



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING- **CANCELLED**
TUESDAY, JULY 19, 2022
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
6:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC COMMENT

The "PUBLIC COMMENT" item posted on the agenda is reserved for members of the public who would like to address the City Council regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the City Council during the meeting shall do so under the "PUBLIC COMMENT" agenda item. Speakers shall 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. **As of May 1, 2022, all such public comments will be done IN PERSON. You may email public comments and they will be distributed to each of the Council Members but not read out loud.**

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 a "PUBLIC COMMENT FORM".

Speakers must address their comments to the Mayor or Presiding Officer rather than to an individual Council Member or Staff Member. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from any personal attacks or derogatory comments directed at any Council Member, Staff Member, other individual, or group.

VI. CITY MANAGERS REPORT

1. Elgin Sesquicentennial Update

Documents:

[EXSUMMARYJULYETX150UPDATE.PDF](#)

[FOUNDERSDAY8202022.PDF](#)
[FOUNDERSDAY 4X4 AD.PNG](#)
[MILESTONESFRONTCOVER.PDF](#)

2. Report On Plans For Upgrades In Base Compensation For All Elgin Police Department Patrol Officer Positions

Documents:

[EX SUMMARY - EPD COMPENSATION722.PDF](#)

3. Update On The Transfer Of The Homestead Estates Subdivision From The Aqua Water Supply Corporation (WSC) Certificate Of Convenience And Necessity (CCN) To The City CCN

Documents:

[EX SUMMARY - AQUA TRANSFER UPDATE722.PDF](#)
[HOMESTEAD AQUA CCN722.PDF](#)

4. Update On Discussion Of Establishing A Tax Ceiling Freeze In The FY22-23 Annual Budget For City Property Taxpayers Over The Age Of 65

Documents:

[EX SUMMARY - TAX FREEZE.PDF](#)
[ORDTAXFREEZE722.PDF](#)
[BASTROP-CAD-EXEMPTIONS-2021.PDF](#)

5. General Activity Report And/Or Project Update

Documents:

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

VII. 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 - July 5, 2022

Documents:

[EX SUMMARY- JULY 5, 2022 REGULAR MEETING MINUTES.PDF](#)
[07-05-2022 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. A RESOLUTION OF CITY OF ELGIN TEXAS, DESIGNATING THE BASTROP COUNTY TAX ASSESSOR COLLECTOR TO CALCULATE AND CERTIFY THE TRUTH IN TAXATION (T-N-T) TAX RATES

Documents:

[EX SUMMARY-TRUTH IN TAXATION.PDF](#)
[A RESOLUTION OF CITY OF ELGIN TEXAS, DESIGNATING THE BASTROP COUNTY TAX ASSESSOR COLLECTOR TO CALCULATE AND CERTIFY THE](#)

[TRUTH IN TAXATION.PDF](#)
[CERTIFICATION OF ADDITIONAL SALES AND USE TAX TO PAY DEBT SERVICES.PDF](#)

3. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE ROY RIVERS BLVD. EXTENSION PHASE III PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - AUTH TRC RRBLVD3.PDF](#)
[RESAUTH TRCRRBLVDPHS3 722.PDF](#)
[TRC PROPOSAL - ROY RIVERS PHASE III AMENDMENT.PDF](#)

VIII. NEW BUSINESS

1. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2022 FIVE-YEAR CAPITAL IMPROVEMENT PLAN, A REPORT ON ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING FOR RELATED MATTERS.**

Documents:

[EXSUMMARY - 5YRCP .PDF](#)
[RESO5YRCP722.PDF](#)

2. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, DESIGNATING BAIRD/WILLIAMS CONSTRUCTION AS THE MOST QUALIFIED FIRM TO PROVIDE A “CONSTRUCTION MANAGER AT RISK” DELIVERY METHOD FOR THE DESIGN AND CONSTRUCTION OF THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - 21COS CMARA722.PDF](#)
[RESAUTH CMARA722.PDF](#)

3. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS**

Documents:

[EX SUMMARY-CAPCOG NOMINATION.PDF](#)
[RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS.PDF](#)
[GA-APPOINT-FORM-FILLABLE.11-11-19 \(002\).PDF](#)

IX. EXECUTIVE SESSION

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

X. RECONVENE

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

of the Executive Session

XI. ANNOUNCEMENTS

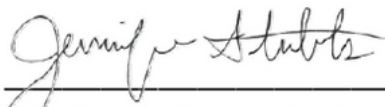
XII. ADJOURNMENT

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, July 15, 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: #ETX150 Sesquicentennial Update & Event Highlight

DEPARTMENT: Community Services

PROPOSED ACTION: Receive Presentation and Community Update.

BACKGROUND Sesquicentennial Event Highlight - Elgin's Founder's Day festivities on Saturday, August 20th at the official Founder's Day Birthday Bash from 10 a.m. to 2 p.m. at Booker T. Washington Elementary School. The event will kick off with a formal program at 10 a.m. in the Gymnasium to recognize Elgin founder's aged 90+, honor our Hogeye roots, pay homage to our railroad and agricultural ties, and recognize the role that Booker T. Washington played in our past, all while looking forward to and celebrating a much brighter future. History in the Halls, entertainment, games activities, and birthday treats will be shared with the community to celebrate the founding of Elgin. The book created for the Sesquicentennial, Milestones Elgin, Texas History will be available for sale with author Synda Arbuckle on site to meet and sign autographs.

Elgin is celebrating 150 years of history since the City's founding in 1872. Recognition of this milestone anniversary began in January and continues throughout 2022. The celebration includes a dynamic series of events and unique experiences designed with the entire community in mind. The City Council appointed Sesquicentennial committee, community leaders and organization partners continue to develop diverse opportunities to share the Elgin story and create new stories for the next 150 years.

Every month we will highlight an upcoming Sesquicentennial event as well as share important community messages.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Receive report from Sesquicentennial Event Contractor

ATTACHMENTS:

Founders Day Invitation

Founders Day Poster

Milestones Book cover

{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.



You are cordially invited to join Elgin's Founder's Day festivities on Saturday, August 20th at the official Founder's Day Birthday Bash from 10 a.m. to 2 p.m. at Booker T. Washington Elementary School, 510 Martin Luther King Blvd. Elgin, TX 7862. The event will kick off with a formal program at 10 a.m. in the Gymnasium. The program will recognize Elgin founder's aged 90+, honor our Hogeye roots, pay homage to our railroad and agricultural ties, and recognize the role that Booker T. Washington played in our past, all while looking forward to and celebrating a much brighter future.

Attendees can also record oral histories and learn about our cultural heritage during the event at History in the Halls where over 20+ local and regional organizations will be set up sharing various historical aspects of the community.

Immediately following the formal program, enjoy a variety of musical performances, sit down and relax with your community, and help us celebrate 150 years of history at our old-fashioned style birthday party celebration from 11 a.m. to 2 p.m. A variety of indoor and outdoor activities, children's birthday party favorites such as balloon animals and face painting, interactive local history games, a car show, festival fare and ice-cold treats, and of course a birthday cake worthy of turning 150! Don't miss this historic, once in a lifetime event.

Transportation to and from the event location will be available the day of the event from the Elgin Depot Museum parking lot, 14 depot street in downtown Elgin beginning at 9:30 a.m. until 2:30 p.m. As always it takes everyone pulling together to make events such as this a success, please consider volunteering in one of our many volunteer roles, details can be found online here: <https://www.signupgenius.com/go/30e0c4dafa82faaf94-founders>

For more information on Founder's Day or any of Elgin's Sesquicentennial events and programming please visit us online at www.etx150.com or email us at infoetx150@gmail.com

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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Report on plans for upgrades in base compensation for all Elgin Police Department Patrol Officer positions

DEPARTMENT: City Manager/Chief of Police/Director of Human Resources

PROPOSED ACTION:

No Council action required at this time; This item is for a report on a plan to increase base compensation for uniformed all Elgin Police Department Patrol Officers from current-year salary savings. Council action may be required at a future date to adjust the FY21-22 Annual Budget.

BACKGROUND:

The City of Elgin EPD continues to struggle in its efforts to established affordable and appropriate compensation for uniformed patrol officers. This issue not only involves existing staff, but also hinders the City's ability to attract new officers that meet our performance expectations.

Compensation is believed to be the primary reason why the EPD the has not been fully staffed (meaning all authorized and funded positions filled) for the last five years. Within the current environment, it is a very competitive market for good police officers as virtually every law enforcement agency in Central Texas is attempting to recruit these employees.

It is for this reason that the staff believes it appropriate to increase compensation levels for this group of employees now, even recognizing the soon-to-be end of the fiscal year. Every day that passes without this upgrade puts us further behind on recruiting.

One benefit from having positions funded but not filled in the current-year budget is that this situation has resulted in salary savings within the EPD Budget. As such, these increases can be funded at this time without an adverse effect on the bottom-line of the overall Annual Budget.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of staff report; No Council action is requested or anticipated at this time, other than routine direction to staff, if any. Council action may be required at a future date to adjust the FY21-22 Annual Budget.

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: Update on the transfer of the Homestead Estates subdivision from the Aqua Water Supply Corporation (WSC) Certificate of Convenience and Necessity (CCN) to the City CCN

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action required; This item is for an updated report on the transfer of the Homestead Estates subdivision from the Aqua Water Supply Corporation CCN to the City CCN as previously authorized by Council.

BACKGROUND:

Discussed previously; The City and Aqua WSC have executed a Master Agreement for Transfer of Certain Retail Water CCN Service from Aqua WSC to the City of Elgin, detailing certain terms and conditions whereby Aqua may transfer portions of the Aqua CCN to the City to provide water service to certain tracts, land parcels, and/or developments.

The agreement stipulates certain conditions whereby the City would begin to acquire certain developing areas within Aqua's CCN that will otherwise be fully serviced by the City, the cost for which will be passed on to the affected developer.

The **Homestead Estates** is a residential subdivision being constructed under a Development Agreement with the City and is eligible for transfer of Aqua CCN to the city.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of staff report; No Council action is requested or anticipated at this time; other than routine direction to staff, if any.

ATTACHMENTS: 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.

DEVELOPMENT AGREEMENT

This Development Agreement is by and between the City of Elgin, Texas ("City") and LGI Homes – Texas LLC ("Developer").

I. RECITALS

WHEREAS, the City and Aqua Water Supply Corporation ("Aqua") have agreed to a Certificate of Convenience and Necessity ("CCN") transfer of property ("Property") shown on Exhibit "A" attached hereto; and

WHEREAS, Developer is or soon will be the owner of the Property; and

WHEREAS, Developer is owed a refund from Aqua in the amount of \$796,600.00 ("Payment"); and

WHEREAS, the City in turn will remit the Payment to Aqua after receipt of Payment from Developer;

NOW, THEREFORE, the Parties agree as follows:

II. AGREEMENT

1. All of the above Recitals are true and correct.
2. Developer is owed a Payment of \$796,600.00 as a refund from Aqua.
3. Ten business days after receipt of Payment, Developer will pay \$796,600.00 to the City.
4. Ten business days after the City receives the Payment, the City shall remit to Aqua \$796,600.00 as costs attributed to the CCN transfer.

II. MISCELLANEOUS

1. No Joint Venture. It is acknowledged and agreed by the parties that the terms of this Agreement are not intended to and shall not be deemed to create a partnership of joint venture among parties. Neither party shall have any authority to act on behalf of the other party under any circumstances.

2. Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that is granted and assumed under this Agreement

3. Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered.

If Intended for the City:

City of Elgin

Elgin, TX

With a copy to:

If intended for the Developer:

LGI Homes – Texas LLC
Att. Mr. Shannon Birt
1450 Lake Robbins Drive, Suite 430,
The Woodlands, TX 77380

4. Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this agreement. There is no collateral oral or written agreement between parties that in any matter relates to the subject matter of this Agreement.

5. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Texas, without giving effect to any conflicts of law rule or principle that might result in the application of the laws of another jurisdiction. Venue for any action concerning the Agreement shall be in Elgin, Texas.

6. Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

7. Severability. In the event one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal invalid or unenforceable a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

8. Assignment. This Agreement may not be assigned without the written consent of the County.

9. Authorized to Bind. The persons who execute their signatures to this Agreement and any certifications related to this Agreement represent and agree that they are authorized to sign and bind their respective parties to all of the terms and conditions contained herein.

10. Counterparts. This Agreement may execute in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument.

[Signatures on the following page.]

Executed on this _____ day of _____, 2022.

DEVELOPER:

LGI Homes – Texas LLC

By: Shannon Birt

Mr. Shannon Birt, Officer

Its: Officer

CITY:

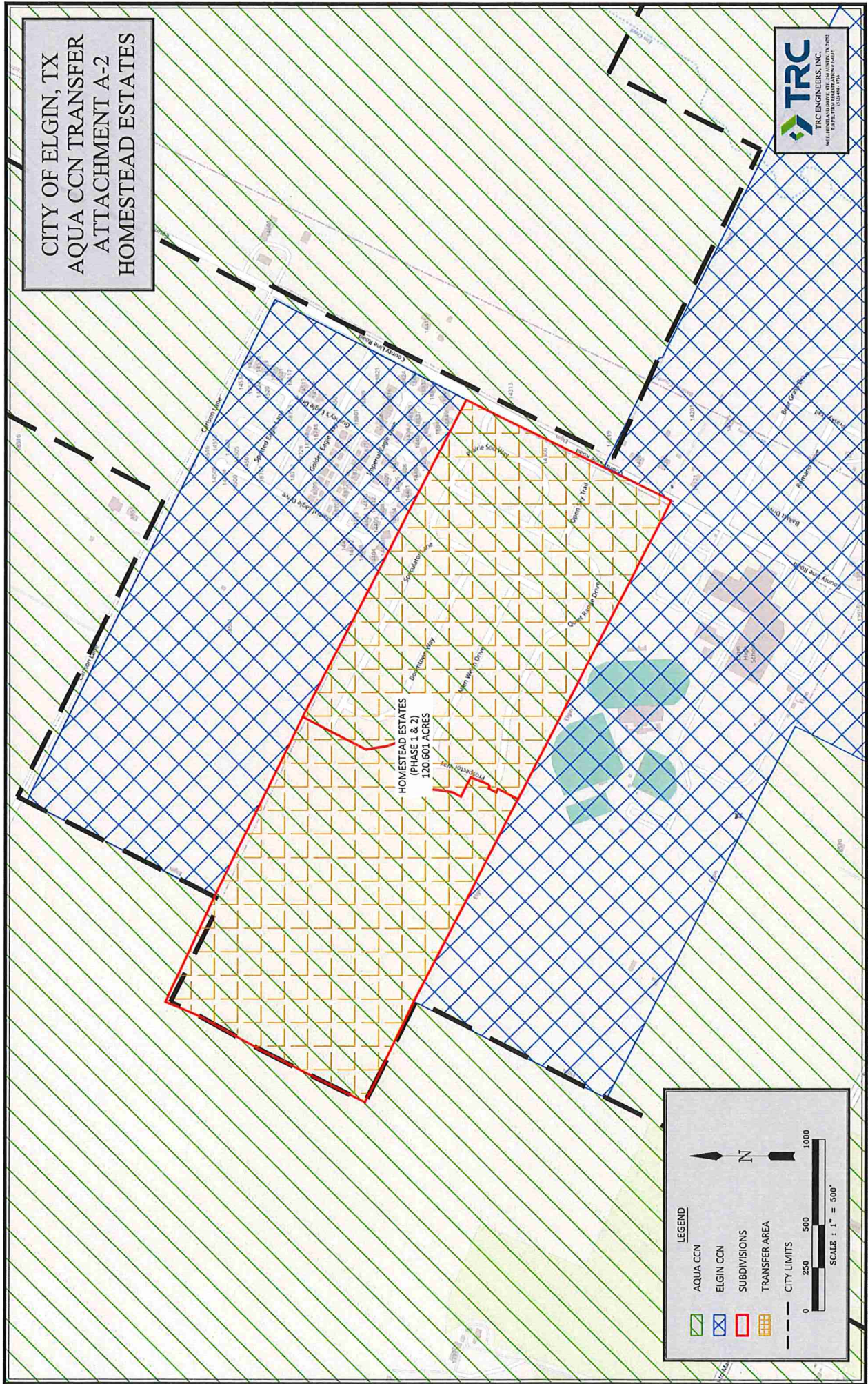
By: _____

Tom Mattis, City Manager

Attest:

EXHIBIT "A"

CITY OF ELGIN, TX
AQUA CCN TRANSFER
ATTACHMENT A-2
HOMESTEAD ESTATES





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Update on discussion of establishing a tax ceiling freeze in the FY22-23 Annual Budget for city property taxpayers over the age of 65

DEPARTMENT: City Manager

PROPOSED ACTION:

For discussion only; No Council action proposed by staff at this time.

BACKGROUND:

Discussed previously; Within the last 2-3 years, the City Council has discussed various scenarios whereby the City might provide some additional tax relief to property taxpayers over the age of 65, which is a common practice among taxing agencies. In those previous discussions, timing and affordability were issues that prevented the City from implementing some kind of tax exemption or freeze at that time.

Given the City's improved financial stability, further consideration is being given to this policy matter prior to final development of the proposed FY22-23 Annual Budget.

Attached to this item is a draft copy of a potential Ordinance to establish a Tax Freeze and a list of all property tax exemptions currently provided by Bastrop County taxing agencies and

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of the subject matter as described.

ATTACHMENTS:

(10 Draft Ordinance and (2) Bastrop CAD Exemptions

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

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

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF ELGIN, TEXAS,
ESTABLISHING AN AD VALOREM TAX FREEZE FOR
RESIDENTIAL HOMESTEAD PROPERTY OWNERS OF THE
CITY OF ELGIN WHO ARE DISABLED OR 65 YEARS OF AGE OR
OLDER; PROVIDING FOR DEFINITIONS; PROVIDING SAVINGS
AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN
EFFECTIVE DATE**

WHEREAS, Article VIII, Section 1-b, Subsection h of the Texas Constitution allows municipalities and other certain taxing entities to establish an ad valorem tax freeze on residence homesteads of disabled individuals or individuals age sixty-five or older; and,

WHEREAS, the Texas Property Tax Code, Section 11.261, governs the procedure under which a municipality or other taxing entity may adopt an ad valorem tax freeze; and,

WHEREAS, the City Council of the City of Elgin, Texas has investigated and determined that it would be in the interests of the City and its residents to provide for an ad valorem tax on the amount of property taxes on the residence homesteads of disabled individuals or individuals age sixty-five or older, beginning with tax year 2023.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, 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. Definitions.

“Disabled” has the same meaning as set forth in the Texas Property Tax Code, Section 11.13(m)(1), as it currently exists or may be amended.

“Residence Homestead” has the same meaning as set forth in the Texas Property Tax Code, Section 11.13(j)(1), as it currently exists or may be amended.

“Tax Code” means the Texas Property Tax Code, as it currently exists or may be amended.

Section 3. Residence Homestead Tax Freeze for Elderly or Disabled People. There is hereby created and established a tax freeze on the amount of property taxes imposed by the City of Elgin on the residence homesteads of disabled individuals or individuals age sixty-five or older which shall be governed by Section 11.261 of the Tax Code as follows:

- (a) The tax freeze shall become effective beginning with the 2023 tax year and shall remain for each consecutive tax year until otherwise amended or repealed by the City Council or other appropriate authority.
- (b) The total amount of ad valorem taxes imposed on the residence homesteads of a person who qualified that residence homestead for the exemption in accordance with the Tax Code as that of a person who is disabled individuals or is age sixty-five years of age or older shall not be increased while it remains the residence homestead of that person or that person’s spouse who is disabled or sixty-five years of age or older.

- (c) If the person who is disabled or sixty-five years of age or older dies in a year in which the person received a residence homestead exemption, the total amount of ad valorem taxes imposed on the residence homestead shall not be increased while it remains the homestead of that person's surviving spouse if:
- (1) the surviving spouse is fifty-five (55) years of age or older at the time of the person's death
 - (2) the residence homestead of the deceased person is also the residence homestead of the surviving spouse on the date of the person's death, and
 - (3) the residence homestead remains the residence homestead of the surviving spouse.
- (d) Notwithstanding anything contained herein, taxes on the homestead may be increased to the extent the value of the homestead is increased by improvements other than repairs and other than improvements made to comply with governmental requirements.
- (e) A person may not receive a tax freeze that is the subject matter of the Ordinance for more than one residence homestead, no matter where located, in the same year. A person may designate a new residence homestead within the City in accordance with the Tax Code.
- (f) The limitation on taxes provided by this Ordinance may expire in accordance with Section 11.261(d) of the Tax Code. If a tax limitation is erroneously allowed, back taxes may be assessed in accordance with Section 11.261(e) of the Tax Code.

Section 4. Severability. If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional, 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; and to this end the provisions of this ordinance are declared severable.

Section 5. Savings/Repealing. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

Section 6. 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 7. This Ordinance shall take effect immediately upon passage.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2022.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

Bastrop CAD Exemptions

Taxing Unit	General Homestead	Over 65 Exemption	Disabled Person Exemption	Local Option	Freeze Ceiling
Bastrop ISD	\$25,000	\$10,000	\$10,000	-0-	Y
Elgin ISD	\$25,000	\$10,000	\$10,000	-0-	Y
Lexington ISD	\$25,000	\$10,000	\$10,000	-0-	Y
McDade ISD	\$25,000	\$10,000	\$10,000	-0-	Y
Smithville ISD	\$25,000	\$10,000	\$10,000	-0-	Y
Austin Community College	-0-	\$164,000	\$164,000	1% (\$5,000 min.)	N
City of Elgin	-0-	\$15,000	-0-	-0-	N
City of Smithville	-0-	\$10,000	\$10,000	-0-	N
Bastrop County	-0-	\$25,000	-0-	-0-	Y
Bastrop County Road	\$3,000	\$22,000	\$3,000	-0-	Y
WCID#3 & #3D	-0-	\$10,000	\$10,000	20% (\$5,000 min.)	N
City of Bastrop	-0-	-0-	-0-	-0-	Y
Bastrop County MUD #1	-0-	-0-	-0-	-0-	N
Bastrop County ESD #1	-0-	-0-	-0-	-0-	N
Bastrop County ESD #2	-0-	-0-	-0-	-0-	N
Bastrop-Travis Cts ESD #1	-0-	-0-	-0-	-0-	N
The Colony MUD #1A	-0-	-0-	-0-	-0-	N
The Colony MUD #1B	-0-	-0-	-0-	-0-	N
The Colony MUD #1D	-0-	-0-	-0-	-0-	N
The Colony MUD #1E	-0-	-0-	-0-	-0-	N
The Colony MUD #1F	-0-	-0-	-0-	-0-	N
West Bastrop Village MUD	-0-	-0-	-0-	-0-	N

VETERANS DISABILITY
10% - 29% -- \$5,000 off market value
30% - 49% -- \$7,500 off market value
50% - 69% -- \$10,000 off market value
70% - 100% -- \$12,000 off market value
100% Disabled Veteran/Unemployable = 100% exempt on homestead only



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 - July 5, 2022

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes- July 5, 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 Regular Meeting Minutes- July 5, 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
July 5, 2022

CALL TO ORDER

Mayor McShan called the meeting to order at 6:32 p.m.

ROLL CALL

Present: Theresa McShan, Mayor
Sue Brashar, Mayor Pro Tem
Arthur Gibson III, Council Member
Joy Casnovsky, Council Member
Matthew Callahan, Council Member
Forest Dennis, Council Member
Al Rodriguez, Council Member
Chuck Swain, Council Member
Skyler Maldonado, Council Member

Mayor McShan stated there was a quorum and that all Council Members were in attendance.

Staff: Thomas L. Mattis, City Manager
Amy Miller, Community Development Director
Jennifer Stubbs, City Secretary
Michael Gonzalez, Public Works Director
Chris Noble, Chief of Police
Pam Sanders, HR Director
David Harrell, Development Services Director

INVOCATION

Mayor McShan provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor McShan 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 HEARING

1. Public Hearing On The Proposed 2022 Five-Year Capital Improvement Plan

There was no one who wished to speak under the Public Hearing Item. Mr. Mattis stated the Council had a worksession over the Five-Year Capital Improvement Plan and copies of the plan are available online or at the Library. Mr. Mattis stated that there will be a Resolution to take formal action approving the Five-Year Capital Improvement Plan at the next meeting.

2. Public Hearing On An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas To Wit: 34.74 Acres Of Land, More Or Less, Out Of The Henry Martin Survey, No. 65, Abstract No. 518, In Travis County, Texas (Travis Co. Appraisal District #467330), 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

Mr. Mattis stated that this is a routine voluntary annexation that will be Eagles Landing Phase 5. There was no one who wished to speak under the Public Hearing Item.

PUBLIC COMMENT

Taylor Christian, 317 McClendon Drive, stated that there were some questions about if this was the same Ordinance as San Marcos and Austin and she stated that it was. Ms. Christian stated that there was another comment about 4 ounces and that it is not an arbitrary amount. She stated that it was a misdemeanor and is below a felony. Ms. Christian stated public consumption and driving under the influence are separate laws, this is just addressing possession. Ms. Christian stated that a 14-, 15-, or 16-year-old should not have a criminal record, and making an arrest is not the best option.

Stefanie Franciotti, 210 MLK Drive, thanked the Council for their victories. Ms. Franciotti stated there is a racial bias in the enforcement of marijuana laws and provided some statistics. Ms. Franciotti stated that an arrest can have a profound influence on a young person's life and health. Ms. Franciotti stated that putting teens in jail for smoking pot and expecting prisons to parent them is an expensive and an ineffective solution.

Tiffany Finley, 136 Spence Ln, stated that she is excited its Parks & Recreation month and thanked the Council for being supportive of the parks as we grow.

PRESENTATION

1. A PROCLAMATION DECLARING JULY AS NATIONAL PARKS AND RECREATION MONTH IN THE CITY OF ELGIN

Mayor McShan read the Proclamation and presented it to Tiffany Finley, Parks & Recreation Advisory Board Vice-Chair, and Elizabeth Marzec, Recreation Center Manager.

CITY MANAGERS REPORT

1. General Activity Report And/Or Project Update

Mr. Mattis stated that the County Line Road project will have a groundbreaking ceremony soon. He stated that there were three bid proposals submitted for the Elgin Police Department and the Committee will review them this week. Mr. Mattis asked the Council to be ready to act on the 5 Year Capital Improvement Plan at the next meeting. He stated that there will be a worksession this month regarding Boards and Commissions and to please let the City Secretary know a date for Ward meetings.

CONSENT AGENDA

1. City Council Regular Meeting Minutes - June 21, 2022

The minutes passed on the consent agenda.

2. City Council Worksession Meeting Minutes - June 22, 2022

The minutes passed on the consent agenda.

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TEMPORARY CLOSURE OF STATE RIGHT OF WAY

The resolution passed on the consent agenda.

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

NEW BUSINESS

1. AN ORDINANCE TO ELIMINATE LOW-LEVEL MARIJUANA ENFORCEMENT

Mr. Mattis provided comments about the petition that was submitted to the City Secretary and stated that this was discussed at previous meetings. He stated that the petitioners' committee would like the petition to move forward as presented. Mr. Mattis stated the City Attorney has reviewed the Ordinance and there were provisions that were not in the Austin version of this Ordinance. Mr. Mattis stated that the general conclusion of this Ordinance is that it is a legal filing and is up for the Council to decide to adopt the Ordinance or leave it up to the voters in November. Discussion followed. Mr. Callahan stated that he would vote no on this. Mayor Pro Tem Brashar stated that four ounces is not a usable amount as presented and would be happy to work with anybody. Mr. Rodriguez stated he is in the business of kids and has formal education in substance abuse studies.

He stated that as a person of color, he is aware of the barriers that people of color face in society. Mr. Rodriguez stated that this issue is a larger societal issue and would love to see a dialog to address concerns that will protect the children and protect those who have a need to use marijuana. Ms. Casnovsky stated that there should be some dialog with the petitioner's committee in hopes of coming to a compromise. Mr. Dennis stated that he has a hard time accepting that this is a low-level drug, and his family has been impacted by marijuana use. He stated he cannot support this and if the petitioners are not willing to negotiate in any way, go ahead and vote tonight, and let the people decide in November. Mayor McShan stated that this affects everyone differently and we are missing the whole boat. She stated the issue is why people are smoking and we must get to the root of why. Discussion followed. Mr. Dennis made a motion to move this Ordinance before the voters in the November election. Mayor Pro Tem Brashar seconded the motion. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar- yes, Mayor McShan- yes, Ms. Casnovsky- yes, Mr. Gibson III - yes, Mr. Swain- yes, Mr. Maldonado- yes, Mr. Callahan- yes, Mr. Rodriguez-no. The motion carried. Mr. Mattis stated that the ballot does not become official until the Council orders the Election, leaving an opportunity for a compromise with the petitioners' committee.

2. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 34.74 ACRES OF LAND, MORE OR LESS, OUT OF THE HENRY MARTIN SURVEY NO. 65, ABSTRACT NO. 518 IN TRAVIS COUNTY, TEXAS, 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

Mr. Mattis stated that this is for Eagles Landing Expansion, Phase 5, and provided comments. He stated that this item was recommended for approval by the Planning & Zoning Commission. Mayor Pro Tem Brashar made a motion to approve the Ordinance as presented. Mr. Swain seconded the motion. All voted in favor. The motion carried.

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

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

4. A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF ELGIN, TEXAS (CITY) AND STUDIO 1619 FOR PROFESSIONAL SERVICES FOR VETERANS MEMORIAL PARK EXPANSION

Mr. Mattis stated that this is a project funded through the Certificates of Obligations which was approved and issued last year. Ms. Miller provided comments and a brief presentation on the project. Mr. Mattis provided three different options for design services and answered questions of

the Council. Discussion followed. Mr. Gibson III made a motion to approve the resolution as presented, not to exceed the \$159,000 using option 2. Mr. Rodriguez seconded the motion. All voted in favor. The motion 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 McShan stated the Council would not be retiring into Executive Session.

ANNOUNCEMENTS

Ms. Miller invited those in attendance to Friday Nights in the Park and the Founder's Day event on August 20th. Mayor McShan and Mr. Mattis asked for the Council to give feedback to Ms. Stubbs about a date for a worksession to discuss Boards & Commissions. Mr. Dennis encouraged the Council to rank their projects for the 5 Year Capital Improvement Plan. Mayor Pro Tem Brashar invited those in attendance to the Watermelon Festival in McDade this Saturday.

ADJOURNMENT

Mayor McShan adjourned the meeting at 7:50 p.m.

ATTEST:

Theresa Y. McShan, Mayor

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF CITY OF ELGIN TEXAS, DESIGNATING THE BASTROP COUNTY TAX ASSESSOR COLLECTOR TO CALCULATE AND CERTIFY THE TRUTH IN TAXATION (T-n-T) TAX RATES

DEPARTMENT: Finance

PROPOSED ACTION: Approval of the Resolution as presented.

BACKGROUND: Upon approval of Senate Bill 2, the Governing Body must designate the County Tax Assessor or an Officer / Employee that is a Property Tax Professional registered with TDLR to calculate and certify our Truth in Taxation (T-n-T). Bastrop County Tax Assessor will calculate and create any notifications that the City will be required to post.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: Approval of the Resolution as presented.

ATTACHMENTS: Resolution and Certification Form

{} 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.

RESOLUTION NO.

**A RESOLUTION OF CITY OF ELGIN TEXAS, DESIGNATING
THE BASTROP COUNTY TAX ASSESSOR COLLECTOR TO
CALCULATE AND CERTIFY THE TRUTH IN TAXATION (T-
n-T) TAX RATES**

WHEREAS, the City of Elgin is required to designate either the County Tax Assessor or an Officer/Employee that is a Property Tax professional registered with Texas Department of Licensing and Regulation (TDLR) to calculate and certify the Truth in Taxation (T-n-T) Tax Rates (TPTC 26.05 (e-1); and

WHEREAS, the Tax Rates may not be submitted to the governing body until all forms have been certified by a property tax professional (TPTC 26.04 (d-2) (TPTC 26.04 (c) (Occupation Code 1151.151 (3)(4)(5); and

WHEREAS, this Resolution hereby certifies that the amount of additional sales and use tax revenue collected to pay debt services is \$0, and has been deducted from the total amount described by Tax Code Section 26.05(e-1), 26.04(e)(3)(C) and 26.05(a)(1); and

NOW, THEREFORE, BE IT RESOLVED; the Elgin City Council designates the Bastrop County Tax Assessor/Collector as the person who will calculate and certify the T-n-T Tax Rates.

This Resolution shall be in full force and effective immediately from and after its passage.

PASSED AND ADOPTED this 19th day of July 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Certification of Additional Sales and Use Tax to Pay Debt Services

THE STATE OF TEXAS,

County of Bastrop

Chief Financial Officer or Auditor: Carl Currie, Interim CFO

For the taxing unit: City of Elgin, TX

Hereby certifies that the amount of additional sales and use tax revenue collected to pay debt service has been deducted from the total amount described by Tax Code Section 26.05(e-1), 26.04(e)(3)(C) and 26.05(a)(1).

This certification is submitted to the governing body of City of Elgin, TX on 7/19/22.



Signature of Financial Officer or Auditor



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE ROY RIVERS BLVD. EXTENSION PHASE III PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: Economic Development Corporation

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with TRC Engineers Inc. for professional engineering services in the total amount of amount of \$198,267.00 for the Roy Rivers Boulevard Extension Phase III Project.

BACKGROUND:

Last year, the City Council approved the issuance the 2021A Certificates of Obligation (CO) n the total amount of approximately \$12.5M to provide funding for a wide range of capital improvement projects, including funding in support of the City of Elgin Economic Development Corporation (EDC).

The City Council and the EDC Board of Directors determined that a portion of the 2021A CO Projects would include expenditures for infrastructure improvements within the Elgin Business Park. And the EDC Board of Directors agreed to provide funds annually to the City in an amount sufficient to pay the portion of the debt service requirements on the 2021A COs issued in part to finance the EDC Projects.

The EDC is now desirous of moving forward with Phase III of the *Roy Rivers Boulevard Extension Project* within the Elgin Business Park and procuring necessary engineering services from TRC Engineers Inc. for the development of all project plans and specifications.

NOTE: In order to proceed with this important project in a timely manner, the Director of Economic Development and City Manager have already authorized this work moving forward; and the proposed Council action is to retroactively approve the agreement for transparency purposes.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adopt and approve a Resolution authorizing an agreement with TRC Engineers Inc. for professional engineering services in the total amount of amount of \$198,267.00 for the Roy Rivers Boulevard Extension Phase III Project; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) TRC Scope of Work Proposal

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AGREEMENT WITH TRC ENGINEERS INC. FOR
PROFESSIONAL ENGINEERING SERVICES RELATED TO
THE ROY RIVERS BLVD. EXTENSION PHASE III PROJECT;
AND MAKING CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the Elgin City Council approved the issuance the 2021A Certificates of Obligation (CO) to provide funding for a wide range of capital improvement projects, including funding in support of the City of Elgin Economic Development Corporation (EDC); and,

WHEREAS, the Elgin City Council and the EDC Board of Directors determined that a portion of the 2021A CO Projects would include expenditures for infrastructure improvements within the Elgin Business Park; and,

WHEREAS, the EDC Board of Directors has agreed to provide funds annually to the City in an amount sufficient to pay the portion of the debt service requirements on the 2021A COs issued in part to finance the EDC Projects; and,

WHEREAS, the City now wishes to move forward with Phase III of the *Roy Rivers Boulevard Extension Project* within the Elgin Business Park and procuring necessary engineering services from TRC Engineers Inc. for the development of all project plans and specifications.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, 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 execute an agreement with TRC Engineers Inc. for professional engineering services in the total amount of \$198,267.00 for the *Roy Rivers Boulevard Extension Phase III Project*, a copy of the proposal being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. 2021A Certificates of Obligation Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021A Certificates of Obligation debt issuance in support of the project that is the subject matter of this Resolution; and does further acknowledge that an amendment to the *FY21-22 City of Elgin Annual Operating Budget* may be required at a future date to formally appropriate funds for this item.

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 4. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 19th day of July, 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

July 13, 2022

Mr. Owen Rock, Director
Elgin Economic Development Corporation
404 North Main Street
Elgin, Texas 78621

**RE: City of Elgin Roy Rivers Boulevard Extension Phase III
Engineering Services Scope of Work Amendment Request**

Dear Mr. Rock:

TRC Engineers, Inc. (TRC) has prepared this Scope of Work Amendment for professional engineering services to extend Innovation Way from the west property line of Lot 6 to the Cul-de-Sac adjacent to the detention pond. This Scope of Work will amend the original agreement dated December 30, 2021 (per City of Elgin Resolution 2022-02-01-16, dated February 1, 2022).

The proposed improvements will include the extension of the paving of Innovation Way from the west property line of Lot 6 (termination point per original agreement) to 600 feet west, including the Cul-de-sac. This roadway extension will consist of storm sewer design, street design with a new cul-de-sac, sanitary sewer, water main design, and construction cost estimates.

TRC will perform the following Scope of Work: Survey

1. Acquire additional field topographical data for the roadway extension on City's coordinate system (NAD 83 State Plane Coordinates, Texas Central Zone Grid and NAVD 88 Datum), to include:
 - a. Detailed survey including utility locates (as furnished by the specific utility provider) within City proposed right of way.

Geotechnical Investigation

Due to the proximity of the site to the original project, no additional geotechnical services will be required. The geotechnical report provided for the original project will be utilized for the design of this extension.

Engineering, Bidding, and Construction Administration

1. Prepare construction plans/specifications for the amendment, including all details, consisting of:
 - a. Storm Sewer — 50 and 100-year design storm events contained within the right-of-way
 - b. Roadway design including lighting extension

- c. Stormwater Pollution Prevention Plan
 - d. Signage and Striping
 - e. Utility Plans – includes the design of extending a 12” water line along Innovation Way to the cul de sac and the extension of the existing 10” sanitary sewer line to the point where gravity sewer is no longer feasible.
- 2. Coordination with franchise utilities (gas, telephone, cable, etc.).
 - 3. Submittal to TCEQ of water and sanitary sewer utility-related plans.

Construction Inspection

TRC will provide periodic construction inspections of the project assumed at three (3) times per week for an additional (3) months to the original proposal after the start date of the project to account for the additional work.

Assumptions

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

- The City will provide access agreements for access to all private properties (if necessary).
- The City will provide curb cuts or driveway locations to undeveloped properties (if applicable).
- Monthly progress meetings will be held during engineering design and construction.
- Innovation Way will be designed as “heavy-duty” asphalt.
- TRC will coordinate with Texas One Call and the City of Elgin for all subsurface locations within the proposed project.

Exclusions

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

- Design of improvements or relocations for gas lines, telephone lines or other franchise utilities.
- Construction staking.

- Environmental or cultural review of project limits.
- Detailed title search or title policy.
- Attendance at or preparation for condemnation hearings.
- Easement or plat documents, landowner contact or easement negotiations.
- Traffic Impact Analysis.
- Archaeological surveys (if applicable).
- Endangered species mitigations plans/cost (if applicable).
- Detailed ESA compliance documentation for NWP 14 PCN submittal package.
- Clean Water Act Section 401 compliance.
- Species-specific threatened and endangered survey.
- Clean Water Act Section 404 individual permit.
- Design of bank stabilization or retaining walls (if applicable).
- Trenching equipment needed for THC field survey (if applicable). It is assumed the City of Elgin will provide and operate the equipment.
- Permitting fees related to electrical, irrigation or stormwater services.

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:

Water & Sewer Utility Extension Design Tasks	Fee
Surveying	\$ 4,320.00
Engineering Design, and Construction Administration	\$ 34,535.00
Sub Total A	\$ 38,855.00

Road, Storm Sewer & Lighting Design Tasks	Fee
Surveying	\$ 4,320.00
Engineering Design, and Construction Administration	\$ 155,100.00
Sub Total B	\$ 159,421.00
Grand Total (Lump Sum)	\$ 198,276.00

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

TRC's lump sum fee above is based on a continuous flow of work. Any delays or restrictions, caused by the 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 modifications 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.

The payment schedule will be via progress billing. The services will be provided under the Master Services Agreement executed by the City and TRC.

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

CITY OF ELGIN

TRC ENGINEERS, INC.

Mr. Owen Rock, Director
Elgin Economic Development Corporation


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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2022 FIVE-YEAR CAPITAL IMPROVEMENT PLAN, A REPORT ON ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: City Manager

PROPOSED ACTION:

Consideration and adoption of Resolution approving 2022 Five-Year Capital Improvement Plan (5YRCP).

BACKGROUND:

Discussed at previous meetings; This action was scheduled as part of the Budget Development Calendar and represents a formative step in the final development of the FY2022-23 Annual Budget.

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

The City Council conducted a Public Hearing on the Proposed 5YRCP at the July 5 Meeting.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adoption of the Resolution approving 2022 Five-Year Capital Improvement Plan (5YRCP), as may or may not be amended.

ATTACHMENTS:

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

{ } 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
APPROVING AND ADOPTING THE 2022 FIVE-YEAR
CAPITAL IMPROVEMENT PLAN, A REPORT ON
ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS
FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING
FOR RELATED MATTERS.**

WHEREAS, the City Manager has prepared and submitted the proposed *City of Elgin 2022 Five-Year Capital Improvement Plan* describing projected capital improvement expenditures and/or projects for all municipal operations the next five years ensuing; and,

WHEREAS, the Mayor and City Council has considered and reviewed this proposal, and conducted a Public Hearing to review the plan; and,

WHEREAS, the Mayor and City Council has amended the program as deemed appropriate and has now determined same to be an effective and accurate current projection of anticipated capital expenditures for the next five years.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, 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. Adoption. The *City of Elgin 2022 Five-Year Capital Improvement Plan* is hereby approved and adopted, a copy of which is to be attached hereto marked "Exhibit A" and made part of this Resolution as if copied verbatim herein.

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

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

PASSED AND ADOPTED this 19th day of July, 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, DESIGNATING BAIRD/WILLIAMS CONSTRUCTION AS THE MOST QUALIFIED FIRM TO PROVIDE A “CONSTRUCTION MANAGER AT RISK” DELIVERY METHOD FOR THE DESIGN AND CONSTRUCTION OF THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager

PROPOSED ACTION:

This item is for consideration of a Resolution to designate Baird/Williams Construction, Ltd. of Temple, Texas as the most qualified firm to provide “Construction Manager at Risk” (“CMAR”) services related to the new City of Elgin Police Department Station Project.

BACKGROUND:

As part of the 2021A Certificates of Obligation, the City issued debt late last year in the principal amount of \$12.5M to provide funding for a wide range of capital improvement projects, including the renovation and expansion the current City of Elgin Police Station.

To guide this process, a building committee was formed that includes the EPD Police Chief, two EPD Commanders, the Public Works Director, the City Engineer and City Manager.

The committee has now completed a formal Request for Proposals (RFP) process, considering various “Construction Manager at Risk” firms to provide necessary construction services.

The committee received three (3) qualifying responses to the RFP; interviewed all three firms; and from that process unanimously recommends Baird/Williams Construction, Ltd. of Temple, Texas as the most qualified firm to provide the desired CMAR services.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of a Resolution designating Baird/Williams Construction, Ltd. of Temple, Texas as the most qualified firm to provide “Construction Manager at Risk” (“CMAR”) services related to the new City of Elgin Police Department Station Project; and direction to staff, if any, regarding same.

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.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
DESIGNATING BAIRD/WILLIAMS CONSTRUCTION AS
THE MOST QUALIFIED FIRM TO PROVIDE
“CONSTRUCTION MANAGER AT RISK” DELIVERY
METHOD FOR THE DESIGN AND CONSTRUCTION OF
THE NEW CITY OF ELGIN POLICE DEPARTMENT
STATION; AND MAKING CERTAIN FINDINGS
RELATED THERETO.**

WHEREAS, the Elgin City Council approved the issuance the 2021A Certificates of Obligation to provide funding for a wide range of capital improvement projects, including a new City of Elgin Police Department Station (“Project”);and,

WHEREAS, the Elgin City Council has authorized utilization of the “Construction Manager at Risk” (“CMAR”) for the Project under Texas Government Code, Chapter 2269 that allows governmental entities to use an alternative method other than competitive bidding; and,

WHEREAS, the City of Elgin Police Department (EPD) Station Building Committee including the EPD Police Chief, two EPD Commanders, the Public Works Director, the City Engineer and City Manager has completed a Request for Proposals to procure CMAR services in support of this project and has determined Baird/Williams Construction, Ltd. of Temple, Texas to be the most qualified firm.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, BASTROP AND TRAVIS COUNTY, 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. Selection of Most Qualified Firm. In accordance with Texas Government Code §2269.056(a), the City Manager is hereby authorized to finalize negotiations on an agreement with *Baird/Williams Construction, Ltd.* of Temple, Texas for “Construction Manager at Risk” services associated with the new City of Elgin Police Department Station Project.

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

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

PASSED AND ADOPTED this 19th day of July, 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF GOVERNMENTS

DEPARTMENT: City Council

PROPOSED ACTION: Nominate an individual(s) to serve on the CAPCOG General Assembly Board

BACKGROUND: CAPCOG's General Assembly is the organization's governing body for the purposes of selecting the Executive Committee, amending the council's bylaws, adopting budgets, determining membership dues, and guiding the organization's mission. Each CAPCOG member appoints representatives to serve as their voice on the General Assembly. The City of Elgin currently is represented by Council Member Dennis and Former Mayor Ron Ramirez

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Make appointment(s) to the CAPCOG General Assembly

ATTACHMENTS: Resolution

- ☐ 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. _____

**RESOLUTION OF THE CITY OF ELGIN, TEXAS, APPOINTING
REPRESENTATIVES TO THE CAPITAL AREA COUNCIL OF
GOVERNMENTS**

WHEREAS, the City of Elgin is a member of the Capital Area Council of Governments (CAPCOG); and

WHEREAS, there is a need to change the City of Elgin's representation in CAPCOG by appointing one representative to the Capital Area Council of Government's General Assembly; and

WHEREAS, the City of Elgin must make designation of CAPCOG General Assembly representatives by official action of the City Council;

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

_____ is hereby appointed as General Assembly representative from the City of Elgin to the Capital Area Council of Governments.

APPROVED this 19th day of July, 2022.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



APPOINTMENT FORM - GENERAL ASSEMBLY REPRESENTATIVE CAPITAL AREA COUNCIL OF GOVERNMENTS

The governing bodies of CAPCOG's members designate General Assembly representatives.

Counties: Official appointments are made at Commissioners Court.
Cities, Towns, Villages: Official appointments are made at City Council meetings.
Organizations: Official appointments are made by the Board or other governing body.

PLEASE COMPLETE THE FOLLOWING SECTION

Governing Body:

_____ County Commissioners Court (e.g., Travis County Commissioners Court)

-OR-

_____ City Council (e.g., Austin City Council)

-OR-

_____ Other (Board or other governing body)

City, County, or Organization being represented

Name of Representative

Position

Address

City, Zip Code

Telephone Number

Fax Number

Email address (*General Assembly Reps. will be subscribed to the CAPCOG Connections, Training, & Data Points email lists*)

Check One:

_____ Reappointment

_____ Filling Vacancy

_____ Changing Representative

Name of Previous Representative

I confirm our governing body appointed the above individual to serve as a CAPCOG General Assembly

Representative for the above entity on _____.

Date of Meeting

Signature of Chief Elected Official/Chair of Governing Board

Date

Please fax this form to 512-916-6001 or email it to dbrea@capcog.org. For questions about completing this form, call Deborah Brea at 512-916-6018.