committee. The team cannot in good faith recommend a project that can be funded in total by the 2021A Co’s cost projection. Brian Meed, FGMA, presented the proposed interior EPD Station. Bob Galloway, FGMA, presented the proposed exterior of the building. Mr. Mattis stated this is a completely new building and the committee decided not to renovate the existing building. Mr. Mattis stated at this time, there is no plan for the existing building. Chief Noble stated we are so excited to have a new building. Mr. Mattis stated there was support from all the police department. Mayor Ramirez thanked the committee and FGMA. Mr. Mattis answered questions of the Council. Mr. Maldonado made a motion to approve the Resolution as presented and discussed. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion was carried.

3. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING THE AMOUNT
OF APPROPRIATIONS FOR THE GENERAL FUND AS WELL AS ALL OTHER
FUNDS THAT PROVIDE FOR THE PAYMENT OF OPERATING AND CAPITAL
EXPENDITURES AND BY CHANGING THE AMOUNT APPROPRIATED FOR
VARIOUS DEPARTMENTS OF THE CITY AS ORIGINALLY ADOPTED BY
ORDINANCE NO. 2021-09- 21-27 ADOPTED SEPTEMBER 21, 2021; IN
ACCORDANCE WITH THE LOCAL GOVERNMENT CODE OF THE STATE OF
TEXAS AND THE ORDINANCES AND RULES OF THE CITY OF ELGIN,
TEXAS; APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT

THEREWITH, AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Mr. Mattis stated this is a routine exercise. Ms. Nauck presented and answered questions of the Council. Mayor Pro Tem Brashar made a motion to approve the Ordinance as presented. Ms. Bega seconded the motion. The vote was: Mayor Pro Tem Brashar-yes, Mayor Ramirez-yes, Ms. Bega-yes, Mr. Gibson-yes, Ms. Arreaga-yes, Mr. Maldonado-yes, Mr. Callahan-yes, Mr. Ibis- no, Mr. Dennis-yes. The motion was carried.

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 the Council would not be retiring into Executive Session.

ANNOUNCEMENTS

Mayor Pro Tem Brashar reminded those in attendance about Relay For Life on Saturday. Mr. Maldonado reminded those in attendance about Music in the Park. Mr. Callahan stated the Rotary has collected items for the storm victims and is giving them away this weekend at the Church of Christ in Elgin.

ADJOURNMENT

Mayor Ramirez adjourned the meeting at 8:43 p.m.

ATTEST:

Ron M. Ramirez, Mayor

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 AND AGREEMENT WITH TRC COMPANIES, FOR ENGINEERING SERVICES FOR THOMAS MEMORIAL PARK IMPROVMENTS AS PART OF 2021A CERTIFICATES OF OBLIGATION.

DEPARTMENT: Parks and Recreation/Public Works

PROPOSED ACTION: Recommend for approval

BACKGROUND: Thomas Park Entrance Addition: Aligning with the goals identified in the 2022 – 2032 Parks, Recreation and Open Space Master Plan, the flag lot adjacent to Thomas Memorial Park will create a new entrance and parking lot to Thomas Memorial Park on Madison Street. The new entrance creates access to underutilized park land and provides additional access from local BTW Elementary School. Thomas Park provides a 9-hole disc golf course, 1 playground, decomposed granite walking trail, 2 soccer fields, 1 baseball field, 1 basketball court, 2 pavilions, 1 concession stand, grills, picnic tables, and restrooms. Located on Madison Street, the flag lot will include a paved parking lot and concrete walking trail from parking lot to Concession Stand building in the main park.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: Mysty Nauck Date: 4/27/2022

RECOMMENDATION: Recommended to approve

ATTACHMENTS:

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING
THE CITY MANAGER TO EXECUTE AND AGREEMENT WITH
TRC COMPANIES, FOR ENGINEERING SERVICES FOR THOMAS
MEMORIAL PARK IMPROVMENTS AS PART OF 2021A
CIRTFICATES OF OBLIGATION.**

WHEREAS The City of Elgin intends to improve certain parts of Thomas Memorial Park as part of the 2022 – 2032 Parks, Recreation and Open Space Master Plan;

WHEREAS, The Elgin Parks and Recreation Advisory Committee has made recommendation as part of this plan to improve access to Thomas Memorial Park by adding an additional entrance and parking, and;

WHEREAS, qualified engineering design will be needed to facilitate the improvements recommended, and;

WHEREAS, City staff have requested TRC Companies to develop an assessment of the area and design specific plans for construction for Thomas Park improvements;

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 *TRC Companies*, in the amount of \$33,100.00 for Engineering services Thomas Memorial Park Phase I improvements, a copy of the agreement regarding same being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

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

Section 4. 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 3rd day of May, 2022

RON M. RAMIREZ, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



700 Highlander Blvd.
Suite 210
Arlington, Texas 76015

T 817.522.1014
TRCcompanies.com
T.B.P.E. #F-8632

April 15, 2022

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

RE: Thomas Memorial Park Parking Lot Expansion – Engineering Services Proposal

Dear Mr. Mattis,

TRC Engineers, Inc. (TRC) has prepared this proposal for professional surveying and engineering related to the proposed Thomas Memorial Park parking lot expansion by the City of Elgin (the City). The specific property to be developed is currently owned by the City (Bastrop County Parcel ID 14923; Project Site) and located on Madison Street in Elgin, Texas. Reference the graphic included and the end of this Proposal document. All services will be provided as stated herein, with individual Tasks itemized below.

Task 1 – Topographic Surveying

Pending a Notice to Proceed from the Client, TRC will provide design-level topographic survey data within the project survey limits. The following topographic surveying scope will be included:

- The survey will be performed on the ground traditional field observation methods to locate found visible features, both horizontally and vertically, including existing on-site structures, drainage features, adjacent and onsite sidewalks, curb lines, pavement, roadway paint striping, driveways, fences, and visible above-ground utility appurtenances within the survey limits.
- The survey will obtain topographic field elevations throughout the project site at 30-foot station intervals for use in developing a digital terrain model.
- The survey will field locate found protected trees six (6) inches or greater in trunk diameter measured at breast height, in accordance with municipal code. Trees will be tagged in the field and shown on the survey noting trunk diameter, species and canopy size.
- Survey deliverable will be an AutoCAD .dwg file showing topographic points, features and 1 ft contours, accompanied by a points file in .csv format and digital terrain model in .xml format.

Task 2 –Engineering Design and Construction Documents

TRC will prepare Engineering Construction Documents based upon the Client-approved Conceptual Plan *Task 2 – Preliminary Design Development*. Documentation will include the following efforts below.

Task 2.1 Civil Engineering Design and Construction Documents

- Final Site Design and layout;
- Engineering Construction Plans:
 - Location Map;
 - Existing Site Plan;
 - Proposed Site and Grading Plan;
 - Proposed Electrical Site Lighting Plan;
 - Erosion Control plan, and;
 - Standard Construction, Site and Electrical Details.
- Final EOPCC

Task 2.2 – Electrical Engineering Design and Construction Documents

- Provide electrical engineering, drawings, and specifications for the following:
 - Prepare electrical design for the installation of new lighting and lighting controls for the Project Site. The design will include new electrical service for the lighting system;

This Task includes maximum of three (3) virtual project coordination meetings with the Client to complete the Civil Engineering Design anticipated for a 60%, 90% interim Design Milestones and the 100%.

TRC anticipates the Client will issue one (1) set of comments for each interim Design Milestone, to which TRC will review and prepare a response and submit to the Client for review.

Task 3 –Construction Administration

TRC will provide Construction Administration support as follows:

- Providing basic construction administration services including:
 - Provide proposed change order to be incorporated into an existing project within the City.
 - Conduct site visits, as needed and authorized by the Client. This scope assumes a maximum of two (2) site visits during construction will be conducted. For the electrical scope, one (1) site visit will be conducted during installation and one (1) site visit will be conducted as a final Walkthrough Inspection.
 - Answering contractor RFIs and questions related to the civil construction documents;
 - Reviewing Contractor technical submittals;
 - Final Walk-Through Inspection with the Client and the Contractor;
 - Preparing a final Punch List based deficiencies noted during the final Walk-Through Inspection;
 - Preparation of Record Drawings based on red-lined As-Built Drawings provided by the Contractor, and;
 - Preparation of a Recommendation Letter of Project Acceptance upon Final Completion.

Assumptions:

The following assumptions were used for preparation of the fees shown in the Compensation for Services. Significant variations from these assumptions may result in requests for additional compensation.

- Platting will not be required for this development.
- The City of Elgin will provide record drawings of the existing facilities (as applicable) to assist with establishment of new utility power to the site.
- Where insufficient or incomplete documentation of existing site conditions is encountered, TRC may prepare drawings utilizing photograph images to effectively convey the scope of work required for the project.
- Plan documents will be prepared in accordance with current TRC and Client standards.
- Engineering design will conform to Client design requirements and technical specifications. No additional construction specifications will be prepared.
- The proposed parking lot will connect to Madison Street.
- The Client will be responsible for arranging property access prior to commencement of fieldwork.
- The Project Site does not fall within a FEMA-designated 100-year floodplain and therefore, a hydrologic study will not be required.
- Stormwater runoff will be conveyed to either Madison Street or the existing stormwater drainage channels located to the east and north of the Project Site, or to a combination of both locations.
- A culvert will convey stormwater runoff under the proposed walkway that will connect the parking lot to Thomas Memorial Park and will be designed in accordance with the current Client design requirements and technical specifications.
- Pavement design for the parking lot and walkway will be in accordance with current Client design requirements and technical specifications and therefore, geotechnical services will not be provided.

Exclusions:

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

- Request and review of Title Reports;
- Sub-surface utility engineering services;
- Platting services;
- Offsite improvements;
- Non-site lighting utility design services;
- Geotechnical services;
- Structural design services;
- Traffic Impact Analysis or other Traffic Engineering services;
- Stormwater analysis or design;
- Franchise utility design or coordination;
- Landscape and irrigation design;
- Retaining wall design;.
- Preliminary lot staking for review purposes;

- Construction inspection and monitoring;
- Environmental permitting, cultural review, archeological or endangered species surveys;
- Any scope of work not specifically listed in Tasks 1 – 3;
- Payment of fees for regulatory review.

Compensation for Services:

TRC will provide the professional engineering services as outlined in this Scope of Work, on a Lump Sum fee basis, as shown below:

Task 1 – Topographic Surveying	\$2,275.00
Task 2.1 – Civil Design and Construction Documents	\$14,110.00
Task 2.2 – Electrical Design and Construction Documents	\$8,925.00
Task 3 –Construction Administration	\$7,790.00
Total Cost (Lump Sum):	\$33,100.00

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. The payment schedule will be via monthly progress billing.

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

These services will be performed under the terms and conditions of the Master Services Agreement between TRC Engineers, Inc. and the City of Elgin. Fees for services quoted in this Proposal are valid for a period of sixty (60) days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. Please review this proposal and, upon acceptance, return an executed copy to our office.

Sincerely,



K. Beau Perry, P.E. - TRC
Vice President

Thomas Mattis
City Manager, City of Elgin

April 15, 2022

Date

Date





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Resolution by the City Council approving an Economic Development Agreement between the City of Elgin Economic Development Corporation and Aviator Enterprises LLC and Version 1 LLC and authorizing the Mayor to approve the Agreement

DEPARTMENT: Economic Development

PROPOSED ACTION: Approve the resolution for the Economic Development Agreement

BACKGROUND: The Economic Development Corporation is selling five acres to Aviator Enterprises LLC and Version 1 LLC to construct three separate building totaling 54,000 sq. ft. Also, a 40,000 sq. ft. patio for entertainment purposes. The facility is estimated to cost approximately \$10 Million. The new buildings will be leased out for retail/restaurant uses. Aviators Pizza will be the major tenant and will employ 17 full time and 11 part-time employees.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approve the Resolution

ATTACHMENTS:

Economic Development 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.

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS
APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF ELGIN ECONOMIC DEVELOPMENT CORPORATION AND
AVIATOR ENTERPRISES LLC AND VERSION 1 LLC AND AUTHORIZING
THE MAYOR TO APPROVE THE AGREEMENT**

WHEREAS, the City of Elgin, Texas (the “City”) desires to grant certain incentives to Aviator Enterprises LLC and Version 1 LLC (the “Developer”) for the primary purpose of constructing three buildings containing approximately 54,000 square feet of new restaurant and retail space at a cost of approximately \$10 million, install an approximately 40,000 sq. ft. patio, hire 17 new full-time employees and 11 part-time employees and locate on approximately 5 Acres within the City of Elgin, Texas; and

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

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

WHEREAS, the amount of the agreement shall not exceed \$300,000

WHEREAS, the Developer will construct approximately \$10 million of new restaurant/retail buildings

WHEREAS, the Developer will provide 17 full time and 11 part-time jobs

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

1. That the above recitals are true and correct.
2. That the City hereby approves the Agreement between the City of Elgin Economic Development Corporation and Aviator Enterprises LLC and Version 1 LLC
3. That the Mayor is authorized to approve the Economic Development Agreement between the City of Elgin Economic Development Corporation and Aviator Enterprises LLC and Version 1 LLC

Adopted on this 3rd day of May, 2022.

CITY OF ELGIN, TEXAS

Ron Ramirez, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 49.93 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 53 IN TRAVIS COUNTY TEXAS (TRAVIS COUNTY APPRAISAL DISTRICT # 947820), INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance for a voluntary annexation of 49.93 acres of land located on Travis Co. Appraisal District Parcel #947820.

BACKGROUND: The applicant is requesting voluntary annexation into the City Limits. Currently this parcel of land is located within the City’s Extraterritorial Jurisdiction (ETJ) and is contiguous with the City Limits at the Creeks Crossing development to the southeast. The parcel consists of vacant land.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Staff recommends approval of this item.

ATTACHMENTS: Ordinance with Exhibit “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.

ORDINANCE NO. 2022-05-03-??

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 49.93 ACRES OF LAND, LYING IN AND BEING SITUATED OUT OF THE WILLIAM HINES SURVEY, ABSTRACT NO. 53 IN TRAVIS COUNTY TEXAS (TRAVIS COUNTY APPRAISAL DISTRICT # 947820), INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 0.484 acres of land out of the Thomas Garretson Survey, Abstract 178 of land (the “Property”) more fully described in Exhibit “A”, have petitioned the City Council in writing to annex the Property, and

WHEREAS, the property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant without residents, or on which less than three (3) qualified voters reside, and

WHEREAS, the City Council has determined that all requirements of Section 43.028, Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

I.

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

II.

That the City Council has heard arguments for and against the annexation and has determined to grant the petition for annexation.

III.

That the Property described in Exhibit “A”, attached hereto and incorporated herein for all purposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Travis County, Texas, and same is hereby made an integral part hereof.

IV.

That the owners and future inhabitants of the area herein annexed be entitled to all the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

V.

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Elgin, Texas.

VI.

That the City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after its passage

VIII.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Travis County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid, or unconstitutional or any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph, or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph, or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

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 always required by law 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.

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

READ, PASSED, and ADOPTED on first reading this the 3rd day of May 2022.

RON M. RAMIREZ, Mayor

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

PETITION REQUESTING ANNEXATION TERRITORY IN WHICH THERE ARE FEWER THAN THREE VOTERS

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF
ELGIN, TEXAS.

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which less than three qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as part of the City of Elgin, Texas, the following described territory, to wit:

See Exhibit "A", attached hereto and incorporated herein.

(Here describe territory by metes and bounds.)

ABS 345 SUR 53 HINES W ACR 49.93 (1-D-1)

I certify that the above-described tract of land is contiguous and adjacent to the City of Elgin, Texas, is not more than one-half mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Signed: Sk. Hariharan

Name: Hariharan Kuppuraj

Title: Property Owner

THE STATE OF Connecticut
COUNTY OF Hartford

Before me, the undersigned authority, on this day personally appeared HARIHARAN KUPPURAJ, property owner, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 29th day of March, 2022.

Notary Public, [Signature]

Hartford County, CONNECTICUT (state)

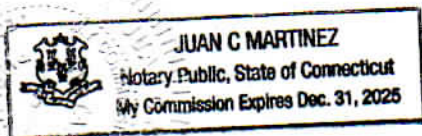


Exhibit "A"

Authorized Agent Declaration

As property owner of the site identified under the Travis Central Appraisal District Property ID: 947820 and described as ABS 345 SUR 53 HINES W ACR 49.93 (1-D-1) locally addressed as FM 1100, Elgin, Texas. I have entered into an agreement with DB Land Consulting, LLC. C/O Diane Bernal, and have appointed Ms. Bernal as agent in submission of any applications and executing development processes on behalf of my company.

I understand that I, as owner, am responsible for any applications / documents submitted by my agent(s) and that the individual(s) must exhibit this authorization form to the City of Elgin Development Staff upon request. I further acknowledge that this original authorization can remain in my file for legal reference purposes if needed. It is agreed that the agent(s) named below may act as the primary contact for requested information by City Staff to complete applications and to execute processes that pertain to the development of the property named herein. I understand that it is my responsibility to update my file with the City of Elgin upon change of authorized agent status. Persons named below are authorized and approved to submit applications and ancillary information to obtain approvals in regards to the business.

Authorized Agent 1: Diane Bernal
Company Name: DB Land Consulting LLC
Email: dianejbernal@gmail.com
phone: 512-215-1433

The development will fall under the jurisdiction of the City of Elgin.

Witness, this 29th Day of March 29, 2022, I, the undersigned, ~~representing Har, A Texas limited liability company,~~ do hereby affirm that all information on this form is true and correct.

H. Hariharan (Signature)
HARIHARAN KUPPURAJ (Typed Name)

Property Owner
Hariharan Kuppuraj



METES AND BOUNDS DESCRIPTION
49.93 ACRES OF LAND
SITUATE IN THE
WILLIAM HINES SURVEY, ABSTRACT NO. 53
TRAVIS COUNTY, TEXAS

BEGINNING at a 1/2-inch-diameter iron rod found marking the northwest corner of said above described tract, also being a point on the southwesterly right of way line of FM 1100, eighty-four feet wide, and the northwest corner of a called 11.987-acre tract of land described in deed to Darwin and Linda Misselhorn as recorded under Document No. 2020065457, O.P.R.T.C.T.;

BEGINNING at a 1/2-inch-diameter iron rod found marking the northwest corner of said above described tract, also being a point on the southwesterly right of way line of FM 1100, eighty-four feet wide, and the northwest corner of a called 11.987-acre tract of land described in deed to Darwin and Linda Misselhorn as recorded under Document No. 2020065457, O.P.R.T.C.T.;

BEGINNING at a 1/2-inch-diameter iron rod found marking the northwest corner of said above described tract, also being a point on the southwesterly right of way line of FM 1100, eighty-four feet wide, and the northwest corner of a called 11.987-acre tract of land described in deed to Darwin and Linda Misselhorn as recorded under Document No. 2020065457, O.P.R.T.C.T.;

THENCE along the common line, S 65°24'35" E, a distance of 279.73 feet to a 3/8-inch-diameter iron rod found marking the northeast corner of the above referenced tract, also being the northwest corner of a called 10.00-acre as described in deed to Diann Y. Smith as recorded under Document in Volume 6762, Page 995, Deed Records of Travis County, Texas (D.T.R.C.T.);

THENCE along the common line, S 65°24'35" E, a distance of 279.73 feet to a 3/8-inch-diameter iron rod found marking the northeast corner of the above referenced tract, also being the northwest corner of a called 10.00-acre as described in deed to Diann Y. Smith as recorded under Document in Volume 6762, Page 995, Deed Records of Travis County, Texas (D.T.R.C.T.);

THENCE S 26°57'15" W, a distance of 1089.72 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract and the west corner of said 10.00-acres;

THENCE S 26°57'15" W, a distance of 1089.72 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract and the west corner of said 10.00-acres;

THENCE along the common line, S 65°21'36" E, a distance of 161.95 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract, said 10.00-acres and the northwest corner a called 2.07-acres as described in deed to Diane T. Smith as recorded under Document in Volume 7581, Page 628, D.R.T.C.T.;

THENCE along the common line, S 65°21'36" E, a distance of 161.95 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract, said 10.00-acres and the northwest corner a called 2.07-acres as described in deed to Diane T. Smith as recorded under Document in Volume 7581, Page 628, D.R.T.C.T.;

THENCE along the common line, S 30°52'05" W, a distance of 326.99 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract and the southwest corner of said 2.07-acres;

THENCE along the common line, S 30°52'05" W, a distance of 326.99 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract and the southwest corner of said 2.07-acres;

THENCE along the common line, S 65°24'15" E, a distance of 268.05 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract, the southeast corner of said 2.07-acres, and the northeast corner of a called 11.365-acres as described in deed to Adrene L. Bracewell as recorded under Document in Volume 9264, Page 911, D.R.T.C.T.;

THENCE along the common line, S 65°24'15" E, a distance of 268.05 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 5548" found marking an angle corner of the above reference tract, the southeast corner of said 2.07-acres, and the northeast corner of a called 11.365-acres as described in deed to Adrene L. Bracewell as recorded under Document in Volume 9264, Page 911, D.R.T.C.T.;

THENCE along the common line, S 30°52'02" W, a distance of 1177.98 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 55-48" found marking the southeast corner of the above reference tract, the southwest corner of said 11.365-acres, and a point on the north line of a called 67.943-acres as described in deed to Joseph W. & Bodie L. Winkley as recorded under Document No. 200046598, O.P.R.T.C.T.;

THENCE along the common line, S 30°52'02" W, a distance of 1177.98 feet to a 5/8-inch-diameter iron rod with pink cap stamped "RPLS 55-48" found marking the southeast corner of the above reference tract, the southwest corner of said 11.365-acres, and a point on the north line of a called 67.943-acres as described in deed to Joseph W. & Bodie L. Winkley as recorded under Document No. 200046598, O.P.R.T.C.T.;

THENCE along the common line, N 65°40'02" W, a distance of 1341.59 feet to a 1/2-inch-diameter iron rod set stamped "RPLS 4742" found marking the southwest corner of the above reference tract, a point on the north line of a called 90.00-acres as described in deed to George Eckrick & Robert A. Cunningham as recorded under Document No. 2015148058 and 201310442, O.P.R.T.C.T., and the southeast corner of a 10.00-acre tract as described in deed

THENCE along the common line, N 65°40'02" W, a distance of 1341.59 feet to a 1/2-inch-diameter iron rod set stamped "RPLS 4742" found marking the southwest corner of the above reference tract, a point on the north line of a called 90.00-acres as described in deed to George Eckrick & Robert A. Cunningham as recorded under Document No. 2015148058 and 201310442, O.P.R.T.C.T., and the southeast corner of a 10.00-acre tract as described in deed

THENCE along the common line, N 72°02'30" E, a distance of 1327.89 feet to a 1/2-inch-diameter iron rod set stamped "RPLS 4742" found marking an angle corner of the above reference tract, a point on the east line of a called

THENCE along the common line, N 72°02'30" E, a distance of 1327.89 feet to a 1/2-inch-diameter iron rod set stamped "RPLS 4742" found marking an angle corner of the above reference tract, a point on the east line of a called

10.00-acres as described in deed to Mario Alcaira Cano as recorded under Document No. 201611883, O.P.R.C.T., and the south corner of said called 11.987-acres;

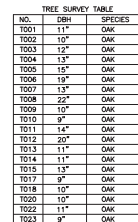
THENCE along the common line, S 65°34'27" E, a distance of 733.09 feet to a 1/2-inch-diameter iron rod found marking an angle corner of the above reference tract and said called 11.987-acres;

10.00-acres as described in deed to Mario Alcaira Cano as recorded under Document No. 201611883, O.P.R.C.T., and the south corner of said called 11.987-acres;

THENCE along the common line, S 65°34'27" E, a distance of 733.09 feet to a 1/2-inch-diameter iron rod found marking an angle corner of the above reference tract and said called 11.987-acres;

THENCE along the common line, N 26°55'32" E, a distance of 1263.21 feet to the POINT OF BEGINNING, containing according to the dimensions herein stated, an area of 49.93 acres, more or less.

THENCE along the common line, N 26°55'32" E, a distance of 1263.21 feet to the POINT OF BEGINNING, containing according to the dimensions herein stated, an area of 49.93 acres, more or less.



NO.	DBH	SPECIES
T001	11"	OAK
T002	10"	OAK
T003	12"	OAK
T004	13"	OAK
T005	15"	OAK
T006	19"	OAK
T007	13"	OAK
T008	22"	OAK
T009	10"	OAK
T010	9"	OAK
T011	14"	OAK
T012	20"	OAK
T013	11"	OAK
T014	11"	OAK
T015	13"	OAK
T017	9"	OAK
T018	10"	OAK
T020	10"	OAK
T022	11"	OAK
T023	9"	OAK

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE IN U.S. SURVEY FEET AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED IN MARCH, 2022.

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE IN U.S. SURVEY FEET AS DERIVED FROM A GLOBAL POSITIONING SURVEY PERFORMED IN MARCH, 2022.

2. THE VERTICAL DATUM FOR THIS SURVEY WAS BASED UPON NAVD88.

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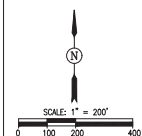
BOUNDARY, TOPOGRAPHIC
& TREE SURVEY

FM 1100 - ELGIN TEXAS
49.93 ACRES
WILLIAM HINES SURVEY
ABSTRACT NO. 53
TRAVIS COUNTY, TEXAS

FM 1100 - ELGIN TEXAS
49.93 ACRES
WILLIAM HINES SURVEY
ABSTRACT NO. 53
TRAVIS COUNTY, TEXAS

NO.	DATE	REVISIONS	BY
DRAWN BY: AED		SURVEYED BY: KT	
SCALE: 1" = 200'		APPROVED BY: JEG	
PROJECT NO.		DATE: JANUARY 27, 2022	

6/4/2022 11:42 AM



I DO HEREBY CERTIFY THAT THE SURVEY HEREON CORRECTLY REPRESENTS THE RESULTS OF AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

DATED THIS THE 27TH DAY OF JANUARY, 2022

I DO HEREBY CERTIFY THAT THE SURVEY HEREON CORRECTLY REPRESENTS THE RESULTS OF AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

DATED THIS THE 27TH DAY OF JANUARY, 2022



Exhibit "A"



4/5/2022, 1:32:20 PM



Travis Parcels July 2021

Elgin City Limits

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 2; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions

BACKGROUND: When a parcel of land is annexed into the City limits, State law requires assignment of the area to an elected representative. The only Council Ward that can be assigned based on location is Ward No. 2.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Recommend approval of item.

ATTACHMENTS: Ward Map.

- { } 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.

ORDINANCE NO. 2022-05-03-??

AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 2; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Elgin, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, the territory described on Exhibit “A” (the “Property”) attached hereto and made a part hereof by reference for all purposes, was unilaterally annexed by the City of Elgin by Ordinance No. 2022-05-03- on May 3, 2022; and

WHEREAS, the procedures prescribed by the Charter of the City of Elgin and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

WHEREAS, the Property is so situated as to be assigned to City Council Ward Area No. 2; and it is the intention of the City Council to add this parcel to Ward Area No. 2; now, therefore,

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

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

II.

That the Property described in the attached Exhibit “A” is hereby assigned to Council Ward Area No. 2.

III.

That this Ordinance shall become effective after its passage.

IV.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

V.

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 thereof 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 3rd day of May, 2022.

RON M. RAMIREZ, Mayor

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

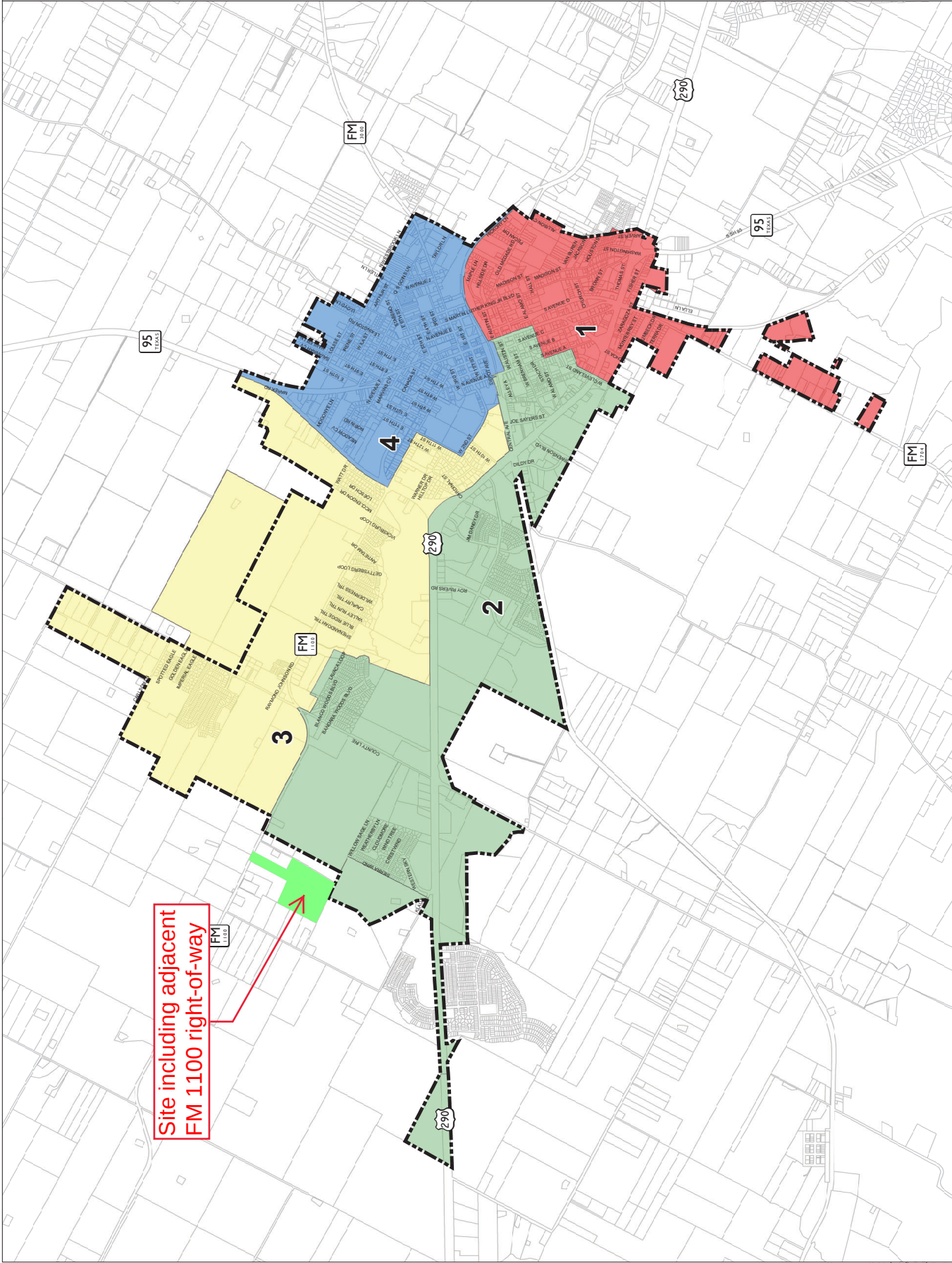


Exhibit "A"



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