



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 27, 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 The Proposed FY22-23 Annual Budget For The City Of Elgin

Documents:

[EXSUMMARY-BUDGET HEARING FINAL.PDF](#)

2. Public Hearing On The Proposed FY22-23 Ad Valorem (Property) Tax Rate For The City Of Elgin

Documents:

[EXSUMMARY - TAX RATE HEARING.PDF](#)
[FY2023 BUDGET MESSAGE.PDF](#)

3. Public Hearing On An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas To Wit: 52.76 Acres Of Land, Known By The Travis Co. Appraisal District As Parcels 358800, 358801, & 358802, Being A 52.76-Acre Tract Out Of The Henry Martin Survey Number 65, Abstract 518, Travis Co. TX, 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

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.

VII. PRESENTATION

1. A PROCLAMATION DECLARING OCTOBER 5, 2022, AS ELGIN TEACHERS' DAY IN THE CITY OF ELGIN

Documents:

[PROCLAMATION FOR ELGIN TEACHERS DAY.PDF](#)

2. DOWNTOWN ELGIN INC. CHECK PRESENTATION FOR VETERANS MEMORIAL PARK EXPANSION.

Documents:

[EXSUMMARYDOWNTOWNELGININCPRESENTATION.PDF](#)
[VETERANS MEMORIAL PARK EXPANSION-APPROVED.PDF](#)

VIII. CITY MANAGERS REPORT

1. City Of Elgin 101 Presentation

Documents:

[EX SUMMARY-CITY OF ELGIN 101.PDF](#)

2. Presentation For Thomas Memorial Park New Parking Area

Documents:

[EXSUMMARYTHOMASMEMORIALPARKPARKING .PDF](#)
[THOMASMEMPARKING922022.PDF](#)

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JEREMY BIGGERS TO CREATE THE ELGIN BLACK ICONS MURAL

Documents:

[EXSUMMARYELGINBLACKICONSMURAL.PDF](#)
[RESAUTH ELGINBLACKICONSMURAL.PDF](#)
[MURAL SUMMARY 101 CENTRAL AVENUE9-13-2022.PDF](#)

4. 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 September 6, 2022

Documents:

[EX SUMMARY- SEPTEMBER 6, 2022 REGULAR MEETING MINUTES.PDF](#)
[09-6-2022 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. REQUEST FOR STREET CLOSURES FOR SAFE TRICK OR TREAT MONDAY OCTOBER 31.

Documents:

[EXSUMMARYSAFETRICKTREATSTREETCLOSURE22.PDF](#)
[SAFE TRICK OR TREAT FLYER.PDF](#)

3. REQUEST TO CLOSE DEPOT STREET FROM MAIN STREET TO AVENUE C 2PM TO 10PM ON TUESDAY NOVEMBER 1, 2022 FOR DIA DE LOS MUERTOS.

Documents:

[EXSUMMARYDIADELOSMUERTOSDEPOTSTREET CLOSURE22.PDF](#)
[DIA DE LOS MUERTOS OR DAY OF THE DEAD PSA ENGSPN 2022.PDF](#)

4. CONSIDER WAIVING THE OPEN CONTAINER ORDINANCE ON MAIN STREET FROM LEXINGTON ROAD TO BRENHAM STREET; AND ON 2ND STREET, FIRST STREET, DEPOT STREET, CENTRAL AVENUE, AUSTIN STREET, BRENHAM STREET FROM MAIN STREET TO AVENUE C; AND ON AVENUE C FROM BRENHAM STREET TO 2ND STREET ON TUESDAY NOVEMBER 1, 2022 FROM 5PM TO 10PM FOR DIA DE LOS MUERTOS.

Documents:

[EXSUMMARYDIADELOSMUERTOSOPENCONTAINER22.PDF](#)
[DIA POSTER 2022.PNG](#)

5. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DBOMB FIREWORKS FOR A NEW YEARS EVE FIREWORKS SHOW DECEMBER 31, 2022.**

Documents:

[EXSUMMARYFIREWORKSNEWYEARSEVE.PDF](#)
[RESAUTH DBFXENTERTAINMENTCONTRACT FIREWORKS.PDF](#)
[FIREWORKS2022 NYE CONTRACT.PDF](#)

6. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TEJANO CONSTRUCTION INC FOR MASON WORK RELATED TO THE ELGIN MEMORIAL PARK RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - AUTH EMPTEJANO GEOTECH.PDF](#)
[RESAUTH EMPTEJANO.PDF](#)
[INVOICE.PDF](#)

X. NEW BUSINESS

1. **AN ORDINANCE OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING A PROPOSED BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING THAT EXPENDITURES FOR SAID BUDGET SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET**

Documents:

[EX SUMMARY BUDGET ORDINANCE.PDF](#)
[BUDGET ORDINANCE.PDF](#)
[MEMFY23BUDGETII922.PDF](#)

2. **AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2022 TAX YEAR**

Documents:

[EX SUMMARY-ORDINANCE TO ADOPT THE TAX RATE.PDF](#)
[AN ORDINANCE LEVYING TAXES OF THE MUNICIPAL GOVERNMENT AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2022 TAX YEAR.PDF](#)

3. **AN ORDINANCE TO ESTABLISH A COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO AMEND ORDINANCE 2020-10-13-29 AND SUBSEQUENT AMENDMENTS TO THAT ORDINANCE; ESTABLISH CATEGORIES OF FEES AND CHARGES; REVISE EXISTING RATES; RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN**

Documents:

[EX SUMMARY SCHEDULE OF FEES.PDF](#)
[ORD SCHEDULE OF FEES.PDF](#)

- 4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE FY2021-22 ANNUAL STREET RESURFACING PROGRAM; AND MAKING CERTAIN FINDINGS RELATED THERETO.**

Documents:

[EXSUMMARY- AUTH GUAGECADE GEOTECH.PDF](#)
[A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE FY2021-22 ANNUAL STREET RESURFACING PROGRAM .PDF](#)
[RECOMMENDATION OF AWARD- ELGIN 2022 STREET IMPROVEMENTS PROJECT.PDF](#)

- 5. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 52.76 ACRES OF LAND, KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX, 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](#)
[ATTACHMENT 1 - MAP.PDF](#)
[ATTACHMENT 2 - ORDINANCE-EXHIBIT A.PDF](#)

- 6. 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.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[ATTACHMENT 1 WARD MAP.PDF](#)
[ATTACHMENT 2 - WARD ASSIGNMENT ORDINANCE.PDF](#)

- 7. Appointment/Re-Appointment Of Members To Various City Commissions, Boards, And/Or Committees Including The Planning & Zoning Commission, Board Of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board Of Directors, Historic Review Board, Main Street Board Of Directors, And Building Standards Commission**

Documents:

[EXSUMMARY- BOARDS AND COMMISSON APPOINTMENTS.F.PDF](#)
[BOARDS ORDINANCE.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

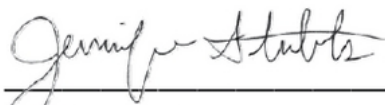
XIV. ADJOURNMENT

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, September 23, 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 the Proposed FY22-23 Annual Budget for the City of Elgin

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed; This item is to allow for public comments on the proposed FY22-23 Annual Budget prior to its consideration for adoption by the City Council.

BACKGROUND:

Discussed at previous meetings; This hearing was scheduled as part of the Budget Development Calendar and represents one of the final steps in the development of the FY22-23 Annual Budget.

The proposed FY22-23 Annual Budget is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: N/A

ATTACHMENTS:

None (Council has already been provided copies of the proposed FY22-23 Annual Budget document, which is available for review by the public at City Hall or the Elgin Public Library or at elgin.tx.us).

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing on the Proposed FY22-23 Ad Valorem (Property) Tax Rate for the City of Elgin

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed; This item is to allow for public comments on the proposed FY22-23 Property Tax Rate prior to its consideration for adoption by the City Council.

BACKGROUND:

Discussed at previous meetings; This hearing was scheduled as part of the Budget Development Calendar and represents one of the final steps in the development of the FY22-23 Annual Budget.

The proposed FY22-23 Annual Budget is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, and services. The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses.

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

The proposed FY22-23 Annual Budget is wholly predicated on the adoption of a total property tax rate of **\$.544664/\$100 valuation – an 8% reduction in the current rate and a 17% reduction of the adopted tax rate over the past two years.**

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: N/A

ATTACHMENTS:

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

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

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

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

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



City of Elgin Office of the City Manager

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

August 16, 2022

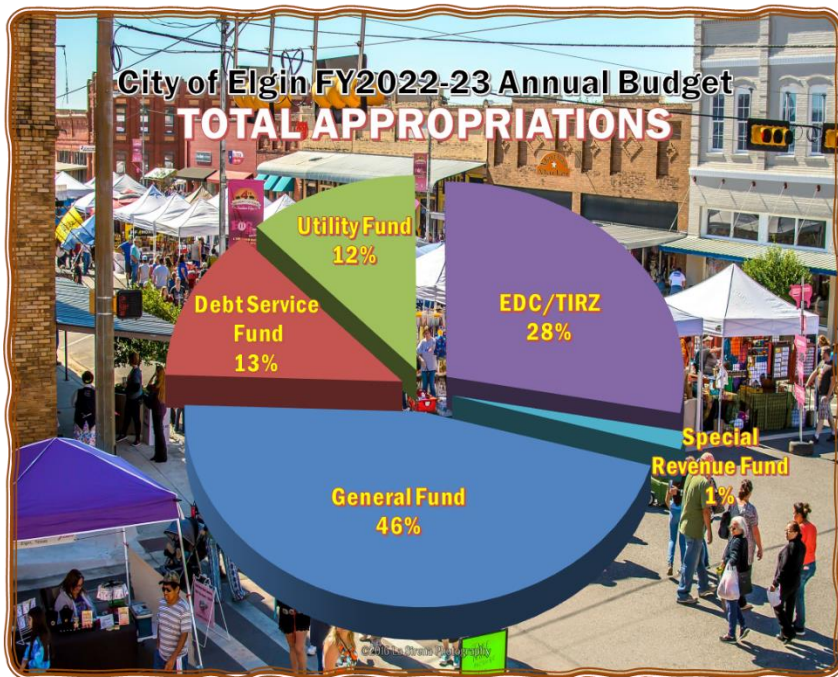
Mayor and City Council
City of Elgin
310 North Main Street
Elgin, Texas 78621

Re: City Manager's FY2022-23 Annual Budget Message

Dear Mayor McShan and City Councilmembers,

In accordance with the provisions of Article VII, Section 2 of the Elgin City Charter, the proposed *Annual Operating Budget* for the City of Elgin for the Fiscal Year of October 1, 2022 through September 30, 2023, is hereby presented for your consideration.

The grand total of all appropriations for all departments, operations, and functions proposed for the *FY2022-23 Annual Budget* is **\$29,296,920** to be generally distributed as described herein.



The proposed *FY2022-23 Annual Budget* is a zero-based, balanced, and appropriately conservative financial plan wherein all operating expenditures are supported by revenue generated during the fiscal year; and was developed through a comprehensive review of financing for all existing programs, operations, & services.

While the primary goal of the proposed budget is to maintain existing service levels, the staff remains focused on enhancing service levels wherever possible.

The proposed budget does not include deficit spending and/or utilization of fund balance for operating expenses. The *FY2022-23 Annual Budget* as proposed is delineated into six (6) basic funding categories:

- **General Fund (\$13.5M)** - revenues and expenditures related to the provision of primary or traditional city services whose main financial support comes from tax dollars.

- **Utility Fund (\$3.4M)** - an enterprise fund monitoring all financial transactions relating to the provision of potable water and sanitary sewer services through the city's systems
- **Debt Management Fund (\$3.7M)** – all proceeds and expenditures related to servicing, annual debt payments, and/or management of various debt obligations
- **EDC/TIRZ Fund (\$7.9M)** – funding of economic development efforts including the City Economic Development Corporation and the Tax Increment Reinvestment Zone
- **Special Revenue Funds (\$.48M)** revenues and expenditures related to various projects and programs that are supported by a dedicated revenue stream, including grant funds

FY2022-23 ANNUAL BUDGET - Budget Highlights and Issues

As the City of Elgin completes its Sesquicentennial Year, the many challenges and attributes of historic growth and development continue to be our primary focus. The City continues to proceed to a doubling of its population in a very short period of time, which includes a wide range of benefits and service demands for city operations.

<i>Grand Totals - City Wide (Single-Family Homes)</i>	
Existing homes	1,952
Homes currently under construction	906
Lots formally approved for construction	7,474
Subtotal - Homes Built/Approved	10,332
Currently proposed additional homes	3,755
Totals	14,087

***Does not include Original Town - approx. 2,500 homes**

The City is currently projected to construct up to 700 new homes in calendar year 2022. There are currently over 10,000 single-family homes authorized for residential subdivisions that are all in some phase of development – from platted lots to active construction to completed homes. Additional projects currently in the concept/discussion phase would add nearly 3,800 more homes to this list. Including existing homes in the Original Town area and based on current activity, the City of Elgin and its service area could easily grow to over **40,000 residents** in the next 5-7 years.

Although most new retail and commercial business development plans in response to this growth has been adversely impacted by COVID and/or supply chain-related issues, projects are continuing to move forward. The Circle Brewing Company project, the Poco Loco Grocery, and Burger King are just a few of the new businesses anticipated to open before the end of the 2022 calendar year.

The City and its Economic Development Corporation (EDC) has also reached agreement with the following new businesses and employers that are scheduled to begin construction within the next six months in the Elgin Business Park III and will create hundreds of new jobs:

- Southside Market & Barbeque (world headquarters),
- Yericco Manufacturing Inc. (semiconductors),
- Sykes Industries (product design & manufacturing)
- Carr Lane Manufacturing (tooling & components)
- Cullen Texas Health (CBD manufacturing & distribution)

The EDC also recently announced another one-of-its-kind project with Aviators Pizza to bring a new family-oriented restaurant and entertainment venue to the Elgin Business Park II.

The City has also continued to strengthen its overall financial position and viability. The General Fund – the primary source of funding for basic city services - ended last year (and is projected to end the current fiscal year) with a healthy operating surplus; which will result in the continuing stabilization of its unencumbered fund balance.

In its most recent report, the City's Independent Auditor (Brooks Watson & Co.) produced an unmodified opinion in its annual audit report, the highest level of assurance that can be achieved through such analysis. The auditor also commented that the City's overall financial position is as strong as it has been for many years.

PROPERTY TAX

Property taxes typically provide the largest source of money local governments use to pay for schools, streets, roads, parks, police, fire protection and many other services. Texas law establishes the process followed by city officials in determining (a) the value for property, (b) ensuring that values are equal and uniform, (c) setting tax rates and (d) collecting taxes. **However, in the management of the overall cost to taxpayers, the only control exercised by the City of Elgin is the annual setting of the City tax rate.**

The proposed *FY22-23 Annual Budget* is predicated on adoption of the "Voter Approval" property tax rate of **\$544664/\$100 valuation** – a **reduction** of \$.04533 over the current rate. The proposed rate is also **more than \$.04 lower** than the rate the City could adopt without automatically triggering an election.

A variety of issues have come together to allow for this one-time opportunity:

- Property tax revenue projected for FY22-23 assumes continuing moderate growth as home construction and development activity is anticipated to continue at the current rate.
- For the first time, FY22-23 Budget projects the City to receive more overall revenue from Sales Tax than it does Property Tax (While this is obviously a sign of success, the City must be cautious of becoming overly dependent on a variable revenue source like sales tax to fund basic services).
- Funds provided through the 2021 & 2021A Certificates of Obligation Program will provide sufficient capital project funding throughout the year, lessening the need for utilization of current-year funds.
- This proposed tax rate would demonstrate the City doing their part in helping to lessen the struggle many Elgin homeowners are having with overall housing costs.

The adoption of the proposed rate would also result in the City *decreasing* its property tax rate by nearly 17% over a two-year period.

UTILITY RATES

The City has stabilized its Utility Fund in recent years by addressing issues related to operating deficits and additional debt service. As part of that effort, the Council approved a general policy of including a small, annual inflationary adjustments to basic water and sewer rates. However, given the current overall status of the Utility Fund, the proposed FY22-23 Budget includes no utility rate increase.

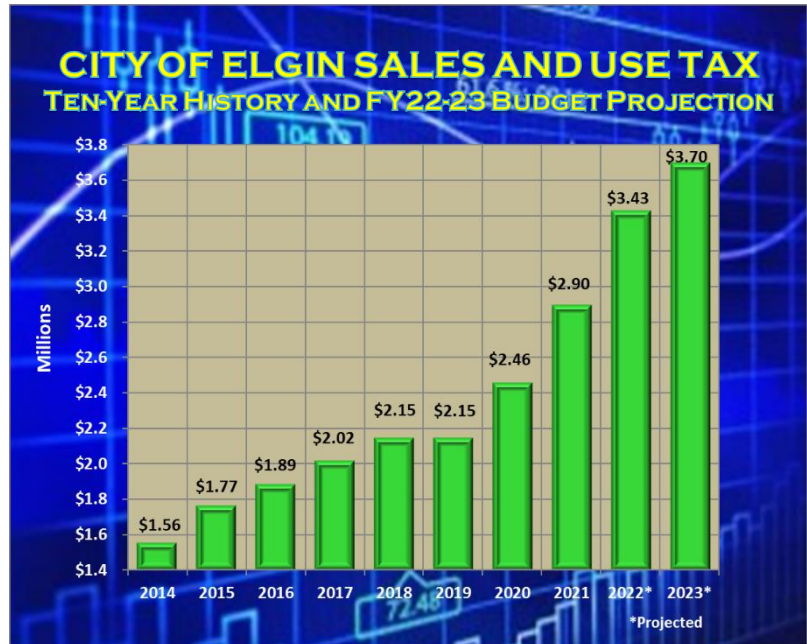
One change that could occur to monthly utility bills is related to fees for curbside collection of household trash and recyclables. Waste Management, the City's service provider, is anticipated to exercise their option to increase rates by **2.85%**, which will be passed on to our utility customers.

SALES & USE TAX

The State of Texas imposes a 6.25% sales and use tax on “all retail sales, leases and rentals of most goods, as well as taxable services”. The City of Elgin, like nearly all Texas cities, imposes an additional 2.0% sales tax to create a maximum combined rate of 8.25%. Of that total, Bastrop County receives 0.5% and the City Economic Development Corporation (EDC) receives 0.5%. **Of the 8.25% sales and use tax all consumers pay in Elgin, the City receives just 1.0% in support of operations and services.**

The City has experienced steady growth in sales tax revenue over the last decade, but the last two years have produced historic income levels:

- Total Sales Tax Revenue (including the City EDC portion) is currently projected to exceed **\$3.4M** by the end of the current fiscal year – which would be the City’s highest one-year total ever.
- Total sales tax revenue for the month of May was \$348,327 – the highest one-month amount in the City’s history.
- Prior to October, 2019, the City had a total of only four (4) different months - *in its history* - where total combined Sales Tax Revenue exceeded \$200,000. In the last twenty-two (22) months, the City has **averaged \$205,050** in monthly total sales tax revenues.



EMPLOYEE COMPENSATION

The City must continue to provide appropriate and market-competitive compensation for all city employees in order to provide the highest possible level of services. The current state of the job market in central Texas, combined with the City’s need to grow staff and services, makes it imperative that our compensation levels be sufficient to recruit and retain a professional staff.

Accordingly, the proposed *FY22-23 Budget* includes a Cost-of-Living Adjustment (COLA) of **5.0%** in base salaries for all full-time city employees that will take effect October 1.

In addition, departmental budgets have been enhanced to allow for further adjustments in pay based on market analysis. Current staff assessment has indicated that while the “middle range” of employee compensation is comparable to other local government pay scales in our area, the City of Elgin’s starting pay and salaries for top level staff are not. Funding has already been included in the proposed *FY22-23 Budget* for these adjustments, however, the specific amounts and positions will be reviewed and approved by Council before implementation.

Analysis is on-going, but it is currently anticipated that there will be a 15% increase in overall costs associated with Employee Health Insurance – for both the City and employees. The increase will include an upgrade in the current benefit plan.

2021COs & 2021A CERTIFICATES OF OBLIGATION CAPITAL IMPROVEMENT PROGRAM

During the 2021 calendar year, the majority of City Council authorized a major step forward in city operations through the approved issuance of Certificates of Obligation (COs) to fund utility system upgrades (including the wastewater treatment plant expansion and weatherization of the water treatment plant), the County Line Road Phase 1 Reconstruction Project, a new Elgin Police Department Station, new restrooms at Elgin Memorial Park, an expansion of Veteran's Park in Downtown Elgin, and upgrades to Thomas Memorial Park in addition to other projects.

CITY OF ELGIN 2021 CERTIFICATES OF OBLIGATION	
WWATER TREATMENT PLANT EXPANSION -	\$7,570,000
✓ (\$15.9M Total Project Cost – combined w savings & private funding) Construction underway and progressing as planned; anticipated completion 1 st Quarter, 2023	
WATER WELL NO. 10 -	\$900,000
✓ Engineering and design underway; project completion anticipated by EOY-2022	
WEATHERIZE WATER TREATMENT PLANT -	\$1,500,000
✓ (a) Engineering plans and bidding documents in development for WTP Main Generator, (b) Large multi-purpose portable generator ordered with delivery anticipated by 8/22, (c) Quick connections: Completed	
PISTOL HILL WATER TANK -	\$ 49,493
✓ (\$4.9M Total Project – primarily grant funded) Project design and administration underway through Texas General Land Office	
FM1100 WATER MAIN	\$842,625
✓ Concept Plan complete; engineering to begin post-Aqua WSC negotiations	

CITY OF ELGIN 2021A CERTIFICATES OF OBLIGATION	
COUNTY LINE RD WIDENING PHASE 1 -	\$4,500,000
✓ Construction underway; anticipated completion Fall, 2023	
EDC ROAD AND UTILITY IMPROVEMENTS -	\$3,175,000
✓ Design and engineering underway; construction anticipated to start EOY-2022	
DT REVITALIZATION SIDEWALKS -	\$75,000
✓ Construction underway	
STRS/MLK/DOWNTOWN SIDEWALKS -	\$25,000
✓ Plans under review; TxDOT anticipated to start construction EOY-2022	
DEMOLISH BUILDING – 202A DEPOT ST. -	\$20,000
✓ Project completed	

Unfortunately, the City was forced into an unusual and counterproductive situation of having to fund this program through two (2) CO issues within six months of each other.

An alleged petition of city voters was threatened by a small group of individuals that ultimately resulted in the City having to fund only the Utility projects first, with the General Government projects being funded by a second CO issue.

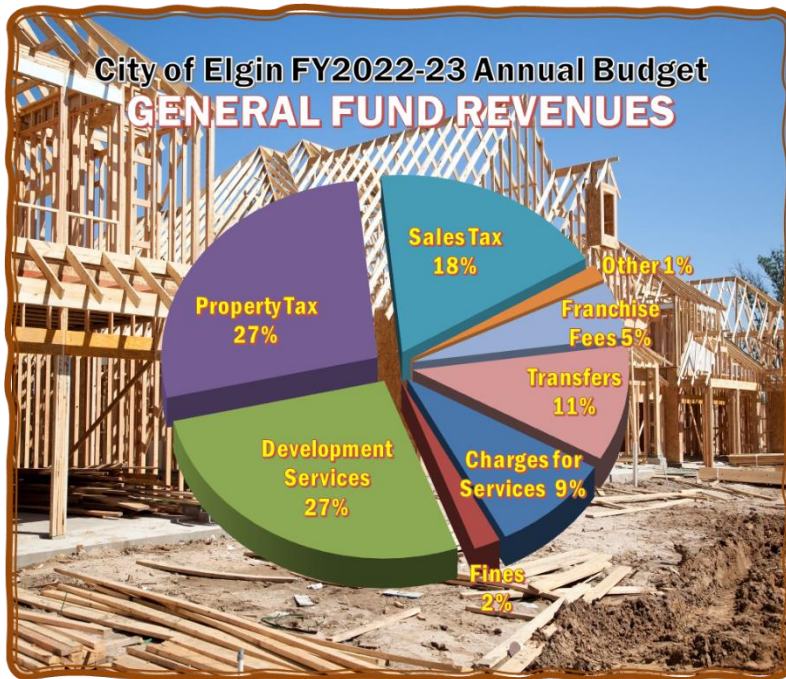
CITY OF ELGIN 2021 CERTIFICATES OF OBLIGATION	
REFURBISH STORAGE TANKS	\$500,000
✓ Project complete	
WWATER LINES/HARVEST RIDGE UPSIZING -	\$525,000
✓ Project complete	
LIFT STATION – FM1704 -	\$1,750,000
✓ Project complete	
ELM CREEK LIFT STATION REHAB -	\$350,000
✓ Project complete	
CARVER ST LIFT STATION -	\$420,000
✓ Awaiting formal notification of grant application; engineering to begin thereafter	

CITY OF ELGIN 2021A CERTIFICATES OF OBLIGATION	
VETERAN'S PARK IMPROVEMENTS PHASE 1 -	\$600,000
✓ Project plans approved; anticipated construction start – 1 st Qtr, 2023	
ELGIN MEMORIAL PARK RESTROOMS -	\$160,000
✓ Project plans approved; construction underway	
THOMAS PARK IMPROVEMENTS -	\$150,000
✓ Preliminary project plans approved; anticipated construction start – 8/22	
ADD/RENOVATE POLICE DEPT STATION -	\$3,500,000
✓ Plans approved; Design team and Construction-Manager-at-Risk selected; anticipated construction start – EOY 2022; anticipated completion Fall, 2023	

As the City dealt with this obstruction, the overall total amount of CO-funded projects actually *increased* from the staff's original proposal of **\$24.1M** to **\$26.6M**.

Nonetheless, city staff, with the support of City Council, was able to overcome these obstacles to ultimately secure funding for these much-needed projects. Nearly all of the projects are in active development; with a number already completed - and all are anticipated to be completed within the next 12-14 months.

GENERAL FUND REVENUE



The General Fund is the City of Elgin's principal operating fund for essential city services. It is used to account for all financial resources except those required to be accounted for in other funds, such as the Water and Sewer Fund or Special Revenue Funds. All general tax revenues and other receipts that are not allocated by law or otherwise restricted to other funds are accounted for in this fund.

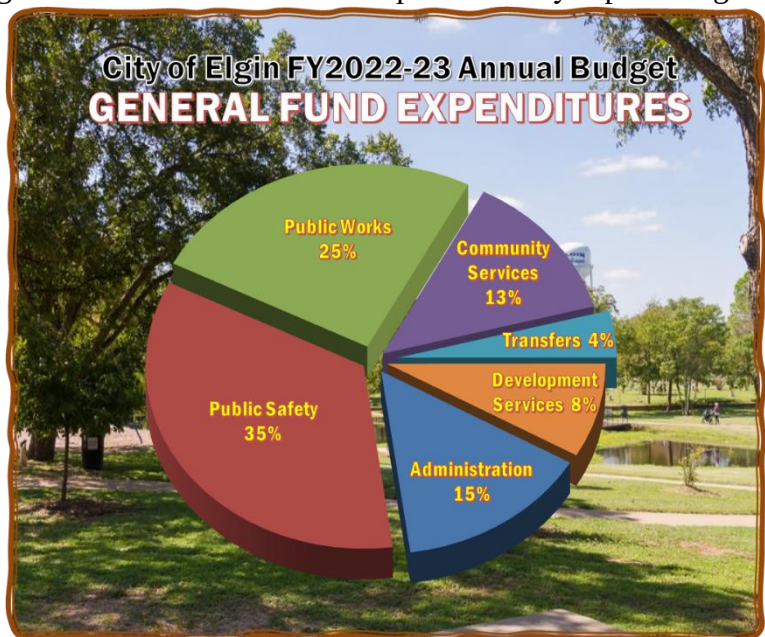
The General Fund is the largest fund for the City and is supported by a variety of revenue sources. Property (Ad Valorem) Taxes and Sales Tax, however, provide the primary funding.

GENERAL FUND EXPENDITURES

The General Fund is the primary operating fund of the City and is utilized to account for all costs traditionally associated with city government. It is similar to a private entity's providing resources to pay for the vast majority of administrative/operating expenses. The proposed *FY22-23 Annual Budget* includes total General Fund expenditures of **\$13.5M**.

Within City of Elgin operations, General Fund Expenditures are those costs associated with the provision of essential city services including, but not limited to public safety, parks, recreation, library, public works, mobility, and asset maintenance. The primary sources of income supporting the General Fund are Property and Sales Taxes.

The proposed *FY22-23 Budget* also includes a continuation of our on-going efforts to upgrade and improve existing city streets, particularly in the "Original Town" area. The funding plan includes a commitment of **\$500,000** to street reconstruction and rehabilitation. This funding will position the city to invest **\$1M** in street improvements over a two-year period in the "Original Town" area - one of the highest commitments to street maintenance ever made by the City from operating revenues.



STAFFING

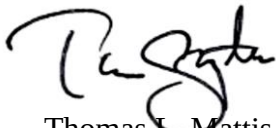
The proposed budget includes full-year funding for up to **one hundred seventy-two (172) total city employees**: one hundred thirty (131) full-time, seventeen (17) part-time positions, and twenty-four (24) seasonal positions.

Eighteen (18) new positions are included in the proposed FY22-23 Annual Budget:

- One (1) Records Clerk Position in the City Manager's Office
- One (1) Accounts Payable Clerk Position in Finance
- One (1) Animal Control Officer Position in Police
- Four (4) Patrol Officer Positions in Police
- One (1) Youth Services Assistant Position in Library
- Two (2) Circulation Clerk Position (PT) in Library
- One (1) Technical Services Clerk Position (PT) in Library
- One (1) Rec Center Coordinator Position in Recreation
- Two (2) Rec Center Front Desk Staff Positions in Recreation
- One (1) Equipment Maintenance Technician Position in Public Works-Equipment Maintenance
- One (1) Laborer Positions in Street Maintenance
- One (1) Treatment Plant Operator Position in Water Operations
- One (1) Lab Technician Position in Wastewater Operations

These are both challenging and exciting times for the City of Elgin and this financial plan for the next fiscal year will allow our operation to continue moving forward. On behalf of the city staff, I thank the Mayor and City Council for the opportunity to serve the citizens of Elgin during this historic time.

Sincerely,



Thomas L. Mattis
City Manager



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: 52.76 acres of land, known by the Travis Co. Appraisal District as Parcels 358800, 358801, & 358802, Being a 52.76-acre tract out of the Henry Martin Survey Number 65, Abstract 518, Travis Co. TX, 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 ☒ 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.

**A PROCLAMATION DECLARING OCTOBER 5, 2022, AS ELGIN TEACHERS' DAY IN
THE CITY OF ELGIN**

WHEREAS, Elgin's future strength depends on providing a high-quality education to all students; and

WHEREAS, teacher quality matters more to student achievement than any other school-related factor; and

WHEREAS, teachers spend countless hours preparing lesson plans and supporting students; and

WHEREAS, our Elgin ISD teachers have demonstrated great resilience, adaptability, and creativity during the COVID-19 crisis; and

WHEREAS, our community recognizes and supports its teachers in educating the children of this community; and

WHEREAS, #TeachersCan is a statewide movement supported by more than 125 partnering businesses and organizations committed to elevating the teaching profession and honoring the critical role teachers play in the success of Texas; and

NOW, THEREFORE, BE IT RESOLVED that the Elgin City Council joins #TeachersCan and its partnering entities across Texas in celebrating World Teachers' Day and proclaims October 5, 2022 to be Elgin Teachers' Day; and

BE IT FURTHER RESOLVED that the Elgin City Council encourages members of our community to "Be a light for Elgin teachers" and personally express appreciation to our teachers and display a light blue ribbon outside your homes or businesses the week of October 5 as a symbol of support for our educators. I have set my hand and caused the seal of the City of Elgin, Texas to be affixed this 27th day of September 2022.

Theresa Y. McShan
Mayor, City of Elgin



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: DOWNTOWN ELGIN INC. CHECK PRESENTATION FOR VETERANS MEMORIAL PARK EXPANSION.

.

DEPARTMENT: Community Services

PROPOSED ACTION: Receive donation for Veterans Memorial Park Expansion and have photo.

.

BACKGROUND: Downtown Elgin Inc., a local nonprofit dedicated to raising funds for projects in downtown Elgin, presents a check from the Full Steam Ahead Gala, a fundraiser held to generate funds for the expansion of Veterans Memorial Park.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Receive check and have group photo.

ATTACHMENTS:

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

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

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

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



ELGIN HISTORIC REVIEW BOARD

APPLICATION FOR REVIEW OF MODIFICATIONS TO HISTORICALLY DESIGNATED PROPERTIES

The Elgin Historic Review Board meets on the 4th Tuesday of the month. Applications must be submitted ten (10) days prior to the meeting date.

Date Submitted: 3-13-2022

APPLICANT INFORMATION

Applicant is:

☒ Building Owner ☐ Business Owner ☐ Contractor

Applicant Name City of Elgin

Applicant Signature _____

BUILDING INFORMATION

Name of Building Veteran's Memorial Park

Physical Address _____

Owner Name _____

Owner Mailing Address _____

Owner Phone # (____) _____

Property Owner Signature _____ Date Approved 3/13/22

BUSINESS INFORMATION

Business Name _____

Bus. Owner Name _____

Bus. Mailing Address _____

Bus. Phone # (____) _____

Email Address _____

CONTRACTOR INFORMATION

Contr. Name _____

Contr. Address _____

Contr. Phone # (____) _____

OTHER CONTACT INFORMATION

SIGN APPLICATION INFORMATION

Sign Type ☐ Projection ☐ Flat Mount ☐ Window

Temporary Banner ☐

Sign Dimensions _____ x _____ = _____ sq ft

Projection Sign (sq ft x 2) Total sq ft _____

☐ Building Front Linear Feet _____
meets standards ☐ yes ☐ no

☐ Window Dimensions _____ x _____ = _____ sq ft
_____% Coverage; meets standards ☐ yes ☐ no

Intended and desired starting and completion date of alteration or repairs.

Start _____ Complete _____

Description of proposed external alteration or repair (use additional paper if needed)

Veteran's Memorial Park expansion 200 and 300 blocks of Depot Street and Central Avenue

Drawing/ sketch of the proposed external alteration (use additional paper if needed).

Please provide current photos of property.

Site Plan

CERTIFICATE OF APPROPRIATENESS

☒ Approved ☐ Rejected ☐ Modified

(Building Permit Attached)

Chairman/Vice Chairman Signature

Date

Amy Miller

3-23-22

Building Official or Designee Signature

Date

Date(s) Reviewed by Board _____

City Of Elgin Code Chapter 1 Section 5, page 42, states in part "...violations shall be fined \$2000 per day," Each day a violation occurs is a separate violation. Failure to have projects reviewed and failure to follow an approved application constitutes a violation.

Application fee \$50

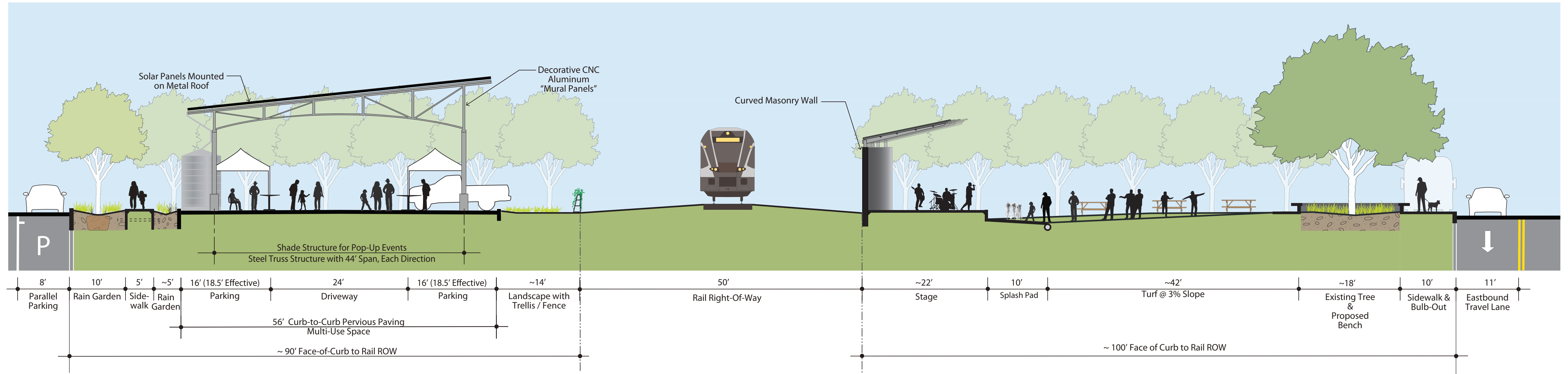
Temporary Banner fee \$25

Payable to The City of Elgin

P.O. Box 591

Elgin, TX 78621

For questions call (512) 281-0119 or write to
dharrell@ci.elgin.tx.us & amiller@ci.elgin.tx.us



Veterans' Memorial Park Expansion Master Plan Update
Section at Multi-Use Space, Looking west
 Prepared by McCann Adams Studio for City of Elgin
 Draft: March 22, 2022

0' 5' 10'
 Scale: 1" = 10'-0"





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City of Elgin 101 Presentation

DEPARTMENT: Administration

PROPOSED ACTION: N/A

BACKGROUND: City of Elgin 101 is a Citizens Academy used by the City to teach residents about day-to-day functions and roles of local government. The purpose of City of Elgin 101 is to educate residents about operations, cultivate future leaders and showcase talents of City staff. The program is a great prerequisite for serving on a City board or commission.

City of Elgin 101 will consist of eight informational sessions on Monday evenings from 6:00 to 8:00 pm beginning January 23rd through March 2022. Presentations will be featured by multiple representatives from City departments. 20 residents will be accepted into the program and participation is free. At the end of the eight-week program, a graduation ceremony for participants will be held at a City Council meeting.

Applications open on October 1st and close November 29th. For questions regarding City of Elgin 101, please contact Jennifer Stubbs, City Secretary, at 512-229-3222 or email at Jennifer.stubbs@elgintexas.gov

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: N/A

ATTACHMENTS: None

{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.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Thomas Memorial Park expansion new parking area.

.

DEPARTMENT: Community Services

PROPOSED ACTION: Review and approve proposed new parking for Thomas Memorial Park.

.

BACKGROUND: The City of Elgin owns a lot on Madison Street that shares a contiguous property line with Thomas Memorial Park. The lot provides the opportunity for additional parking, another access point to the park and the opportunity to preserve trees.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Review and approve proposed design and additional parking for Thomas Memorial park. .

ATTACHMENTS:

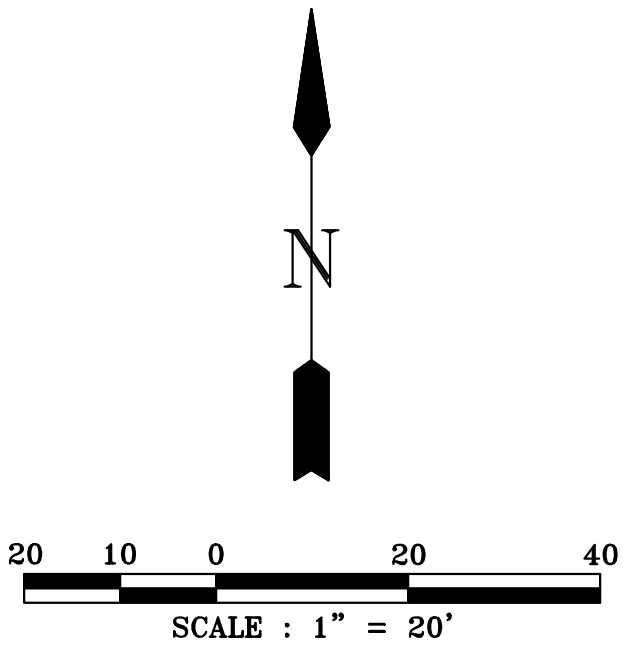
{ } Staff will be making a detailed presentation on this agenda item at the meeting.

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

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

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

C:\PW\WORKING-TRD\00112040\495296_PRELIM BORDER.DWG - 9/2/22



STANDARD PARKING SPACES: 33
ADA SPACES: 2
TOTAL PARKING SPACES: 35

- NOTES:
1. ALL EXISTING TREES WITHIN PROPOSED PARKING LOT BOUNDARY TO REMAIN UNLESS OTHERWISE NOTED. ALL OTHER EXISTING TREES WITHIN THE PROJECT SITE, INCLUDING WITHIN ISLANDS ADJACENT TO PARKING STALLS, WILL REMAIN AND SHALL BE PROTECTED IN PLACE.

DATE	REVISION	NO.	JTAGGART	DESIGN BY:	DRAWN BY:	CHECKED BY:	SCALE:	JOB NUMBER:
								495296



INTERIM REVIEW
DOCUMENTS

NOT INTENDED FOR
CONSTRUCTION, BIDDING, OR
PERMITTING PURPOSES

JUSTIN THOMAS, P.E.
TX LIC. # 98403

SEPTEMBER 2, 2022

CITY OF ELGIN
THOMAS MEMORIAL PARK
PARKING LOT – OPTION 1



SHEET

JUNE 2022



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JEREMY BIGGERS TO CREATE THE ELGIN BLACK ICONS MURAL; AND MAKING CERTAIN FINDINGS RELATED THERETO.

.

DEPARTMENT: Community Services

PROPOSED ACTION: Consideration and possible action

BACKGROUND: The mural is funded by the Elgin Main Street program. Elgin Black Icons Mural at 101 Central Avenue on wall facing Main Street. Reviewed and approved by Design team March 2022, reviewed and approved by Main Street board March 29, 2022. Reviewed and approved by the Historic Review Board on August 31. The Elgin Black Icons Mural includes: Harvey Westbrook, Annie Lee Haywood, Monty Joe Thomas, Dorothy McArthur and S.H. McShan. Mural artist: Jeremy Biggers. Portrait murals are a specialty of this artist. He uses photographs to inspire the work. Biggers is based in Dallas Texas and is an award-winning creator, photographer, fine artist, designer and film maker. Mural to be developed September through November with a dedication. The Main Street Board selected this project as their gift to the community in honor of the Sesquicentennial.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Consideration and possible action to authorize City Manager to execute agreement with Jeremy Biggers.

ATTACHMENTS:

Contract with Jeremy Biggers for Elgin Black Icons Mural
Elgin Black Icons Mural summary

{ } 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 THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH JEREMY BIGGERS TO
CREATE THE ELGIN BLACK ICONS MURAL; AND
MAKING CERTAIN FINDINGS RELATED THERETO.**

WHEREAS, the property owner, SH McShan is providing his property for the mural at 101 Central Avenue, using the wall facing Main Street; and

WHEREAS, the Elgin Main Street Board selected Jeremy Biggers, a mural artist, to create the Elgin Black Icons mural (“Project”)and;

WHEREAS, the Elgin Main Street Board followed the public art master plan, having the location and design reviewed with the Design Team; and,

WHEREAS, the Historic Review Board reviewed and approved the mural and its location on August 31, 2022 and

WHEREAS, the Elgin Main Street board approved \$10,000 funding to pay for this mural

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 *Jeremy Biggers*, of Dallas Texas, in the amount of \$10,000.00 for the Elgin Black Icons Mural.

Section 3. Funding Elgin Main Street program. The City Council does also hereby expressly approve the utilization of funding from the Elgin Main Street program 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 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 27th day of September, 2022

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

101 Central Avenue

Elgin Black Icons Mural on wall facing Main Street. Reviewed and approved by Design team March 2022, reviewed and approved by Main Street board March 29, 2022. Mural to be paid for by Elgin Main Street board. Mural artist: Jeremy Biggers. Portrait murals are a specialty of this artist. He uses photographs to inspire the work. The Elgin Black Icons include: Harvey Westbrook, Annie Lee Haywood, Monty Joe Thomas, Dorothy McArthur and S.H. McShan. Mural to be developed September through November with a dedication. The Main Street Board selected this project as their gift to the community in honor of the Sesquicentennial.





Jeremy Biggers. Award-Winning Creator. Problem Solver. Fine-Artist. Designer. Photographer. Film Maker. Based in Dallas, Texas.

Dubbed "*Dallas' Hardest Working Multi-Hyphenate*" by D Magazine, from drawing to painting to graphic design to photography to film making, Jeremy Biggers has been involved with image making his entire life. He attended Booker T. Washington High School for the Performing and Visual Arts where he primarily focused on expression through graphite and charcoal drawing. During his college years he cultivated his love for painting and photography, and they've since cemented themselves into his everyday life. As with most artists, his work is shaped by experiences that inform his view of the world. His goal with each piece is to inspire conversation. His fine-art work mixes realism with a design aesthetic. His partnerships have included IBM, Nike, Adidas, McDonalds, Major League Baseball, Paramount Pictures, Dallas Cowboys, Dallas Mavericks, Fossil, Virgin Hotels, Cheetos, Bud Light, Cadillac, Sprint, and Vice.

ARTIST STATEMENT

Jeremy Biggers' work is shaped by his experiences, experiences that inform his view of the world. The visual language developed within his work deals with identity as it pertains to "code-switching" and the feeling of being multiple people simultaneously. His signature "hyper-red" featured in a number of the works reminds the viewer as well as himself to be aspirational, never allowing oneself to become "satisfied" or "complacent". Biggers hopes that his work resonates and establishes trust with the viewer, allowing sincere conversation to begin and perhaps inspiring the viewer to discover something about themselves while gaining a new perspective.



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-September 6, 2022

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes-September 6, 2022

BACKGROUND: N/A

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 City Council Regular Meeting Minutes-September 6, 2022

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.

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

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

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
September 6, 2022

CALL TO ORDER

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

ROLL CALL

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

Absent: Matthew Callahan, Council Member

Mayor McShan stated that all members were present with the exception of Council Member Callahan.

Staff: Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Amy Miller, Community Development Director
Michael Gonzalez, Public Works Director
Chris Noble, Chief of Police
Pam Sanders, HR Director
Marty Coursey, Interim CFO
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 FY22-23 Annual Budget

Mr. Mattis provided information. No one wished to speak under the public hearing item.

2. Public Hearing On The Proposed FY22-23 Tax Rate

Mr. Mattis provided information. No one wished to speak under the public hearing item.

3. Public Hearing On An Appeal Of A Denial For Project #202200090: A Replat For “Replat Of Lot 6A, Elgin Business Park”, Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 84631, To Remove A Buffer Note On An Existing Plat.

Mr. Rock provided information and discussed provisions in the draft contract.

JoEllen Mayfield, 12322 Triple Creek Drive, stated she was opposed to this and has three homes that would be negatively impacted.

4. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone From C-3 (Highway Commercial District) To R-3 (Single Family, Two Family, And Industrialized Housing District) On Saratoga Farms Sec. 6, Blocks F & H, And Block G, Lots 1-12 And Being Described In Exhibit “A”, Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Mr. Mattis provided information and stated this is an administrative corrective action by the Council to formally correct the zoning into compliance with the zoning code.

Carlyn Ward, 101 Whitney Drive, stated she was in support of making the change to residential.

5. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone As Planned Development District (PDD), The Property Being Approximately 34.72 Acres Of Land, More Or Less, Out Of The Henry Martin Survey Number 65, Abstract Number 518 In Travis Co., TX And Being All Of A Called 34.72 Acre Tract, As Conveyed Hagn Family Partnership, Recorded In Volume 13334, Volume 0050, Official Public Records Of Travis Co., TX, Said Tract Being More Particularly Described In Exhibit “A”, Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Mr. Mattis stated this is for Phase 5 of Eagles Landing residential development.

Richard Voight, P.O. Box 2816, stated he is representing Mr. Rolland Carlson's family. He stated we are not opposed to it but wanted to address the property downstream. He stated he hopes any runoff will be addressed and hopes to review construction drawings.

Mayor McShan stated the public hearings are closed.

PUBLIC COMMENT

Jo-Ann Capers, 110 Jefferson Cove, stated she would like to find out what the City Council and the Mayor have accomplished in the last 100 days in office and wanted to know if there was an evacuation plan. Ms. Capers asked for periodic reports from the City Council.

PRESENTATION

1. A PROCLAMATION AUTHORIZING RECOGNITION OF SEPTEMBER AS CAPCOG PREPAREDNESS MONTH

Mayor McShan read the proclamation and presented it to Mr. Dennis.

CITY MANAGERS REPORT

1. #ETX150 SESQUICENTENNIAL UPDATE

Ms. O'Brien provided an update and thanked the volunteers who were a part of the Founder's Day event. She provided an updated expense report and provided information on upcoming events. Ms. O'Brien asked for the City Council to consider giving an additional \$15,000 for there to be fireworks at the New Year's Eve Glowing into 2023 event. Mr. Mattis stated the contract will come back to the City Council. Discussion followed. Mr. Dennis made a motion to direct staff to look at contracting for \$15,000 and bring back to Council. Mayor Pro Tem Brashar seconded the motion. Discussion followed. The vote was: Mr. Dennis- yes, Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-abstain, Mr. Gibson-yes, Mr. Swain-yes, Mr. Maldonado-yes, and Mr. Rodriguez-yes. The motion carried.

2. General Activity Report And/Or Project Update

Mr. Mattis stated that the next City Council meeting is on September 27th.

CONSENT AGENDA

1. City Council Regular Meeting Minutes August 16, 2022

The minutes passed on the consent agenda.

2. City Council Worksession Meeting Minutes - August 23, 2022

The minutes passed on the consent agenda.

3. CONSIDER WAIVING FEES FOR COSTS ASSOCIATED WITH STREET CLOSURES AND PARK RENTAL FOR THE ELGIN ISD HOMECOMING COMMUNITY PARADE AND PEP RALLY WEDNESDAY SEPTEMBER 14, 2022

The item passed on the consent agenda.

4. CONSIDERATION OF A REQUEST BY ST. PETERS LUTHERAN CHURCH TO WAIVE THE FEES ASSOCIATED WITH RESERVING VETERANS MEMORIAL PARK FOR A NATIVITY SCENE DISPLAY NOVEMBER 27, 2022 THROUGH DECEMBER 26, 2022

This item was removed from the consent agenda and placed under new business.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ECS SOUTHWEST, LLP OF AUSTIN, TEXAS FOR GEOTECHNICAL ENGINEERING SERVICES RELATED TO THE VETERAN'S MEMORIAL PARK EXPANSION PHASE 1 PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution passed on the consent agenda.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ECS SOUTHWEST, LLP OF AUSTIN, TEXAS FOR GEOTECHNICAL ENGINEERING SERVICES RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution was removed from the consent agenda and placed under new business.

7. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING A NEW PLAN REVIEW, INSPECTION SERVICES, AND JURISDICTION SERVICES AGREEMENT BETWEEN THE CITY OF ELGIN AND ARCH TECHNICAL SERVICES (Dba ATS ENGINEERS, INSPECTORS, & SURVEYORS) FOR THE CONTINUATION OF BUILDING AND FIRE RELATED SERVICES AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution passed on the consent agenda.

8. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF ELGIN, TEXAS (CITY) AND TOCKER FOUNDATION FOR THE ELGIN COURIER DIGITIZATION GRANT

The resolution passed on the consent agenda.

Mayor Pro Tem Brashar made a motion to approve all items with the exception of 4 & 7 on the consent agenda with the corrections to the minutes. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. CONSIDERATION OF A REQUEST BY ST. PETERS LUTHERAN CHURCH TO WAIVE THE FEES ASSOCIATED WITH RESERVING VETERANS MEMORIAL PARK FOR A NATIVITY SCENE DISPLAY NOVEMBER 27, 2022 THROUGH DECEMBER 26, 2022

Mr. Dennis stated that he appreciates St. Peters Lutheran, and he thinks this event is a good thing. He provided background information on the Nativity and stated there are other events happening that do not have fees waived. He stated waiving this fee is setting a precedent moving forward. Discussion followed. Mr. Dennis made a motion to not grant the waiver, we charge appropriately according to the ordinance, and they consider a shorter period for their reservation. Ms. Casnovsky asked what a short period means. Discussion followed. Mr. Dennis stated he amends that part of a shorter period for the reservation. Ms. Casnovsky seconded the motion. The vote was: Ms. Casnovsky-yes, Mr. Gibson-no, Mr. Swain-yes, Mr. Maldonado-no, Mr. Rodriguez-no, Mr. Dennis- yes, Mayor Pro Tem Brashar-no, Mayor McShan-no. The motion failed. Mr. Maldonado made a motion to move forward with this as read. Mr. Gibson seconded the motion. The vote was: Mr. Maldonado-yes, Mr. Rodriguez-yes, Mr. Dennis- yes, Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky- no, Mr. Gibson- yes, and Mr. Swain-yes. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING A NEW PLAN REVIEW, INSPECTION SERVICES, AND JURISDICTION SERVICES AGREEMENT BETWEEN THE CITY OF ELGIN AND ARCH TECHNICAL SERVICES (DbA ATS ENGINEERS, INSPECTORS, & SURVEYORS) FOR THE CONTINUATION OF BUILDING AND FIRE RELATED SERVICES AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided information, stated that some of the ATS fees have increased, and answered questions of the council. Mr. Swain made a motion to approve. Mr. Maldonado seconded the motion. All voted in favor. The motion carried.

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS PLACING A PROPOSAL ON THE SEPTEMBER 27, 2022 COUNCIL MEETING TO ADOPT A 2022 TAX YEAR PROPOSED PROPERTY TAX RATE THAT WILL EXCEED THE NO NEW REVENUE TAX RATE BUT DOES NOT EXCEED THE VOTER APPROVAL TAX RATE NOR THE DE MINIMIS RATE FOR THE CITY OF ELGIN, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; CALLING A PUBLIC HEARING ON THE

PROPOSED PROPERTY TAX RATE TO BE HELD ON SEPTEMBER 27, 2022 AT 6:30 PM

Mr. Mattis stated that this is to make a declaratory statement about the tax rate and to certify for the record there is a second Public Hearing on September 27th. Mayor Pro Tem Brashar made a motion to approve New Business Item 1 as stated. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

4. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING A PROPOSED BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING THAT EXPENDITURES FOR SAID BUDGET SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET

Mr. Mattis provided information on Cost-of-Living scenarios and answered questions of the council. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the Ordinance and to set and approve the Municipal Budget for the 2022-2023 Fiscal Year. Ms. Casnovsky seconded the motion. The vote was: Mayor Pro Tem Brashar- yes, Mayor McShan-yes, Ms.Casnovsky-yes, Mr. Gibson-yes, Mr. Swain-yes, Mr. Maldonado-yes, Mr. Rodriguez-yes, and Mr. Dennis-yes. The motion carried on an 8-0 vote.

5. AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2022 TAX YEAR

Mr. Mattis stated the proposed budget is predicated on a reduction to just under \$.544664/\$100 valuation which is a 17% reduction in the tax rate over a two-year period. Mayor Pro Tem Brashar made a motion to approve the Ordinance and that the property tax rate be decreased by the adoption of a tax rate of \$0.180353 for the Debt Rate per one hundred dollars of assessed value, which is effectively in total a 3.98% decrease in the tax rate. Mr. Gibson seconded the motion. Discussion followed. The vote was: Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-yes, Mr. Gibson-yes, Mr. Swain-yes, Mr. Maldonado-yes, Mr. Rodriguez-yes, and Mr. Dennis-yes. The motion carried 8-0.

6. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, AMENDING THE TRAFFIC CODE BY DESIGNATING BALLAST DRIVE IN THE PEPPERGRASS RESIDENTIAL SUBDIVISION AS A NO PARKING ZONE FROM 7:00AM THROUGH 5:00PM MONDAY THROUGH FRIDAY; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS

Mayor Pro Tem Brashar left the dais at 8:12 p.m.

Michael Johnson, 14016 Ballast Drive, stated he wanted to voice his favor and was the first resident of Peppergrass. He thanked his neighbor for getting this ball moving on this.

Mayor Pro Tem Brashar returned to the dais at 8:14 p.m.

Doreen Sims, 14004 Ballast Drive, stated she was in favor of this ordinance and asked if holidays could be excluded. She stated that there was a hit and run on her street and she was able to catch the license plate number. Ms. Sims asked for there to be an ongoing conversation about this issue.

Mr. Mattis stated that the city does not currently have the staff needed to monitor this parking problem. The idea to restrict parking was presented to Ms. Tammy Dunn. Staff felt it was appropriate to restrict parking from 7:00 AM to 5:00 PM and most residents who live on this street signed a petition. Mr. Mattis stated that the staff supports the ordinance as presented. Discussion followed about the issue of moving to another street. Mr. Rodriguez stated that the school district fully supports this. Discussion followed. Mr. Rodriguez made a motion to approve the Ordinance. Ms. Casnovsky seconded the motion. The vote was: Mr. Rodriguez-yes, Mr. Dennis-yes, Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-yes, Mr. Gibson-yes, Mr. Swain-yes, and Mr. Maldonado-no. The motion carried.

7. Appeal Of A Denial For Project #202200090: A Replat For “Replat Of Lot 6A, Elgin Business Park”, Located On A Parcel Of Land Known By The Bastrop County Appraisal District As Parcel 84631, To Remove A Buffer Note On An Existing Plat.

Scott Mackay, 839 Central Avenue, stated he is here tonight to ask for support for the denial and is here to support the community. Mr. Mackay stated that the original intent of the business park was for light industry and an initiative for businesses to hire people. He stated that the 100-foot buffer was negotiated because intrusion was not wanted from residences into an industrial complex. He stated that retail has crept in which has caused more lighting and noise. Mr. Mackay stated that having separation from two lands uses is valuable.

Mr. Mattis provided information and recommended that the council grant this appeal. He stated this is an important opportunity to support a business to expand its parking and for the city to no longer have responsibility or maintenance of the property. He stated that formal approval for the agreement will come back to the council. Mr. Mattis and Mr. Rock answered questions of the council. Mayor Pro Tem Brashar made a motion to approve item number 5 as stated. Mr. Maldonado seconded the motion. The vote was: Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-yes, Mr. Gibson-no, Mr. Swain-yes, Mr. Maldonado-yes, Mr. Rodriguez-yes, and Mr. Dennis-yes. The motion carried.

8. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM C-3 (GENERAL HIGHWAY DISTRICT) TO R-3 (SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT) ON SARATOGA FARMS SECTION 6, BLOCKS F & H, AND BLOCK G, LOTS 1-12 (AND BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO) AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS

Mr. Mattis stated this is a cleanup item and provided information. Mr. Dennis made a motion to approve the ordinance. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

9. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE AS PDD PLANNED DEVELOPMENT DISTRICT THE PROPERTY BEING 34.72 ACRES OF LAND, MORE OR LESS, OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT NUMBER 518 IN TRAVIS CO., TX AND BEING ALL OF A CALLED 34.72 ACRE TRACT, AS CONVEYED HAGN FAMILY PARTNERSHIP, RECORDED IN VOLUME 13334, VOLUME 0050, OFFICIAL PUBLIC RECORDS OF TRAVIS CO., TX, SAID TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS

Mr. Mattis stated that this is for the expansion of Eagles Landing and provided information. He answered questions of the council. Mayor Pro Tem Brashar made a motion to approve item number 7 under new business as stated. Mr. Swain 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.

The Council did not retire into Executive Session.

ANNOUNCEMENTS

Mayor Pro Tem Brashar wished Mr. Dennis a happy birthday. Ms. Miller invited the public to sip, shop, and stroll.

ADJOURNMENT

Mayor McShan adjourned the meeting at 9:01 p.m.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: REQUEST FOR STREET CLOSURES FOR SAFE TRICK OR TREAT MONDAY
OCTOBER 31.

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DEPARTMENT: Community Services

PROPOSED ACTION: Consider request for street closures for Safe Trick or Treat on Monday
October 31.

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BACKGROUND: The Safe Trick or Treat Trail is organized by the City of Elgin and includes Veterans' Memorial Park, the downtown business district, First Baptist Church and the Volunteer Fire Department. Organizations and businesses set up tables or booths to give away candy or offer games, First Baptist Church hosts a trunk or treat, and the Volunteer Fire Department opens the fire hall for treats and photos with the fire trucks for the Safe Trick or Treat Trail. Street closures recommended by the Elgin Police Department include: Avenue C from Central to 2nd Street, Depot Street from Avenue B to Main Street, First Street from Avenue B to Main Street. Closed from 4pm to 9pm. Orange cones will be placed on the double stripe on Main Street to slow traffic. City barricades will be used at intersections for the street closures. An appropriate number of officers and staff will be assisting with crosswalks etc. as determined by the police department

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Take action on street closure request.

ATTACHMENTS:

Safe Trick or Treat Flyer

{ } 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.



SAFE

ANNUALLY | OCTOBER 31ST
GAMES AT THE PARK 4-DUSK
TRICK-OR-TREATING 6-8PM

TRICK-OR-TREAT

DOWNTOWN ELGIN
VETERANS' PARK
VOLUNTEER FIRE DEPT.
LOCAL CHURCHES

TRAIL

ORGANIZATIONS AND BUSINESSES SET UP TABLES OR BOOTHS THROUGHOUT DOWNTOWN AND VETERANS' MEMORIAL PARK TO GIVE AWAY CANDY. ELGIN PARKS & RECREATION HOSTS GAMES IN VETERAN'S MEMORIAL PARK, CHURCHES HOST "TRUNK-OR-TREATING", AND ELGIN'S VOLUNTEER FIRE DEPARTMENT OPENS THE FIRE HALL FOR TREATS AND PHOTOS WITH THE FIRE TRUCKS.



Want to give out candy in the park? Email
parks@elgintexas.gov



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: REQUEST TO CLOSE DEPOT STREET FROM MAIN STREET TO AVENUE C 2PM TO 10PM ON TUESDAY NOVEMBER 1, 2022 FOR DIA DE LOS MUERTOS.

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DEPARTMENT: Community Services

PROPOSED ACTION: Consider request to close Depot Street from Main Street to Avenue C 2pm to 10pm on Tuesday November 1, 2022 for Dia de Los Muertos.

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BACKGROUND: Dia De Los Muertos will be recognized in downtown Elgin on Tuesday November 1, 2022 from 5pm to 9pm with family altars, music and food, activities and entertainment at the library, Veterans Park and Depot Street. Depot Street and Veterans Park will be hosting skate night, entertainment, fire dancers and stilt walkers.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Take action on street closure request.

ATTACHMENTS:

Dia De Los Muertos flyer

{ } 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.



Día de los Muertos or Day of the Dead is a traditional celebration in Mexico and Latin America celebrating life and death where mourning is exchanged for celebration. Friends and family gather together to remember and pray for friends and family members who have died. Traditionally held on November 1 and 2, elements include making an altar for a deceased family member with photos, yellow marigold flowers, favorite food and drinks of the one being honored, sugar skulls, and music. Learn more about Día de los Muertos on Thursday, November 1 from 5pm to 8pm at the Elgin Public Library and downtown. A community altar will be available for everyone's participation, traditional altars will be on display downtown at *The Clever Tiger* with a strolling mariachi band, Ballet Folklórico dancers and other entertainment throughout the evening. We will have a costumed walking parade and the library will host a class to paint sugar skulls. Other activities include food vendors and children's activities provided by Elgin Parks and Recreation. Free. Additional information available elgintx.com

El Día de los Muertos es una celebración tradicional en México y América Latina que celebra la vida y la muerte donde el luto se intercambia por celebración. Los amigos y la familia se reúnen para recordar y orar por los amigos y familiares que han fallecido. Se lleva a cabo tradicionalmente el 1 y 2 de noviembre, los elementos incluyen hacer un altar para un miembro de la familia fallecido con fotos, flores de caléndula amarilla, comida y bebidas favoritas del homenajeado, calaveras de azúcar y música. Obtenga más información sobre el Día de los Muertos el jueves 1 de noviembre de 5 p.m. a 8 p.m. en la Biblioteca Pública de Elgin y en el centro. Un altar comunitario estará disponible para la participación de todos, los altares tradicionales estarán en exhibición en el centro de la ciudad en *The Clever Tiger* con una banda de mariachis, bailarines de Ballet Folklórico y otros entretenimientos durante toda la noche. Tendremos un desfile de disfraces y la biblioteca ofrecerá una clase para pintar calaveras de azúcar. Otras actividades incluyen vendedores de comida y actividades para niños proporcionadas por Parques y Recreación de Elgin. Gratis. Información adicional disponible en elgintx.com



More information: www.elgintx.com



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: CONSIDER WAIVING THE OPEN CONTAINER ORDINANCE ON MAIN STREET FROM LEXINGTON ROAD TO BRENHAM STREET; AND ON 2ND STREET, FIRST STREET, DEPOT STREET, CENTRAL AVENUE, AUSTIN STREET, BRENHAM STREET FROM MAIN STREET TO AVENUE C; AND ON AVENUE C FROM BRENHAM STREET TO 2ND STREET ON TUESDAY NOVEMBER 1, 2022 FROM 5PM TO 10PM FOR DIA DE LOS MUERTOS.

DEPARTMENT: Community Services

PROPOSED ACTION: Consider request to waive the Open Container ordinance for Dia De Los Muertos on Tuesday November 1, from 5pm to 10pm.

BACKGROUND: Dia De Los Muertos will be recognized in downtown Elgin on Tuesday November 1, 2022 from 5pm to 9pm with family altars, music and food, activities and entertainment at the library, Veterans Park and Depot Street. Dia de los Muertos (Day of the Dead) has gained rapid popularity in the United States over the last several decades. It originated in Mexico and has roots in both Aztec traditions and Catholic holidays (All Saints Day, Nov 1 and All Souls Day, Nov 2). Death is part of the human experience and the festival celebrates the lives of our ancestors. Because it is believed the dead would be offended by grieving and sadness, the festivals are full of color, music, art, food, fragrance and laughter. It is a time to celebrate the enduring love of family, those here and those before us. Families clean and decorate the graves of loved ones. Altars (ofrendas) are built inside of homes and businesses. A living History cemetery tour is planned for the Old Mexican Cemetery and the Latin Cemetery starting at 3pm on November 1.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Take action on open container waiver request.

ATTACHMENTS:

Dia De Los Muertos flyer

{ } 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.



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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH D.B.Fx ENTERTAINMENT FOR FIREWORKS NEW YEARS EVE DECEMBER 31, 2022; AND MAKING CERTAIN FINDINGS RELATED THERETO..

DEPARTMENT: Community Services

PROPOSED ACTION: Consideration and possible action

BACKGROUND: The Sesquicentennial Committee planned Glowing into 2023 as a family friendly new years eve event at the VFW hall with a fireworks show. 7pm to midnight with the fireworks at approximately 9:30pm, music, games, black eyed peas and a midnight champagne toast will close out the Sesquicentennial year of celebrating, educating and commemorating the Community's 150th birthday launch the community into the next 150 years with good fortune and fun. Fireworks show to be funded with General Revenue fund.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Consideration and possible action to authorize City Manager to execute agreement with D.B.Fx Entertainment.

ATTACHMENTS:

Contract with D.B.Fx Entertainment

- { } 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 THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH D.B.Fx ENTERTAINMENT FOR
FIREWORKS NEW YEARS EVE DECEMBER 31, 2022;
AND MAKING CERTAIN FINDINGS RELATED
THERETO.**

WHEREAS, the Sesquicentennial Committee planned Glowing Into 2023 as a family friendly free New Years eve celebration at the Elgin VFW; and

WHEREAS, the City Council directed staff to secure a contract for fireworks show and;

WHEREAS, funding is available in the general fund for fireworks show; and,

WHEREAS, the D Bomb Fireworks, DBA D.B.Fx Entertainment will provide a fireworks show on December 31, 2022 at the Elgin VFW 118 Sayers Road for \$15,000.

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 *D.B. FX Entertainment*, , in the amount of \$15,000.00 for the New Years Eve Fireworks show.

Section 3. Funding. The City Council does also hereby expressly approve the utilization of funding from the general fund 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 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 27th day of September, 2022

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

FIREWORKS DISPLAY
AGREEMENT

Agreement Effective Date: September 15th 2022

Event: The City of Elgin –New Year’s Eve 2022

Event Sponsor: The City of Elgin

EVENT LOCATION: Elgin VFW Post 6115
118 Old Sayers Rd, Elgin Tx 78621

This Fireworks Display Agreement (“Agreement”) is made as of the 16th day of September 2022 by and between **D BOMB FIREWORKS, LLC dba D.B.Fx Entertainment., PO. BOX 244, ELGIN, TX** and **THE CITY OF ELGIN TEXAS** (“Sponsor”) for the purpose of setting forth the terms and conditions by which **D.B.Fx** shall provide the Fireworks Display by which Sponsor shall pay the Contract Sum therefor. In consideration of the foregoing and of the covenants, terms, conditions below, D.B.Fx and Sponsor agree as follows:

1. **ENGAGEMENT OF D.B.Fx:** THE CITY OF ELGIN TX hereby engages **D.B.Fx** to provide to THE CITY OF ELGIN a D BOMB Fireworks production (“Production” or “Productions”) For **THE CITY OF ELGIN, 2022 NEW YEAR’S EVE HOMETOWN CELEBRATION** (“Events”) and **D.B.Fx** accepts such engagement.
2. **TERM:** THE CITY OF ELGIN engages **D.B.Fx** for a Production at THE ELGIN VFW POST 6115 which shall take place starting DECEMBER 31ST,2022.
3. **SITE:** The Firework Display shall be set up in the fields behind the VFW Post or as approved by **D.B.Fx** and the local Authority having jurisdiction (“AHJ”).
4. **FEES AND EXPENSES:** THE CITY OF ELGIN agrees to pay **D.B.Fx** a fee of \$15,000 USD (the “Fee”) for **THE CITY OF ELGIN 2022 NEW YEAR’S EVE CELEBRATION display.**

THE CITY OF ELGIN shall pay to **D.B.Fx** A deposit of the fee upon the signing of this contract in the amount of **\$11,000 USD**. The balance of the remaining fee of **\$4,000** shall be paid no later than Jan 5th, 2023. Sponsor also has the option to pay in full upon the signing of this contract. Any other payment methods/arrangements will need to be approved by D.B.Fx.

D.B.Fx RESPONSIBILITIES

1.1 **Fireworks Display.** D.B.Fx and/or its subcontractors or agents shall furnish and shoot the fireworks show at the Event Location on the Event Date specified above. D.B.Fx shall provide properly trained and experienced operators to set up and shoot the Fireworks Display in substantial conformance with the requirements of NFPA 1123-2006 edition ("NFPA 1123") and applicable federal, state and local laws, regulations, codes and ordinances ("Law").

1.2 **Permits.** D.B.Fx shall obtain the necessary permits for the Fireworks Display from the authority having jurisdiction ("AHJ") as required by Law. D.B.Fx shall purchase and maintain public liability and property damage insurance covering the Fireworks Display only (and not the entire Event) and upon request provide Sponsor with a certificate of insurance showing the amount of insurance in force and naming D.B.Fx as its insured and Sponsor as an additional insured and naming as additional insureds such other parties associated with the Event as Sponsor may reasonably request, and which are approved by D.B.Fx's insurer. Any additional premium associated with adding parties other than the Sponsor as additional insureds shall be added to the Contract Sum as an Additional Charge (as defined below).

SPONSOR RESPONSIBILITIES

2.1 **Sponsor's Event Responsibilities.** Sponsor shall have the obligations set forth in this Section 2.1-2.2 ("Sponsor Event Responsibilities"). Sponsor shall designate and secure for D.B.Fx an appropriate site and adequate space for the Fireworks Display ("Display Site") as required by the NFPA 1123 Table of Distances and as required by Law taking into account: (i) the requirements of the AHJ; (ii) location of the Fallout Area; proximity to airports, navigable waterways, highways and other safety and security considerations. In addition, the Sponsor shall be responsible for: (i) proper signage, crowd control, fencing, roping, police protection and security to prevent access of unauthorized persons to the Display Site and for the Event generally; (ii) the services of standby firefighters; (iii) proper permits for the Event (except the Fireworks Display); and (iv) a base Site Plan, all in keeping with the requirements of NFPA 1123, Law and the AHJ. All the foregoing obligations shall be satisfied by Sponsor to **D.B.Fx** satisfaction in its sole and absolute discretion. Sponsor shall pay the cost incurred to meet any safety or other requirements imposed on D.B.Fx beyond those required by Law or the AHJ. Failure of the Sponsor to meet its Sponsor Event Responsibilities shall be considered a default of a material obligation under this Agreement.

2.2 **Damages Within Fallout Area.** D.B.Fx shall not be responsible for damage to, or destruction of, automobiles or other personal property or any injury to persons, located within the area of the mortars or other equipment used to fire the Fireworks Display ("Fallout Area"). Sponsor shall notify spectators who will be viewing the Fireworks Display of the risk of impending fallout from the Fireworks Display and the risk to spectators and their automobiles and other property by posting warning signs at the Event Site.

EVENT CANCELLATION

3.1 Cancellation for Safety Considerations. Sponsor acknowledges and agrees that, subject to the authority of the AHJ, the decision to proceed with the Fireworks Display is solely that of D.B.Fx, and it is understood and acknowledged by the Sponsor that the decision of D.B.Fx (or the AHJ) not to shoot the Fireworks Display because of rain, floods, high winds, inclement weather, Sponsor's failure to meet its Sponsor Event Responsibilities or other safety considerations (collectively "Safety Considerations") shall be final and any such decision based on Safety Considerations shall not constitute a failure of performance or a breach of this Agreement by D.B.Fx.

3.2 Charges for Cancellation Based on Safety Considerations. Sponsor and D.B.Fx agree that should the Fireworks Display be canceled due to Safety Considerations; Sponsor shall pay to D.B.Fx as Additional Charges the following:

1. Should the Fireworks Display be canceled and no make up date agreed to by the parties, this Agreement shall be considered terminated and the provisions of Section 5.2 shall apply.

In addition to the Charges set forth in Subsections 3.2.1 through 3.2.2 above, if the Fireworks Display cancelled by D.B.Fx or the AHJ due to Sponsor's failure to meet its Sponsor Event Responsibilities this Agreement shall be considered terminated and the provisions of Section 5.2 shall apply.

2. Force Majeure. In the event of fire, accident, strike, delays, acts of God or other causes beyond the reasonable control of D.B.Fx, other than Safety Considerations, that would prevent it from performing the Fireworks Display, Sponsor hereby releases D.B.Fx from any and all performance obligations herein contained and from any and all damages or losses that result or may result from the inability to perform the Fireworks Display. In the event of such occurrence, the parties will make reasonable efforts to reschedule the Fireworks Display and the additional costs of rescheduling shall be an Additional Charge as provided in Subsections 3.2.1 through 3.2.2 above. If the parties are unable to agree on a rescheduled date for the Fireworks Display, this Agreement shall be terminated in accordance with Section 5.2 below.

INDEMNIFICATION AND WAIVERS

4.1 Indemnification by D.B.Fx. To the fullest extent permitted by law, and subject to the limitations set forth in Section 1.3 above and Sections 4.3 through 4.6 below, D.B.Fx shall indemnify and hold Sponsor harmless from, for and against any and all claims, losses, damages and costs including reasonable attorney fees (collectively, "Losses") arising out of or relating to the Fireworks Display, provided that any such loss is attributable to bodily injury or death, or to injury to or destruction of tangible property, but only to the extent caused by the negligent act or omission of D.B.Fx or its **subcontractors**, agents or employees.

4.2 Wavier of Subrogation. To the extent permitted by their respective insurers, the Sponsor and D.B.Fx shall waive all rights against each other and, with respect to the Sponsor, all Sponsor Claims against all D.B.Fx Entities, for damages caused by fire or other causes of loss to the extent covered by the insurance required to be obtained by the parties pursuant to this Agreement.

TERMINATION

5.1 Causes for Termination. In the event Sponsor is unable to secure funds for the Event, Sponsor may notify D.B.Fx in writing no less than 60 days prior to the Event date.

5.2 Liquidated Damages. In the event this Agreement is terminated pursuant to Sections 3.2.2 above, Sponsor shall pay to D.B.Fx the total sum of the contract price for 2022 Production. The parties agree that termination of this Agreement pursuant to Sections 3.2.2 shall result in damages and losses to D.B.Fx that are difficult to quantify in advance and that the amounts set forth herein to be retained by or paid to D.B.Fx ("Liquidated Damages") constitute a reasonably good faith estimate of such losses and damages and not a penalty.

MISCELLANEOUS PROVISIONS

6.1 Notices. Any notice required under this Agreement will be in writing, addressed to the appropriate party at its address on the signature page and given personally, by certified mail postage prepaid, or by a nationally recognized commercial courier service. All notices shall be effective upon the date of receipt.

6.2 Survival. All express representations, waivers, indemnifications, and limitations of liability included in this Agreement will survive its completion or termination for any reason.

6.3 Severability. Any provision or part of this Agreement held to be void or unenforceable under any applicable laws or regulations shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon the parties, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

6.4 Waiver. A party's non-enforcement of any provision shall not constitute a waiver of that provision, nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

IN WITNESS WHEREOF, the parties by themselves or their duly authorized corporate officers have executed this Agreement on the _____ day of _____, 2022.

D.B.Fx.

By: David Gonzalez & Amber Biddy

SPONSOR: The City of Elgin

Sponsor: _____

Title: _____

Date: _____



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 TEJANO CONSTRUCTION INC FOR MASON WORK RELATED TO THE ELGIN MEMORIAL PARK RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: Public Works/ Community Services

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *Tejano Construction Inc.* in the amount of \$38,450.00. for mason services related to the Elgin Memorial Park Project.

BACKGROUND:

Last year, the City Council approved the issuance the 2021A Certificates of Obligation (CO) in the total amount of approximately \$12.5M to provide funding for a wide range of capital improvement projects, including funding to construct a new park restroom facility in Elgin Memorial Park.

Previously, the City Council, upon recommendation of Parks Board and Community Services Department and the Public Works Department approved appropriations for a new facility.

An advertisement for bids was published in the local paper as well as sent to several vendors and contractors. Tejano Construction was the only vendor to respond. Furthermore, the Public Works Department is interested in keeping as much of the work local to support local business in Elgin.

NOTE: In order to proceed with this important project in a timely manner, the City Manager has already authorized this work moving forward in accordance with city code; 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 *Tejano Construction Inc* of Elgin, Texas, in the amount of \$38,450.00 for mason services associated with the City of Elgin Memorial Park Project; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) Tejano Construction Inc services

{ } 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 THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH TEJANO CONSTRUCTION INC
FOR MASON WORK RELATED TO THE ELGIN
MEMORIAL PARK RESTROOM PROJECT; 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 Park Restroom in Elgin Memorial Park; and,

WHEREAS, the City Council, upon recommendation from the Elgin Parks Board and the Director of Public Works, has previously supported this project as “high priority” for the park system, and;

WHEREAS, The Public Works Director has already Published an invitation to bid the project and received and reviewed only one Proposal for mason work related to the project and has recommended *Tejano Construction INC* of Elgin Texas, as the only bid for this work.

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 *Tejano Construction INC* of Elgin, Texas, in the amount of \$38,450.00 for mason services associated with the Elgin Memorial Park Restroom Project.

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 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 27th day of September, 2022

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

TEJANO CONSTRUCTION, INC.

P.O. BOX 2154
ROUND ROCK, TX 78680
USA

Voice: (512) 733-5352
Fax: (512) 733-5348

INVOICE

Invoice Number: EMPRR#1
Invoice Date: Sep 12, 2022
Page: 1

Duplicate

Bill To:

City of Elgin
P. O. Box 591
Elgin, TX 78621

Ship to:

Elgin Memorial Park Restrooms
1127 Main Street
Elgin, TX 78621

Customer ID	Customer PO	Payment Terms	
ELGCITY		Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
	Airborne		10/12/22
Description		Amount	
Furnished and Installed materials needed to build Restrooms.		35,500.00	
Furnished and Install waterproofing and caulking for Restrooms		2,950.00	
Subtotal		38,450.00	
Sales Tax			
Total Invoice Amount		38,450.00	
Payment/Credit Applied			
TOTAL		38,450.00	

Check/Credit Memo No:



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING A PROPOSED BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING THAT EXPENDITURES FOR SAID BUDGET SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET

DEPARTMENT: Administration

PROPOSED ACTION: Approval FY 2022-2023 Budget

BACKGROUND: Final reading of FY 2022-2023

The fiscal year 2022-2023 proposed budget was presented to the City Council on August 16, 2022. A public hearing was held on September 6th and again on September 27, 2022, to receive written and oral comments from the public concerning the proposed budget. Attached for your approval is the Budget Appropriation Ordinance for fiscal year 2022-2023 including Council's stated goals as listed on the attached memorandum and certain miscellaneous corrections from staff.

The first reading of the budget appropriation ordinance was held on September 6, 2022. The Council and staff held a work session after the budget was presented on August 16, 2022, to discuss specific items related to the proposed budget. In response to Council requests, staff developed a plan for adjustments based on Council's stated goals and certain staff corrections as noted on the Supplemental FY23 Budget Information Memorandum. The final reading of this ordinance will include these changes as well as any other changes Council determines is necessary.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Ordinance

ATTACHMENTS: Ordinance and Supplemental FY23 Budget Information Memorandum

- ☐ 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.

AN ORDINANCE OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING A PROPOSED BUDGET FOR THE CITY FOR THE FISCAL YEAR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING THAT EXPENDITURES FOR SAID BUDGET SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET

WHEREAS, the City Manager of the City of Elgin, Texas has filed with the City Secretary a proposed budget for the City covering the fiscal year October 1, 2022 through September 30, 2023(the Budget), and a copy of the Budget is attached to this ordinance as Exhibit “A”; and

WHEREAS, notice of a public hearing on the proposed budget, stating the date, time, place and subject matter of said public hearing has duly and legally been given as required by the laws of the State of Texas; and

WHEREAS, the governing body of the City has this date held and concluded said public hearing, having heard comments from the public on the proposed budget;

THE PROPOSED BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR’S BUDGET BY \$762,053 OR 16.8%, AND OF THAT AMOUNT \$568,651 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.”

SECTION 1.

The proposed budget of revenue and expenses for conducting the affairs of the City of Elgin, providing a financial plan for the ensuing fiscal year beginning October 1, 2022, and ending September 30, 2023, as submitted to the City Council by the City Manager of said City, and which budget is attached hereto as Exhibit “A”, and the same is in all things adopted and approved as the budget of all current expenditures/expenses as well as fixed charges against said City for the fiscal year beginning October 1, 2022, and ending September, 30, 2023; **and that any necessary transfers between accounts and departments deemed essential by the City Manager for operations of the City are hereby authorized, approved and appropriated.** This proposed budget reflects the trash rate increases of 2.85% for residential and 5.0% for commercial.

SECTION 2.

The sums below are hereby appropriated from the prospective funds for the payment of expenditures on behalf of the city government as established in the approved budget document for the fiscal year ending September 30, 2023.

General Fund	\$13,506,811
Debt Service Fund	\$ 4,237,205
Special Revenue Funds	\$ 427,433
Utility Fund	\$ 3,417,738
EDC Fund	\$ 2,232,119
TRIZ Fund	<u>\$ 342,893</u>

Total Appropriations	\$24,164,199
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SECTION 3.

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

SECTION 4.

A copy of the approved Budget, including the cover page, shall be posed on the City's website, along with the record vote of each member of the City Council, as required by law. In addition, the City Manager shall file or cause to be filed a true and correct copy of this ordinance, along with the approved Budget attached hereto, with the City Secretary.

SECTION 5.

It is hereby declared to be in the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

This Ordinance shall be and remain in full force and effective on October 1, 2022, in accordance with state law and after its adoption.

PASSED AND ADOPTED ON by affirmative Record Vote of the City Council of the City of Elgin, Texas on this 27th day of September 2022.

Record Vote:

FOR:

AGAINST:

PRESENT and not voting:

ABSENT:

APPROVED:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

APPROVED AS TO FORM:

CHARLIE CROSSFIELD, City Attorney

Memorandum

Date: September 15, 2022

To: Mayor and City Council

Subject: Supplemental FY23 Budget Information



In response to Council discussion at our most recent meeting regarding the FY22-23 Annual Budget, the staff has developed a plan for adjustment to the proposed budget to reflect Council's stated goals, namely:

- (a) An 8.0% Cost of Living Adjustment (COLA) for all full-time employees, and
- (b) Establishment of a new minimum pay of \$18 per hour for all full-time positions, and
- (c) Achieve these adjustments without necessitating an increase in taxes, fees, or rates

As discussed in the original budget presentation, the City is entering a fiscal year from a position of financial strength. As such, the initially proposed budget includes full-year funding of all current and new positions.

On further review, staff has determined that such funding is unlikely to be necessary, as a number of current vacancies are unlikely to all be filled by October 1.

Accordingly, we have identified some of those positions to be "delayed" in hiring until at least January 1:

- Development Services (Building Division) - Building Official and Building Inspectors
- Public Safety – Four (4) Patrol Officers* and Animal Control Officer
- Executive – Records Clerk
- Finance – Accounting Clerk
- Public Works – Two (2) Laborer positions

*The EPD currently has five (5) fully funded Patrol Officer positions that are currently vacant and are likely to be entering the new fiscal year. As such, a delay in funding for the four (4) new/additional positions in next year's budget is not anticipated in interfere with our goal of continuing to grow the department.

With these adjustments, staff is confident that we can achieve Council's goals as stated above without necessitating an increase in the revenue stream; and bottom-line funding for the General Funding can remain as proposed – \$13,506,811.

Due to certain adjustments/corrections in the Debt Service/I&S Fund and the Economic Development Fund, Total Appropriations will be reduced from \$29,296,920 to \$24,164,199.

Let me know if you have any questions.

A handwritten signature in black ink, appearing to read "T. Mattis", is written over a vertical line.

Thomas L. Mattis
City Manager



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE LEVYING TAXES FOR MAINTENANCE AND OPERATION OF THE MUNICIPAL GOVERNMENT OF THE CITY OF ELGIN, TEXAS, AND PROVIDING FOR THE INTEREST AND SINKING FUND FOR THE 2022 TAX YEAR.

DEPARTMENT: City Manager

PROPOSED ACTION: Approval of the First Reading

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

State law requires that local governments considering a tax rate that would increase tax revenues above that collected in the previous year (No New Revenue Rate -NNR) , must hold a public hearing prior to adoption of such tax rates, to give the public an opportunity to comment on the tax rates proposed to be adopted by the Council. Further, a vote to adopt the tax rates must be held no later than seven days after the final public hearing. The first public hearing was held regarding proposed tax rates on September 6, 2022 and the final will be held September 27, 2022.

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

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 First Reading

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: AN ORDINANCE TO ESTABLISH A COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO AMEND ORDINANCE 2020-10-13-29 AND SUBSEQUENT AMENDMENTS TO THAT ORDINANCE; ESTABLISH CATEGORIES OF FEES AND CHARGES; REVISE EXISTING RATES; RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN.

DEPARTMENT: City Manager and Finance

PROPOSED ACTION: Consider Ordinance for adoption

BACKGROUND: For ease of administration and analysis of the range of fees that have been established, it was recommended that the City Council adopt a comprehensive Fee Schedule that became an Appendix to the Annual Operating Budget for the City.

The Ordinance proposed here will accomplish the same objective by specifying all fees and charges listed in EXHIBIT A, that will be effective and valid beginning October 1, 2022 through September 30, 2023. During preparation of the following year's budget, a review of current fees will be made to determine what adjustments if any need to be made to the Schedule. These will then be considered and adopted in the next year's Budget. This Schedule will also serve as the reference in the Code of Ordinances where it states that fees are "on file in the City Secretary's office".

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: Recommended for adoption

ATTACHMENTS: Ordinance adopting the fee Schedule for FY 2022-23.

- ☐ 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:

AN ORDINANCE TO UPDATE THE COMPREHENSIVE SCHEDULE OF FEES AND CHARGES NECESSARY TO GENERATE FUNDING FOR GENERAL AND SPECIFIC OPERATIONS REQUIRED TO SATISFY SERVICE NEEDS OF THE CITY; TO AMEND ORDINANCE 2020-10-13-29 AND SUBSEQUENT AMENDMENTS TO THAT ORDINANCE; ESTABLISH NEW CATEGORIES OF FEES AND CHARGES; REVISE EXISTING RATES; RECONFIRM EXISTING RATES; PROVIDE FOR A SAVINGS CLAUSE; REPEAL CONFLICTING ORDINANCES OR RESOLUTIONS; AND PROVIDE THAT THIS ORDINANCE SHALL BECOME EFFECTIVE AS STATED HEREIN

WHEREAS, the City Council adopted Ordinance 2020-10-13-29 on September 13, 2020 that adopted an Ordinances codifying among other things a series of fees and charges that were authorized to be collected for services rendered by the City; and

WHEREAS, the City Council has from time to time revised fees and charges based on need for additional funding to cover increased costs of services funded by said fees; and

WHEREAS, a single comprehensive schedule of fees and charges facilitates administration of the multiplicity of fees collected by various departments in the City and provides a simpler and less complicated means of reviewing and adjusting rates as needed from time to time;

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

SECTION 1. All fees and charges listed in "EXHIBIT A" attached hereto and incorporated herein for all purposes are hereby adopted.

SECTION 2. All fees and charges listed in "EXHIBIT A" shall be effective and valid beginning October 1, 2022, through September 30, 2023.

SECTION 3. All fees authorized by the Code of Ordinances and referenced as "on file in the City Secretary's office" are shown in EXHIBIT A as incorporated herein.

SECTION 4. All ordinances, parts of ordinances or resolutions in conflict herewith are expressly repealed.

SECTION 5. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

SECTION 6. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted, was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject

matter hereof was discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

READ AND APPROVED ON THIS THE 27TH DAY OF SEPTEMBER 2022.

BY:

THERESA Y. MCSHAN, Mayor

ATTEST:

Jennifer Stubbs, City Secretary

EXHIBIT A

ORDINANCE NO.

**FEE SCHEDULE
CITY OF ELGIN**

**FISCAL YEAR
2022-23**

Ending September 30th, 2023

Sect.	Category	Effective Date
A	General Administration	On and after 10/1/2021
A.1	ROW Abandonment	County Fee + \$15.00 Admin. + \$4.00 each add'l page
A.2	Street / Alley Closing or	County Fee + \$15.00 Admin. + \$4.00 each add'l page
A.3	Public Info. Requests - Copying fees	See: TX Admin Code
A.4	Copy/Fax Fee's Non Pub Info Request	
A.4.1	10 Pages or less -	10¢ each
A.4.2	11-20 Pages -	\$2.50 + 10¢ each
A.4.3	>21 pages-	\$5.00 + 10¢ each
A.4.4	Two Sided Copies -	20¢ each
A.4.5	Postage and Shipping	Actual Costs
A.4.6	Out going Faxes-	\$1.50 Cover sheet/first page, \$2.00 each additional page
A.4.7	In-coming Faxes -	\$.50 each page
A.5	Film Production Fees	
A.5.1	Application Fee	\$200.00*
A.5.2	Total Disruptive use public bldg or ROW	\$500 per day
A.5.3	Partial use of public bldg or ROW	\$250 per day
A.5.4	Total closure street or parking	\$50 per block per day
A.5.5	Partial use of public bldg or ROW	\$25 per block per day
A.5.6	Use of city parking lots, or streets for parking film trailers, buses, etc.	\$100 minimum per lot or block per day
A.5.7	Disruption of access by customers to work site.	Minimum \$500 per day
A.5.8	Barricade rental	\$5.00 per barricade \$50.00 minimum

* Film Production application fee waived for student films

A.6	Historic District Fees	
A.6.1	Application for Modification Permit	\$50.00
A.6.2	Sign Permit	See Section V.8
A.6.3	Temporary Banner Permit	\$25.00
A.7	Miscellaneous Financial Fees	
A.7.1	Insufficient Funds Check	\$30.00
A.7.2	Bank Draft Return Fee	\$30.00
A.7.3	Credit Card Fee for Amts. < \$300	\$3.00 per transaction
A.7.4	Credit Card Fee for Amts. > \$300	1% of the transaction amount
A.7.5	Internet Processing Fee	
A.8	Notary Fees	
A.8.1	Notary Fee	\$6.00 first signature \$1.00 ea additional signature
A.8.2	Certified copies	\$6.00 per certificate \$0.50 ea page
A.8.3	Jurats	\$6.00 per signature including oath or affirmation

Sect.	Category	Effective Date
B	Elgin Library	On and after 10/1/2021
B.2	Elgin Library-	
B.2.1	Fines	\$0.10 per day past due date
B.2.2	Library Card (Residents)	\$0.00
B.2.3	Library Card (Non-Residents)	\$15.00
B.2.4	Library Card Replacement	\$1.00
B.2.5	Book Damage	Assessed by Librarian
B.2.6	Lost Book	Replacement Cost plus \$5.00.
B.2.7	Inter Library Loan	TSLAC. Rates
B.3	Elgin Library- Printing and copies	
B.3.1	Prints - Black and White	\$0.20 each page
B.3.2	Copies	\$0.20 (B/W only each page

Sect.	Category	Effective Date
C	Park and Recreation Fees	On and after 10/1/2021
C.1	Annual All-Purpose Memberships- Admission and Use of Recreation Facilities (Resident)	
C.1.1	Family *	\$300.00
C.1.2	Couple (2 people >17 years of age)	\$240.00
C.1.3	Individual Adult	\$180.00
C.1.4	Individual Senior (65+)	\$120.00
C.1.5	Individual Youth ,(< 18 years of age)	\$120.00
C.2	Annual All-Purpose Memberships- Non-resident	Add \$100.00 to each item C1.1 - C1.5 above.
C.3	Monthly All-Purpose Memberships- Resident	
C.3.1	Family *	\$30.00
C.3.2	Couple (2 people >17 years of age)	\$25.00
C.3.3	Individual Adult	\$20.00
C.3.4	Individual Senior (65+)	\$15.00

C.3.5	Individual Youth ,(< 18 years of age)	\$15.00
C.4	Monthly All-Purpose Memberships- Non-resident	
C.4.1	Family *	\$45.00
C.4.2	Couple (2 people >17 years of age)	\$40.00
C.4.3	Individual Adult	\$30.00
C.4.4	Individual Senior (65+)	\$25.00
C.4.5	Individual Youth,(< 18 years of age)	\$25.00

* Family—Up to 4 adults or children living at the same address. Each additional child added to the family membership is an additional \$2.00/Month for monthly memberships and \$10.00/Year for yearly memberships.

C.5	Daily Memberships-	
C.5.1	All Ages	\$5.00

C.6	Fees for Special Events	
C.6.1	Participant fees	Posted amounts not to exceed \$20.00 per person
C.6.2	Materials use fees	Posted amounts not to exceed \$20.00 per person

C.6	Sports Venue Rental/Use Fees	
C.6.1	Swimming Pool Use	
C.6.1.1	Admission Fee (Per Person)	\$2.00
C.6.1.2	Individual Season Pass	Free with Rec Membership
C.6.1.3	Water Aerobics Classes *	\$2.00/ class

* (Not included with Recreation Membership)

C	Park and Recreation Fees (Cont.)	On and after 10/1/2021
C.6	Sports Venue Rental/Use Fees (Cont.)	
C.6.2	Softball Field Rental	\$8.00/ Hour per field
C.6.3	Volleyball Court Rental	\$5.00/ Hour per field
C.6.4	Basketball Court Rental	\$5.00/ Hour per field
C.6.5	Tennis Court Rental	\$5.00/ Hour per field
C.6.6	Soccer Field Rental	\$5.00/ Hour per field
C.6.7	Picnic Table Rental	\$5.00/ per table per day

Rental assures exclusive use by renter for the hours rented maximum 4 hours

C.7	Swimming Pool Rental Rates *	
C.7.1	Deposit (refundable)	\$100.00
C.7.2	2 hours 1 - 50 participants	\$200.00
C.7.3	2 hours 51 - 100 participants	\$300.00
C.7.4	2 hours 101 - 150 participants	\$400.00
C.7.5	3 hours 1 - 50 participants	\$250.00
C.7.6	3 hours 51 - 100 participants	\$350.00
C.7.7	3 hours 101 - 150 participants	\$450.00
C.7.5	2 or 3 hours 151 - 240 participants	Call for Rates

*(includes a minimum of 3 life guards (1:15 ratio))

C.8	Park Rental 24 hr	
C.8.1	Elgin Memorial Park	
C.8.1.1	Elgin Memorial Park (Main Pavillion)	\$100 daily plus Refundable deposit \$100.00
C.8.1.2	Elgin Memorial Park (Small Pavillion)	\$50 daily plus Refundable deposit \$100.00
C.8.1.3	Elgin Memorial Park (entire park)	\$800 daily plus Refundable deposit \$500.00
C.8.2	Goins Picnic Area	\$200.00
C.8.3	Shenandoah Park	\$300.00
C.8.4	Thomas Memorial Park	
C.8.4.1	Thomas Memorial Park Picnic Pavillion	\$75 daily plus Refundable deposit \$100.00
C.8.4.2	Thomas Memorial Park Open Pavillion	\$50 daily plus Refundable deposit \$100.00
C.8.4.3	Thomas Memorial Entire Park	\$600 daily plus Refundable deposit \$500.00
C.8.5	Veteran's Park	
C.8.5.1	Veteran's Park Gazebo	\$100 daily plus Refundable deposit \$100.00
C.8.5.2	Veteran's Park Entire Park	\$300 daily plus Refundable deposit \$500.00
C.8.6	Morris Memorial Park	\$400 daily plus Refundable deposit \$500.00
C.8.7	Supplemental Feature or Staff Fees	
C.8.7.1	Water Slide	\$35.00
C.8.7.2	Bounce House	\$35.00
C.8.7.3	Additional Staff	\$25.00 per hour per staff member
C.8.7.4	Special Event	\$25.00
C.8.7.5	Cancellation Fee	\$25.00

C.9	Recreation Building Rental	
C.9.1	Recreation Center Building	
C.9.1.1	Rental of Gym without Carpet	\$100.00 / hour + \$500.00 Refundable Deposit
C.9.1.2	Rental of Gym with Carpet	\$300.00 / hour + \$500.00 Refundable Deposit
C.9.1.3	Rental of Studio (Rec Center)	\$30.00 / hour + \$100.00 Refundable Deposit
C.9.1.4	Rental of Kitchen (Rec Center)	\$150.00 / hour + \$500.00 Refundable Deposit

C.9.2	Fleming Center	
C.9.2.1	Fleming Center Grand Hall Rental	\$30.00 / hour + \$100.00 Refundable Deposit
C.9.2.2	Fleming Center Studio Rental	\$20.00 / hour + \$100.00 Refundable Deposit
C.9.2.3	Fleming Center Meeting Room Rental	\$20.00 / hour + \$100.00 Refundable Deposit

Sect.	Category	Effective Date
D	Business License Fees	On and after 10/1/2021
D.1	New Mfg. Home Park Permit	\$500.00
D.2	Alcoholic Beverage License and Permits	
D.2.1	Alcoholic Beverage License	50% of TABC Fee
D.2.2	Liquor Permits	50% of TABC Fees
D.2.3	Beer Licenses	50% of TABC Fees
D.3	Solicitor's Permits	
D.3.1	30 Day Distributor Permit	\$25.00 / group
D.3.2	90 Day Peddler Permit	\$25.00 / each
D.3.3	30 Day Solicitor Permit	\$25.00 / each
D.3.4	14 Day Itinerant Vendor Permit	\$25.00 / each
D.3.5	30 Day Itinerant Vendor Permit	\$35.00 / each
D.3.6	90 Day Itinerant Vendor Permit	\$75.00 / each
D.3.7	180 Day Itinerant Vendor Permit	\$100.00 / each

Sect.	Category	Effective Date
E	Police Department Fees	On and after 10/1/2021
E.1	Police Operation Fees	
E.1.1	Printed Police Reports (CAD,Offense)	\$0.10 per page
E.1.2	CRASH Reports	\$6.00 per report
E.1.3	Audio-Photos	\$1.00 per CD (CD-RW)
E.1.4	In-Car Camera Video	\$3.00 per DVD
E.1.5	Body Worn Camera Footage	impoundment fee
E.1.6	Other Electronic Media (USB)	\$3.00 per DVD
E.1.7	Labor (Locating, compiling, reproduction)	\$15.00 per hour
E.1.8	EPD Escort Fees	\$45.00 per hr per Officer plus \$15.00 per vehicle
E.1.8	SRO Fees to EISD per Contract	SRO Fees to EISD per Contract
E.2	Animal Control Fees	
E.2.1	Animal Pickup/Impoundment Fee (Licensed)	\$15.00 per day
E.2.2	Animal Pickup/Impoundment Fee (Unlicensed)	\$35.00 per day
E.2.3	Dogs Running at Large (Licensed)	\$25.00
E.2.4	Dogs Running at Large (Unlicensed)	\$50.00
E.2.5	Keeping Wild Animals	\$100.00 fine 10 days to remove
E.2.6	Keeping Livestock	\$100.00 fine 30 days to remove
E.2.7	Livestock at large	\$50.00
E.2.8	Fowl/ at Poultry at Large	\$25.00
E.2.9	Livestock Impoundment:	
E.2.9.1	Large Animal (horse/cow)	\$100.00
E.2.9.2	Medium Animal (goat/sheep)	\$35.00
E.2.9.3	Fowl/Poultry	\$5/head
E.2.10	Animals Surrendered	\$15.00

Sect.	Category	Effective Date
F	Municipal Court Fees	On and after 10/1/2021
F.1	Dismissal Fee	\$10.00
F.2	Warrant for Arrest Fee	\$50.00

Sect.	Category	Effective Date
J	Utility Charges and Fees	On and after 10/1/2021
J.1	Reserved	

J.2	Application Fee and Deposits for Services	
J.2.1	App Fee Water Only	\$25.00
J.2.2	Residential Water 3/4" to 1" Meter	\$200.00
J.2.3	Irrigation accts.3/4" to 1" Meter	\$200.00
J.2.4	Irrigation accts. 1 1/2" Meter	\$250.00
J.2.5	Commercial 3/4" to 1" Meter	\$200.00
J.2.6	Commercial 1 1/2" Meter	\$250.00
J.2.7	Commercial 2" Meter	\$300.00
J.2.8	Commercial 3" Meter	\$400.00

J.2.9	Commercial 4" Meter	\$500.00
J.2.10	Commercial > 4" Meter	\$600.00
J.4	Miscellaneous Fees and Charges	
J.4.1	Transfer of Service Fee	\$20.00
J.4.2	Temporary Service Fee	\$50.00 Deposit for 5 days(<3K gal return \$20.00)
J.4.3	Bulk Water Volume Rate	6.02/1,000 gal.
J.4.4	Utility Service Late Fee	10% of balance owed on Utility Bill
J.4.6	Scheduled Disconnect / Reconnection Fee	\$75.00
J.4.7	After Hour Service	\$50.00
J.4.8	Broken Lock Fee	\$50.00
J.4.9	Meter Tampering Fee	\$100.00
J.4.10	Curb Stop Replacement Fee	\$60.00

*(Unoccupied Residence / Commercial Structure) In the event the meter indicates usage; the account will automatically be reset to active bill" status and the account will be invoiced for a deposit + consumption.

Sect.	Category	Effective Date
K	Water Rates	On and after 10/1/2021
K.1	Monthly Base Rate by meter size (Incl. 0 - 2,000 gallons consumption) Inside City Limits	
K.1.1	3/4" Meter	\$45.00
K.1.2	1" Meter	\$66.50
K.1.3	1 1/2 " Meter	\$100.25
K.1.4	2" Meter	\$141.00
K.1.5	3" Meter	\$236.00
K.1.6	4" Meter	\$367.00
K.1.7	6" Meter or Equivalent	\$485.00

K.2	Monthly Base Rate by meter size (Incl. 0 - 2,000 gallons consumption) Outside City Limits	
K.2.1	3/4" Meter	\$65.00
K.2.2	1" Meter	\$97.25
K.2.3	1 1/2 " Meter	\$147.88
K.2.4	2" Meter	\$216.50
K.2.5	3" Meter	\$351.50
K.2.6	4" Meter	\$548.00
K.2.7	6" Meter or Equivalent	\$725.00

K	Water Rates (Cont.)	On and after 10/1/2021
K.3	Water Volume Rate (Use per 1,000 > 2,000 gallons per month) Inside City Limits	
K.3.1	Consumption 2,001 to 4,999 gal.	\$4.01 per 1,000 gallons
K.3.2	Consumption 5,000 to 8,999 gal.	\$4.07 per 1,000 gallons
K.3.3	Consumption 9,000 to 12,999 gal.	\$4.26 per 1,000 gallons
K.3.4	Consumption > 12,999 gal.	\$4.44 per 1,000 gallons

K.4	Water Volume Rate (Consumption per 1,000 gallons per month) Outside City Limits	
K.4.1	Consumption 2,001 to 4,999 gal.	\$6.02 per 1,000 gallons
K.4.2	Consumption 5,000 to 8,999 gal.	\$6.11 per 1,000 gallons
K.4.3	Consumption 9,000 to 12,999 gal.	\$6.39 per 1,000 gallons
K.4.4	Consumption > 12,999 gal.	\$6.66 per 1,000 gallons

K.5	Water Tap Fees*	
K.5.1	3/4" Tap	\$2,000.00
K.5.2	1" Tap	\$2,500.00
K.5.3	1 1/2" Tap	\$3,000.00
K.5.4	2" Tap	\$3,500.00
K.5.5	> 2" Labor, Equip. & Mat. Cost + 10 %	L E. & M Cost + 10%

* An additional charge of \$500.00 will be assessed if the street has to be cut or a bore has to be made to make the tap

K.6	Meter Set Fees by size of meter	
K.6.1	3/4" Tap	\$150.00
K.6.2	1" Tap	\$200.00
K.6.2	1 1/2" Tap	\$400.00
K.6.2	2" Tap	\$500.00
K.6.2	> 2" Tap	Cost + 10%

Sect.	Category	Effective Date
L	Wastewater Rates	On and after 10/1/2021

L.1	Application Fee	
L.1.1	Sewer Only	\$15.00
L.2	Monthly Base Rate (Incl. 0 - 2,000 gallons consumption)	
L.2.1	Residential/Commercial	\$35.00
L.3	Monthly Volume Rate	
L.3.1	Residential Volume Rate - > 2,000 gal. (Rate based on Winter average from Nov.to Feb.)	\$4.01 per 1,000 gal.
L.3.2	Commercial Volume Rate - > 2,000 gal. (No winter Average)	\$4.01 per 1,000 gal.
L.4	MUD Wastewater rates per 1,000 gallons used	
L.4.1	Travis Co. MUD # 14 Elm Creek	

L.5	Sewer Tap Fees*	
L.5.1	4" Tap	\$2,000.00
L.5.2	6" Tap	\$2,500.00
L.5.3	8" Tap	\$3,000.00
L.5.4	> 8" Tap	L E. & M Cost + 10%

* An additional charge of \$500.00 will be assessed if the street has to be cut or a bore has to be made to make the tap

Sect.	Category	Effective Date
Q	Solid Waste Collection/Disposal	On and after 10/1/2021
Q.1	Residential Rate- Once weekly curbside collection	
Q.1.1	1 Cart	\$22.46/month
Q.1.2	2 Carts	\$29.96/month
Q.1.3	3 Carts	\$33.95/month
Q.1.4	4 Carts	\$37.94/month
Q.1.5	Sr. Citizen (65 or older.)	\$15.80/month
Q.2	Commercial - Cart Service (Number of Carts and Frequency of Service)	
Q.2.1	1 cart x once weekly	\$30.10/month
Q.2.2	2 carts x once weekly	\$46.79/month
Q.2.3	3 carts x once weekly	\$63.74/month
Q.2.4	4 carts x once weekly	\$79.32/month
Q.2.5	1 cart x twice weekly	\$46.79/month
Q.2.6	2 carts x twice weekly	\$68.37/month
Q.2.7	3 carts x twice weekly	\$101.97/month
Q.3	Commercial- Dumpsters	
Q.3.1.1	2 Cu. Yard 1x Weekly	\$97.82/month
Q.3.1.2	2 Cu. Yard 2x Weekly	\$192.49/month
Q.3.1.3	2 Cu. Yard 3x Weekly	\$284.46/month
Q.3.1.4	2 Cu. Yard 4x Weekly	\$540.38/month
Q.3.1.5	2 Cu. Yard 5x Weekly	\$463.02/month
Q.3.2.1	3 Cu. Yard 1x Weekly	\$107.50/month
Q.3.2.2	3 Cu. Yard 2x Weekly	\$183.32/month
Q.3.2.3	3 Cu. Yard 3x Weekly	\$270.91/month
Q.3.2.4	3 Cu. Yard 4x Weekly	\$360.25/month
Q.3.2.5	3 Cu. Yard 5x Weekly	\$440.97/month
Q.3.3.1	4 Cu. Yard 1x Weekly	\$129.18/month
Q.3.3.2	4 Cu. Yard 2x Weekly	\$214.73/month
Q.3.3.3	4 Cu. Yard 3x Weekly	\$336.51/Month
Q.3.3.3	4 Cu. Yard 4x Weekly	\$444.51/month
Q.3.3.4	4 Cu. Yard 5x Weekly	\$553.43/month
Q.3.4.1	6 Cu. Yard 1x Weekly	\$164.66/month
Q.3.4.2	6 Cu. Yard 2x Weekly	\$287.90/month
Q.3.4.3	6 Cu. Yard 3x Weekly	\$419.73/month
Q.3.4.4	6 Cu. Yard 4x Weekly	\$551.55/month
Q.3.4.5	6 Cu. Yard 5x Weekly	\$707.07/month
Q.3.5.1	8 Cu. Yard 1x Weekly	\$188.90/month
Q.3.5.2	8 Cu. Yard 2x Weekly	\$341.53/month
Q.3.5.3	8 Cu. Yard 3x Weekly	\$514.75/month
Q.3.5.4	8 Cu. Yard 4x Weekly	\$658.84/month
Q.3.5.5	8 Cu. Yard 5x Weekly	\$837.74/month
Q.4	Commercial- Dumpsters Service Fees	
Q.4.1	Commercial Front End Load Delivery Fee	\$52.50
Q.4.2	Extra Lift Fee	\$126.00
Q.4.3	Extra Yardage Fee	\$36.75
Q.5	Trash Service Application Fee	
		\$10.00

Sect.	Category	Effective Date
V.	Development Services	On and after 10/1/2021
*All fees must be paid prior to permits being issued or item being scheduled for hearing, whichever is applicable.		
V.1	Fees common to other activities as referenced below. *	
V.1.1	Professional Recovery Fees (PRF)	115% of cost for consultant review.
V.1.2	Renoticing Fees For Items Requiring Public Hearing	
V.1.2.1	Newspaper Notice	125% of newspaper publishing costs
V.1.2.2	Fee per Notice sign	\$35.00
V.1.2.3	Fee per letter for 200' notice	\$7.00
V.1.3	Work without City Approval Penalty	
V.1.3.1	Subdivision Construction	\$1,500
V.1.3.2	Site Development	\$1,500
V.1.3.3	W/O Permit	Double Cost of Permit Fee or \$1,000, whichever is least
V.2	Zoning and Land Use *	
V.2.1	Annexation Petition	\$0.00
V.2.2	Annexation Development Agreement	\$0.00
V.2.3	Other Development Agreement	\$2,500.00 + PRF
V.2.4	Development Agreement Modification	\$1,250.00 + PRF
V.2.5	Comprehensive Plan Amendment	\$725.00 + PRF
V.2.6	Specific Use Permit	\$600.00 + PRF
V.2.7	Zoning Variance	\$600.00 + PRF
V.2.8	Special Exception	\$600.00 + PRF
V.2.9	Zoning Change - PDD Rezoning	
V.2.9.1	< 5 Acres	\$1,250 + PRF
V.2.9.2	5 Acres to 10 Acres	\$2,500 + PRF
V.2.9.3	> 10 Acres	\$5,000 + PRF
V.2.10	Zoning Change - Non PDD Rezoning	
V.2.10.1	< 3 Acres	\$600.00 + PRF
V.2.10.2	3 Acres to 10 Acres	\$1,000.00 + PRF
V.2.10.3	> 10 Acres	\$2,000.00 + PRF
V.2	Zoning and Land Use * (Cont.)	
V.2.11	PDD Zoning Modification	
V.2.11.1	< 5 Acres	\$625.00 + PRF
V.2.11.2	5 Acres to 10 Acres	\$1250.00 + PRF
V.2.11.3	> 10 Acres	\$2,500.00 + PRF
V.2.12	Misc. Zoning Fees and Charges	
V.2.12.1	Special Purpose Dist. (i.e. MUD or PID)	\$20,000.00 + PRF
V.2.12.2	Appeals	\$500.00 + PRF
V.2.12.3	Zoning Verification Letter	\$65.00
V.	Development Services (Cont.)	On and after 10/1/2021
V.3	Plats *	
V.3.1	Concept Plan	\$1,000.00 + PRF
V.3.2	Preliminary Plat	\$50.00 per lot or \$1,000.00, whichever is greater + PRF
V.3.3	Preliminary Plat Amendment	\$50.00 per lot or \$600.00, whichever is greater + PRF
V.3.4	Final Plat	\$55.00 or \$850.00, whichever is greater + PRF
V.3.5	Short Form Plat	\$600.00 + PRF
V.3.6	Replat	\$55.00 per lot or \$850.00, whichever is greater + PRF
V.3.7	Plat Amendment	\$600.00 + PRF
V.3.8	Plat Vacation	\$600.00 + PRF
V.3.9	Subdivision Variance	\$600.00 + PRF
V.3.10	Appeal	\$600.00 + PRF
V.3.11	Parkland Fee	\$800.00 per residential lot
V.3.12	Tree removal or replacement	
V.3.12.1	Significant Tree Removal (8"-13" caliper)	\$50.00 per caliper inch
V.3.12.2	Significant Tree Removal (14"-19" caliper)	\$150.00 per caliper inch
V.3.12.3	Heritage Tree Removal (20" or more caliper)	\$300.00 per caliper inch
V.3.12.4	Payment-in-lieu fee for not replacing trees in V.3.12.1 - V.3.12.3	\$150.00 per caliper inch
V.4	Subdivision Construction Plans *	
V.4.1	New Subdivision Construction Plan	Greater of 3.5% of est. cost of infrastructure conveyed to City or \$5,000 + PRF
V.4.2	Revisions to Approved Subdivision Construction Plans	\$500 + PRF
V.4.3	Inspections	PRF
V.4.4	Sidewalk-In-Lieu Fee	Actual market value per City Engineer
V.5	Site Development Plans *	
V.5.1	New Site Development Plan Outside Historic Dist.	\$5,000.00 + PRF
V.5.2	New Site Development Plan Inside Historic Dist.	\$1,000.00 + PRF

V.5.3	Revisions to Approved Plans	\$500.00 + PRF
V.5.4	Parkland Fee	\$800.00 per dwelling unit
V.5.5	Inspections	PRF
V.5.6	Tree removal or replacement	
V.5.6.1	Significant Tree Removal (8"-13" caliper)	\$50.00 per caliper inch
V.5.6.2	Significant Tree Removal (14"-19" caliper)	\$150.00 per caliper inch
V.5.6.3	Heritage Tree Removal (20" or more caliper)	\$300.00 per caliper inch
V.5.6.4	Payment-in-lieu fee to replace trees in V.5.6.1 - V.5.6.3	\$150.00 per caliper inch
V.5.7	Sidewalk-In-Lieu Fee	Actual market value per City Engineer
V.	Development Services (Cont.)	On and after 10/1/2021
V.6	Building Permits *	
V.6.1	Residential Building Permits and Fees	
V.6.1.1	Trade Permits (electrician, mech., plumb., gas)	\$75.00
V.6.1.2	New Building Permit Fee	\$0.60 per sq. ft., maximum \$2,000 + PRF
V.6.1.3	Addition Building Permit Fee	\$0.60 per sq. ft., maximum \$2,000 + PRF
V.6.1.4	Industrialized Home	\$0.30 per sq. ft., maximum \$1,000 + PRF
V.6.1.5	HUD Manufactured Mobile Home	\$0.30 per sq. ft., maximum \$500 + PRF
V.6.1.6	1st and 2nd Subsequent Inspection not Demo	\$75.00 + PRF
V.6.1.7	1st and 2nd Subsequent Inspection Demo	\$0.00
V.6.1.8	3rd and Additional Subsequent Inspection Not Demo	\$100.00 + PRF
V.6.1.9	3rd and Additional Subsequent Inspection Demo	\$0.00
V.	Development Services (Cont.)	On and after 10/1/2021
V.6.2	Commercial Building Permits and Fees	
V.6.2.1	Trade Permits (electrician, mech., plumb., gas)	\$75.00
V.6.2.2	Multi-family Site Built New/Addition Building	\$0.40 per square ft., maximum \$3,000 + PRF
V.6.2.3	Site Built New Bldg. Permit Shell/Finish Out Together	\$0.70 per sq. ft. maximum \$7,000 + PRF
V.6.2.4	Site Built New Building Permit Shell Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
V.6.2.5	Site Built New Building Permit Tenant Finish Out Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
V.6.2.6	Site Built Addition Bldg. Permit Fee Shell & Finish Out Together Fee	\$0.70 per sq. ft., maximum \$7,000 + PRF
V.6.2.7	Site Built Addition Building Permit Shell Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
V.6.2.8	Site Built Addition Bldg. Permit Tenant Finish Out Only	\$0.35 per sq. ft., maximum \$3,500 + PRF
V.6.2.9	Industrialized Building	\$0.35 per sq. ft., maximum \$3,500 + PRF
V.6.2.10	1st and 2nd Subsequent Inspection Not Demo	\$100.00 + PRF
V.6.2.11	1st and 2nd Subsequent Inspection Demo	\$0.00
V.6.2.12	3rd and Additional Subsequent Inspection Not Demo	\$125.00 + PRF
V.6.2.13	3rd and Additional Subsequent Inspection Demo	\$0.00
V.	Development Services (Cont.)	On and after 10/1/2021
V.6.3	Misc. Building Permits, Fees and Fines	
V.6.3.1	Demolition Permit	\$0.00
V.6.3.2	House or Structure Moving Fee	\$0.00
V.6.3.3	Patio/Deck Permit	\$200.00 + PRF
V.6.3.4	Flatwork (sidewalks, driveway, curb cut)	\$200.00 + PRF
V.6.3.5	Temporary Certificate of Occupancy	\$250.00 + PRF
V.6.3.6	Permanent Certificate of Occupancy	\$100.00 + PRF
V.6.3.7	Appeal	\$500.00 + PRF
V.6.3.8	Occupation of bldg. prior to CO issuance	\$200.00
V.6.3.9	Wireless Communications Facilities	\$150.00 + PRF
V.6.3.10	Modification of Postal Address by Owner	\$50.00
V.6.3.11	Building Permit Extension	one-half (1/2) of building permit fee
V.6.3.12	Sidewalk-in-lieu Fee	\$4.75 per square foot
V.6.3.13	Remodel	\$200.00 + PRF
V.6.3.14	Reroof	\$200.00 + PRF
V.6.3.15	Pool/Spa	\$150.00 + PRF
V.6.3.16	Accessory Building	\$75.00 + PRF
V.6.4	Building Code Variance	\$600.00 + PRF
Sect.	Category	Effective Date
V.	Comm. Development/Planning (Cont.)	On and after 10/01/2021
V.7	Fire Protection *	
V.7.1	Fire Plan Review - Fire Suppression/Alarm/Vent Hood	
V.7.1.1	Review	\$90.00 per hour, 1 hour minimum.
V.7.2	Fire Plan Review - Site Dev., Plat, and Subdivision Construction	
V.7.2.1	Review	\$90.00 per hour, 1 hour minimum.
V.7.3	Fire Plan Review - New Construction & Remodel	
V.7.3.1	First Review	\$115.00 per project + \$0.20 / SF
V.7.3.2	Subsequent Review	\$90.00 flat fee
V.7.4	Fire Plan Review - Shell Building	

V.7.4.1	First Review	\$75.00 per project + \$0.10 / SF
V.7.4.2	Subsiquent Review	\$90.00 flat fee
V.7.5	Fire Plan Review - Tenant Improvement / Finish Out	
V.7.5.1	First Review	\$85.00 per project + \$0.15 / SF
V.7.5.2	Subsiquent Review	\$65.00 flat fee
V.7.6	Fire Inspections	
V.7.6.1	First Inspection	\$115.00 per hour; \$75.00 each additional hour. 1 hour minimum
V.7.6.2	Subsiquent Inspection	\$100.00 per hour; \$70.00 each additional hour. 1 hour minimum
V.7.7	Fire Code Variance	\$600.00 +PRF
Sect.	Category	Effective Date
V.	Comm. Development/Planning (Cont.)	On and after 10/01/2021
V.8	Signage Fees *	
V.8.1	Signage Fees General	
V.8.1.1	Signage Master Plan Outside Historic Districts	\$300.00 + PRF
V.8.1.2	Signage Master Plan Within Historic Districts	\$100.00 + PRF
V.8.1.3	Signage Master Plan Modification Outside Historic Dist.	\$150.00 + PRF
V.8.1.4	Signage Master Plan Modification Within Historic Dist.	\$75.00 + PRF
V.8.1.5	Sign Variance Outside Historic Districts	\$600.00 + PRF
V.8.1.6	Sign Variance Within Historic Districts	\$300.00 + PRF
V.8.1.7	Awning Sign Fee Outside Historic Districts	\$75.00 + PRF
V.8.1.8	Awning Sign Fee Within Historic Districts	\$50.00 + PRF
V.8.1.9	Bulletin Board Sign Outside Historic Districts	\$75.00 + PRF
V.8.1.10	Bulletin Board Sign Within Historic Districts	\$25.00 + PRF
V.8.1.11	Canopy Sign Outside Historic Districts	\$75.00 + PRF
V.8.1.12	Canopy Sign Within Historic Districts	\$50.00 + PRF
V.8.1.13	New Changeable Copy Sign Outside Historic Districts	\$75.00 + PRF
V.8.1.14	New Changeable Copy Sign Within Historic Districts	\$50.00 + PRF
V.8.1.15	Changeable Copy Sign Reface	\$50.00 + PRF
V.8.1.16	New Freestanding Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00 + PRF
V.8.1.17	Freestanding Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
V.8.1.18	New Freestanding Sign Within Historic Districts	\$50.00 + PRF
V.8.1.19	Freestanding Sign Reface Within Historic Districts	\$25.00 + PRF
V.8.1.20	Painted Sign Outside Historic Districts	\$75.00 + PRF
V.8.1.21	Painted Sign Within Historic Districts	\$25.00 + PRF
V.8.1.22	Political Election Sign Outside Historic Districts	\$0.00
V.8.1.23	Political Election Sign Within Historic Districts	\$0.00
V.8.1.24	New Projecting Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00 + PRF
V.8.1.25	Projecting Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
V.8.1.26	New Projecting Sign Within Historic Districts	\$50.00 + PRF
V.8.1.27	Projecting Sign Reface Within Historic Districts	\$25.00 + PRF
V.8	Signage Fees (Cont.) *	
V.8.1.28	Temp. Sign (i.e banner, sidewalk) Outside Historic Dist.	\$50.00
V.8.1.29	Temp. Sign (i.e banner, sidewalk) Within Historic Dist.	\$25.00
V.8.1.30	New Wall Sign Outside Historic Districts	\$5.50 sq. ft, maximum \$200.00, + PRF
V.8.1.31	Wall Sign Reface Outside Historic Districts	\$2.25 sq. ft, maximum \$50.00 + PRF
V.8.1.32	New Wall Sign Within Historic Districts	\$50.00 + PRF
V.8.1.33	Wall Sign Reface Within Historic Districts	\$25.00 + PRF
V.8.1.34	New Window Sign Outside Historic Districts	\$75.00
V.8.1.35	New Window Sign Within Historic Districts	\$25.00
V.8.2	Signage Inspection Fees	
V.8.2.1	Painted Signs Outside Historic District	\$25.00 + PRF
V.8.2.2	Painted Signs Inside Historic District	\$25.00 + PRF
V.8.2.3	Freestanding, Projecting, & Wall Signs Outside Historic District	\$75.00 + PRF
V.8.2.4	Freestanding, Projecting, & Wall Signs Inside Historic District	\$25.00 + PRF
V.8.2.5	Temporary Signs Outside Historic District	\$25.00
V.8.2.6	Temporary Signs Inside Historic District	\$0.00
V.8.2.7	All Other Permanent Signs Outside Historic District	\$50.00 + PRF
V.8.2.8	All Other Permanent Signs Inside Historic District	\$25.00 + PRF



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE FY2021-22 ANNUAL STREET RESURFACING PROGRAM; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager/Public Works

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *Gage and Cade Construction* of Bertram, Texas in the amount of \$574,679.48. for street repairs related to the 2021-2022 annual street resurfacing program.

BACKGROUND:

As part of The City's 2021-2022 annual operating budget included is certain funds to provide for a regular reoccurring street maintenance program for the City of Elgin. Staff along with the City Engineer have worked on a street survey and identifying certain areas for much needed road repairs. Staff in a previous council meeting have presented a list of streets to be resurfaced and drainage improvements made this year. Staff advertised for and received qualified bids for such improvements and are here now recommending awarding Gage and Cade Construction to start these repairs. Included in Councils packet is the contract amount, staff is recommending at this time that this contract is awarded without any deductions from the agreement.

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 *Gage and Cade Construction* of Bertram, Texas, in the amount of \$574,697.48 for street repairs and drainage improvements associated with the City of Elgin's 2021-2022 street resurfacing program; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) Award Recommendation from TRC Engineers

{ } 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 THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO PROCEED
WITH THE FY2021-22 ANNUAL STREET RESURFACING
PROGRAM; AND MAKING CERTAIN FINDINGS
RELATED THERETO.**

WHEREAS, the City of Elgin has primary responsibility for maintaining safe and effective transportation systems throughout the City, which includes the maintenance and upgrade of all city-owned streets and alleys; and,

WHEREAS, City staff and the City Engineer have submitted a recommendation to award a contract to Gauge and Cade Construction of Bertram, Texas for various improvements to a number of city streets in various locations prioritized on need, current conditions, and anticipated future use and/or traffic; and,

WHEREAS, the FY2021-22 Annual Budget includes funding to support a greatly enhanced effort toward improving, upgrading, and maintaining existing city streets.

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 finalize plans and bid documents to improve, upgrade, and maintain existing city streets as listed and described in the *2022 Street Improvements* report from TRC, a copy of which is 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 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 27th day of September, 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

September 20, 2022

Ms. Theresa McShan, Mayor and City Council
City of Elgin
310 N. Main Street
Elgin, Texas 78621

ATTN: Thomas Mattis, City Manager

**RE: City of Elgin 2022 Street Improvements Project
Bid Award Recommendation**

Dear Ms. McShan:

The bid opening for the above referenced project was held on September 20, 2022. A total of three (3) bids were submitted. The bids ranged from a low of \$574,679.48 from Gage and Cade Construction from Bertram to a high of \$647,376.00 from Lone Star Paving from Austin.

The project consists of approximately 22,500 SY of single course seal coat, approximately 12,650 SY of HMA overlay, approximately 750 LF of concrete curb and gutter, traffic control, and all necessary appurtenances for the construction project.

The low bidder, Gage and Cade Construction, has successfully completed similar work in the past.

The bid amounts were higher than the budgeted amount due to recent inflationary pressures on the market and the addition of Irene Street. However, it is recommended that the above named contract be awarded to Gage and Cade Constructino for the total bid amount of \$574,679.48. The contractor has provided a bid bond and will be required to furnish a Performance Bond and Payment Bond to the City.

If you have any questions regarding this information, please feel free to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Beau Perry".

K. Beau Perry, PE
Regional Vice President – DMS

Attachment: Bid Tabulation

City of Elgin
2022 Street Improvements Project
Bid Tabulation
September 20, 2022 - 11:00am



				Gage & Cade Construction 1107 County Road 264 Bertram, Texas 78605		HCS, Inc. 365 Wayside Dr Waco, Texas 76705		Lone Star Paving 11675 Jollyville Rd, #150 Austin, Texas 78759	
Item	Description	Qty.	Unit	Unit Price	Total	Unit Price	Total	Unit Price	Total
P.1	2" Type D HMA overlay	2,157	SY	\$19.90	\$42,924.30	\$25.00	\$53,925.00	\$22.00	\$47,454.00
P.2	Single Course Surface Treatment	22,448	SY	\$12.06	\$270,722.88	\$10.00	\$224,480.00	\$12.00	\$269,376.00
P.3	Concrete curb and gutter	756	LF	\$25.00	\$18,900.00	\$52.00	\$39,312.00	\$52.80	\$39,916.80
P.4	Concrete riprap	23	SY	\$250.00	\$5,750.00	\$220.00	\$5,060.00	\$1,548.00	\$35,604.00
P.5	4" Yellow reflective pavement markings	1,220	LF	\$5.30	\$6,466.00	\$3.50	\$4,270.00	\$2.40	\$2,928.00
P.6	24" White reflective pavement markings	13	LF	\$15.60	\$202.80	\$12.00	\$156.00	\$14.40	\$187.20
P.7	12" White reflective pavement markings	10	LF	\$7.80	\$78.00	\$9.00	\$90.00	\$7.20	\$72.00
P.8	Pavement repair	92	LF	\$75.00	\$6,900.00	\$50.00	\$4,600.00	\$19.00	\$1,748.00
P.9	New 5' concrete curb inlet sections	1	EA	\$8,385.00	\$8,385.00	\$12,000.00	\$12,000.00	\$10,500.00	\$10,500.00
P.10	3' square grate inlet	1	EA	\$5,500.00	\$5,500.00	\$7,500.00	\$7,500.00	\$8,700.00	\$8,700.00
TOTAL BID					\$365,828.98		\$351,393.00		\$416,486.00

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: UPPER EAST END

CONTRACTOR: GAGE & CADE CONSTRUCTION

CONTACT INFO: (281)-330-9769

AREA(S) OF WORK: ___X___ UTILITIES

 ___X___ CONCRETE

 ___X___ ROADWAY & TRANSPORTATION

 ___X___ GENERAL CONSTRUCTION

 ___ OTHER: _____

REFERENCE: DAVID RENFRO, CARR UTILITY CONTRACTING

CONTACT INFO: 512-680-7164

DATE OF INTERVIEW: 9/20/2022

1. Project Time:

a. Was the construction started and completed on time?

Yes.

b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion? **No.**

c. Were there any significant delays or work stoppages? **No, smooth all the way through.**

- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?

No

- e. Other?

2. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

Nothing on the contractor's end.

- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

No.

- c. Did the contractor pay his sub-contractors timely?

Yes.

- d. Were there any liens placed on the project from vendors or sub-contractors?

No.

- e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Yes.

4. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?

No

5. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?

Yes, good communication. Kenny was proactive and brought up any issues that came up with the engineers and general contractor.

- b. Were there any significant issues with the contractor's employees dealing with the public?

No.

- c. Were there many complaints from the residents regarding the contractor?

No.

- d. Did the contractor cleanup his work site sufficiently?

Yes.

- e. Was there excessive personnel turnover for the contractor's field workers?

No.

- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?

No.

6. General:

- a. How much of the work was self performed versus sub contracted out?

Self-performed dirt work, pond, curb and gutter, subgrade lime and base. Only item that was subbed was asphalt paving.

- b. Did the contractor do the utilities or sub contract them out?

Self done.

- c. Did the contractor do the roadway work or sub contract it out?

Only asphalt was subbed out.

7. Would you hire this contractor again?

Yes.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: THE OVERLOOK AT SALADO

CONTRACTOR: GAGE & CADE CONSTRUCTION

CONTACT INFO: (281)-330-9769

AREA(S) OF WORK: ___X___ UTILITIES

 ___X___ CONCRETE

 ___X___ ROADWAY & TRANSPORTATION

 ___X___ GENERAL CONSTRUCTION

 ___ OTHER: _____

REFERENCE: JAMES BLAMEY, PREMIER LAND INVESTMENTS

CONTACT INFO: (512)-844-0748

DATE OF INTERVIEW: 9/20/2022

1. Project Time:

- a. Was the construction started and completed on time?

Completed project well before expected due date.

- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?

No

- c. Were there any significant delays or work stoppages? No.

d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner? **No**

e. Other?

2. Project Budget:

a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?

No

b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?

No

c. Did the contractor pay his sub-contractors timely?

Yes, as far as is known.

d. Were there any liens placed on the project from vendors or sub-contractors?

No.

e. Other?

3. Was the project that the contractor did for the reference similar in nature to the proposed project (type of construction, depth of utilities, etc.).

Yes.

4. Safety:

a. Were there any safety issues for the contractor's employees or safety issues with the public?

No

5. General Problems/Issues:

a. Did the contractor work well with the City/Engineer staffs?

Yes

b. Were there any significant issues with the contractor's employees dealing with the public?

No.

c. Were there many complaints from the residents regarding the contractor?

None.

d. Did the contractor cleanup his work site sufficiently?

Yes

e. Was there excessive personnel turnover for the contractor's field workers?

None aware.

f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?

No

6. General:

a. How much of the work was self performed versus sub contracted out?

All but asphalt self-performed, asphalt was subbed out.

b. Did the contractor do the utilities or sub contract them out?

Self-performed.

c. Did the contractor do the roadway work or sub contract it out?

Only roadwork that was subbed out was asphalt.

7. Would you hire this contractor again?

Yes, absolutely.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 52.76 ACRES OF LAND, KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX, 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 52.76 acres of land located on Travis Co. Appraisal District Parcels 358800 – 358802.

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 Elgin Rolling Meadows development to the East.

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: Map & Ordinance with Exhibit “A”.

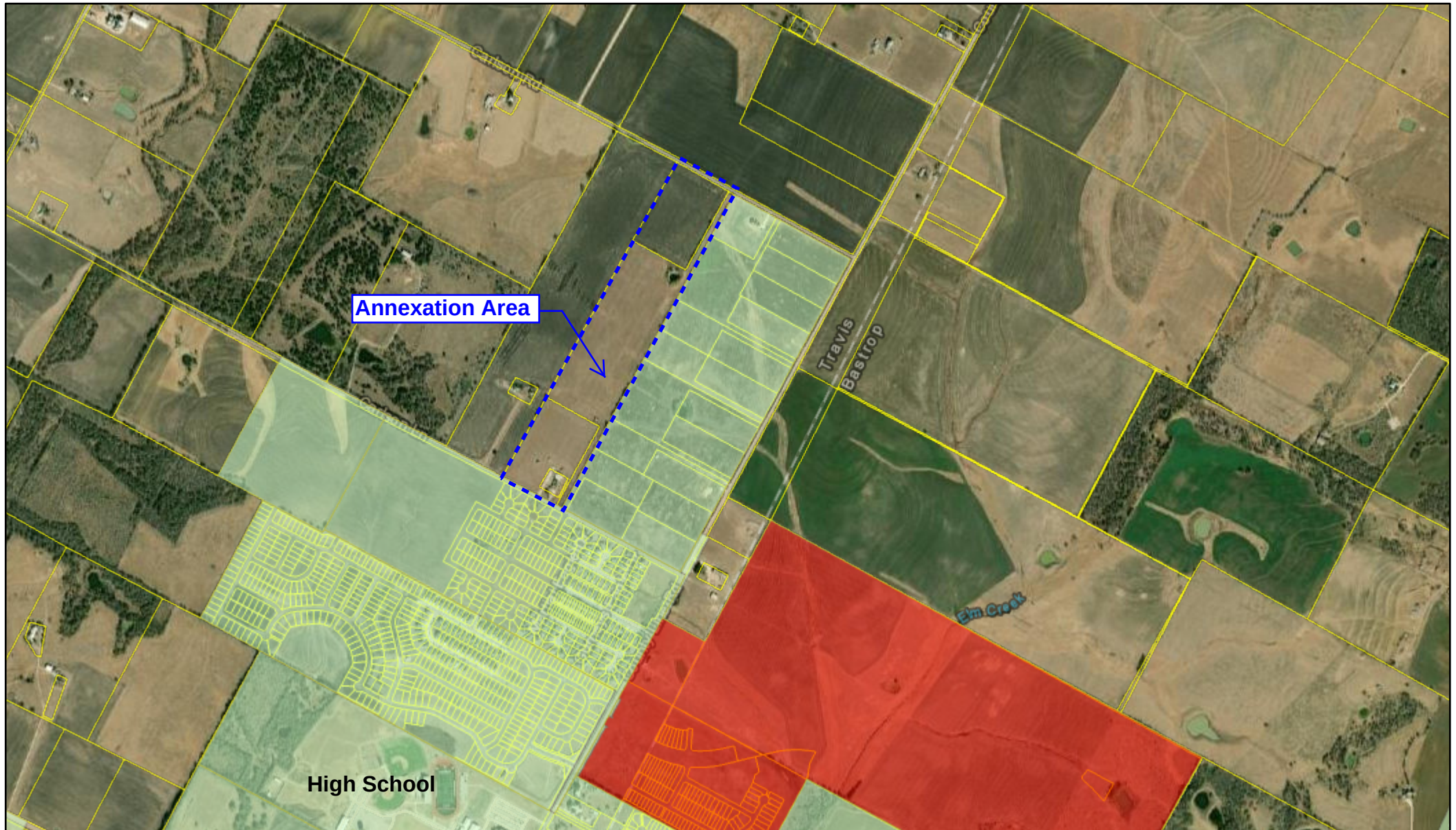
{} Staff will be making a detailed presentation on this agenda item at the meeting.

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

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

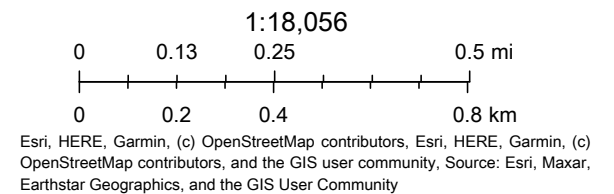
Councilmembers who have any detailed questions or would like to request additional information regarding this item are encouraged to contact the City Manager at their earliest convenience.

Annexation Map



8/16/2022, 5:59:19 PM

-  Bastrop Parcels April 2022
 -  FULL PURPOSE
 -  Travis Parcels March 2022
 -  LIMITED PURPOSE
- Elgin City Limits



ORDINANCE NO. 2022-09-27-??

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 52.76 ACRES OF LAND, KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SURVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX), 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 52.76 acres of land out of the Henry Martin Survey Number 65, Abstract 518, Travis Co., TX 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 proposes, 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 “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 this the 27th day of September 2022.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

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

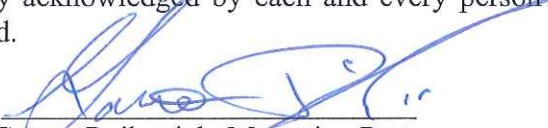
TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF
ELGIN, TEXAS.

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.)

12.0, 28.77 and 11.97 acres out of the Henry Martin Survey No. 65, Abstract 518, Travis
County, Texas

We certify that the above described tract of land is contiguous and adjacent to the City of Elgin, Texas, is not more than one-half (1/2) 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: 
Garrett Rajkovich, Managing Partner
PrimaVesta Land Company, LLC

THE STATE OF TEXAS
COUNTY OF _____.

Before me, the undersigned authority, on this day personally appeared _____, 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 ____ day of _____, 2022.

Notary Public, State of Texas

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Santa Clara

On August 15, 2022 before me, CA Signor
(insert name and title of the officer)

personally appeared Garrett Rajkovich,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)





DOUCET

Carlson 53 Acre
Travis County, Texas

7401B Highway 71 West, Suite 160, Austin, TX 78735

Office: 512.583.2600

Fax: 512.583.2601

Doucetengineers.com

"Exhibit "-----"

D&A Job No. 2403-001

July 11, 2022

METES & BOUNDS DESCRIPTION

BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SUVEY NUMBER 65, ABSTRACT 518, TRAVIS COUNTY, TEXAS, SAID 52.76 ACRE TRACT BEING ALL OF A CALLED 12.00 ACRE TRACT, DESCRIBED TO PRIMA VISTA LAND COMPANY, LLC, AS RECORDED IN DOCUMENT NUMBER 2022025519 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS [O.P.R.T.C.T.], BEING ALL OF A CALLED 28.772 ACRE TRACT, DESCRIBED TO PRIMA VISTA LAND COMPANY, LLC, AS RECORDED IN DOCUMENT NUMBER 2021245210 [O.P.R.T.C.T.], AND BEING ALL OF A CALLED 11.976 ACRE TRACT, DESCRIBED TO PRIMA VISTA LAND COMPANY, LLC, AS RECORDED IN DOCUMENT NUMBER 2021267038 [O.P.R.T.C.T.], SAID 52.76 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY THE METES AND BOUNDS AS FOLLOWS:

COMMENCING at a iron pipe found for the west corner of a called 52.964 acre tract, described to Larry Hjalmar Axelson and Mary Jo Bengtson, as recorded in Document Number 2007074197 [O.P.R.T.C.T.], same being on the north right-of-way line of Carlson Lane an apparent 50-foot wide right-of-way as recorded in Document Number 202100261 [O.P.R.T.C.T.], also being the east corner of a called 56.75 acre tract, described to Roland J. Carlson (no record information found),

THENCE, S63°18'33"E, with the north right-of-way line of said Carlson Lane and the southwest line of said 52.964 acre tract, a distance of 653.00 feet to a 1/2-inch iron rod found for the west corner of said 12.00 acre tract, same being the east corner of said 52.964 acre tract, also being in the north right-of-way line of said Carlson Lane for the **POINT OF BEGINNING** and west corner of the tract described herein;

THENCE, N27°22'54"E, departing the north right-of-way line of said Carlson Lane and continuing with the northwest line of said 12.00 acre tract, the northwest line of said 28.772 acre tract, the northwest line of said 11.976 acre tract, and the southeast line of said 52.964 acre tract, a distance of 3,503.22 feet to a 1/2-inch iron rod found for the north corner of said 11.976 acre tract and for the east corner of said 52.964 acre tract, same being on the south right-of-way line of Carlson Road, an apparent 60-foot wide right-of-way, as recorded in Volume 8942, Page 716 of the Real Property Records of Travis County, Texas [R.P.R.T.C.T.];

THENCE, S62°39'18"E, with the south right-of-way line of said Carlson Road and continuing with the northeast line of said 11.976 acre tract, and the most northerly northeast line of said 28.772 acre tract, a distance of 656.60 feet to a 1/2-inch iron rod found for the most northerly east corner of said 28.772 acre tract, and for the north corner of a called 5.012 acre tract, described to Harry L Davis and Evelyn J Miller, as recorded in Document Number 2018139941 [O.P.R.T.C.T.], same being in the south right-of-way line of said Carlson Road;

THENCE, S27°22'55"W, departing the south right-of-way line of said Carlson Road, and continuing with the southeast line of said 28.772 acre tract and the northwest line of said 5.012 acre tract, a distance of 3,497.90 feet to a 1/2-inch iron rod found for the south corner of said 28.772 acre tract, and for the west corner of a called 5.012 acre tract, described to Mario Alberto Urbina Gutierrez, as recorded in Document Number 2018151638 [O.P.R.T.C.T.], same being on the north right-of-way of said Carlson Lane;

(CONTINUED ON NEXT PAGE)



DOUCET

7401B Highway 71 West, Suite 160, Austin, TX 78735

Office: 512.583.2600

Fax: 512.583.2601

Doucetengineers.com

"Exhibit "-----"

THENCE, N63°07'08"W, with the south right-of-way line of said Carlson Road and the most southerly southwest line of said 28.772 acre tract and the southwest line of said 12.00 acre tract, a distance of 656.60 feet to the POINT OF BEGINNING of the tract described herein and containing approximately 52.76 acres.

This survey was performed without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

I, J. Dillon Fugate, Registered Professional Land Surveyor, hereby certify that this property description and accompanying plat of even date represent an actual survey performed on the ground.



J. Dillon Fugate
Registered Professional Land Surveyor
Texas Registration No. 6360
Doucet & Associates
DFugate@DoucetEngineers.com
TBPELS Firm Registration No. 10105800

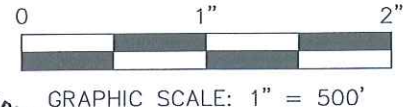
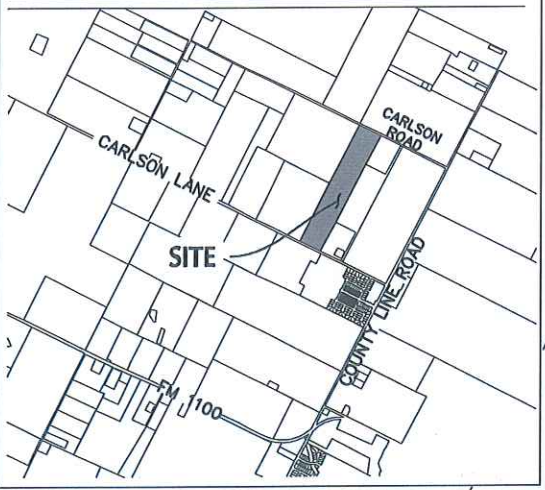
07/11/2022

Date



VICINITY MAP

NOT TO SCALE



HENRY MARTIN SURVEY NO. 65 ABSTRACT NO. 518

ROLAND J. CARLSON
CALLED 56.75 ACRES
NO RECORD
INFORMATION FOUND

LARRY H JALMAR
AXELSON & MARY JO
BENGTON
CALLED 52.964 ACRES
DOC. NO. 2007074197
O.P.R.T.C.T.

PRIMA VISTA
LAND
COMPANY, LLC
CALLED
28.772 ACRES
DOC. NO.
2021245210
O.P.R.T.C.T.

PRIMA VISTA
LAND
COMPANY, LLC
CALLED 12.00
ACRES
DOC. NO.
2022025519
O.P.R.T.C.T.

PRIMA VISTA
LAND
COMPANY, LLC
CALLED 11.976
ACRES
DOC. NO.
2021267038
O.P.R.T.C.T.

HARRY L DAVIS
EVELYN J MILLE
CALLED 5.012 ACRES
NO. 201813994
O.P.R.T.C.T.

EFRAIN
ARELLANO-GARCIA
CALLED 10.024 ACRES
DOC. NO. 2019083482
O.P.R.T.C.T.

DONALD R SIMMONS
CALLED 5.012 ACRES
DOC. NO. 2018185218
O.P.R.T.C.T.

EFRAIN SANCHEZ
HERNANDEZ & ELENA
GOMEZ REYNOSO
CALLED 5.012 ACRES
DOC. NO. 2019171628
O.P.R.T.C.T.

EFRAIN A BENITEZ &
MARIA GARCIA
CALLED 10.024 ACRES
DOC. NO. 2019056384
O.P.R.T.C.T.

ERICK ANTONIO JAMES
ORTIZ, ET AL.
CALLED 5.012 ACRES
DOC. NO. 2019155466
O.P.R.T.C.T.

MARIO ALBERTO URBINA
GUTIERREZ
CALLED 5.012 ACRES
DOC. NO. 2018151638
O.P.R.T.C.T.

JAMIE GALLARDO AND
UIBER GALLARDO
CALLED 5.012 ACRES
DOC. NO. 2018084281
O.P.R.T.C.T.

S63°18'33"E
653.00'

P.O.C.

P.O.B.

N63°07'08"W 656.60'
(50' WIDE R.O.W.)
(DOC. NO. 202100261, O.P.R.T.C.T.)

N27°22'54"E 3,503.22'

52.76 ACRES

S27°22'55"W 3,497.90'

52.76 ACRE
EXHIBIT

TRAVIS COUNTY, TEXAS



DOUCET

Civil Engineering // Entitlements // Geospatial
7401 B. Highway 71 W, Ste. 160
Austin, TX 78735, Tel: (512)-583-2600
www.doucetengineers.com
TBPE Firm Number: 3937
TBPELS Firm Number: 10105800

Date: 07/11/2022

Scale: 1" = 500'

Drawn by: SWP

Reviewer: DF

Project: 2403-001

Sheet: 3 OF 4

Field Book: N/A

Party Chief: ADM

Survey Date: 05/04/2022

LEGEND

	PROPERTY LINE/SUBJECT EASEMENT
	EXISTING PROPERTY LINE
	ADJOINER PROPERTY LINE
	1/2" IRON ROD FOUND [UNLESS NOTED]
	IRON PIPE FOUND [AS NOTED]
P.O.B.	POINT OF BEGINNING
P.O.R.	POINT OF COMMENCEMENT
DOC. NO.	DOCUMENT NUMBER
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

CONTROL NOTE:

BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM 1983 (NAD83), 2011 ADJUSTMENT (EPOCH 2010). ALL COORDINATE VALUES AND DISTANCES SHOWN ARE GRID VALUES.
UNITS: US SURVEY FEET.

I, J. DILLON FUGATE, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT AND ACCOMPANYING LEGAL DESCRIPTION OF EVEN DATE REPRESENT AN ACTUAL SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION.



07/11/2022
DATE

J. DILLON FUGATE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6360
DOUCET & ASSOCIATES
DFUGATE@DOUCETENGINEERS.COM



52.76 ACRE
EXHIBIT

TRAVIS COUNTY, TEXAS



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Reviewer: DF
Project: 2403-001
Sheet: 4 OF 4
Field Book: N/A
Party Chief: ADM
Survey Date: 05/04/2022



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: 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.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 3; 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. 3.

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 Assignment Ordinance & 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.

WARD MAP

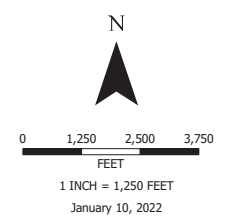
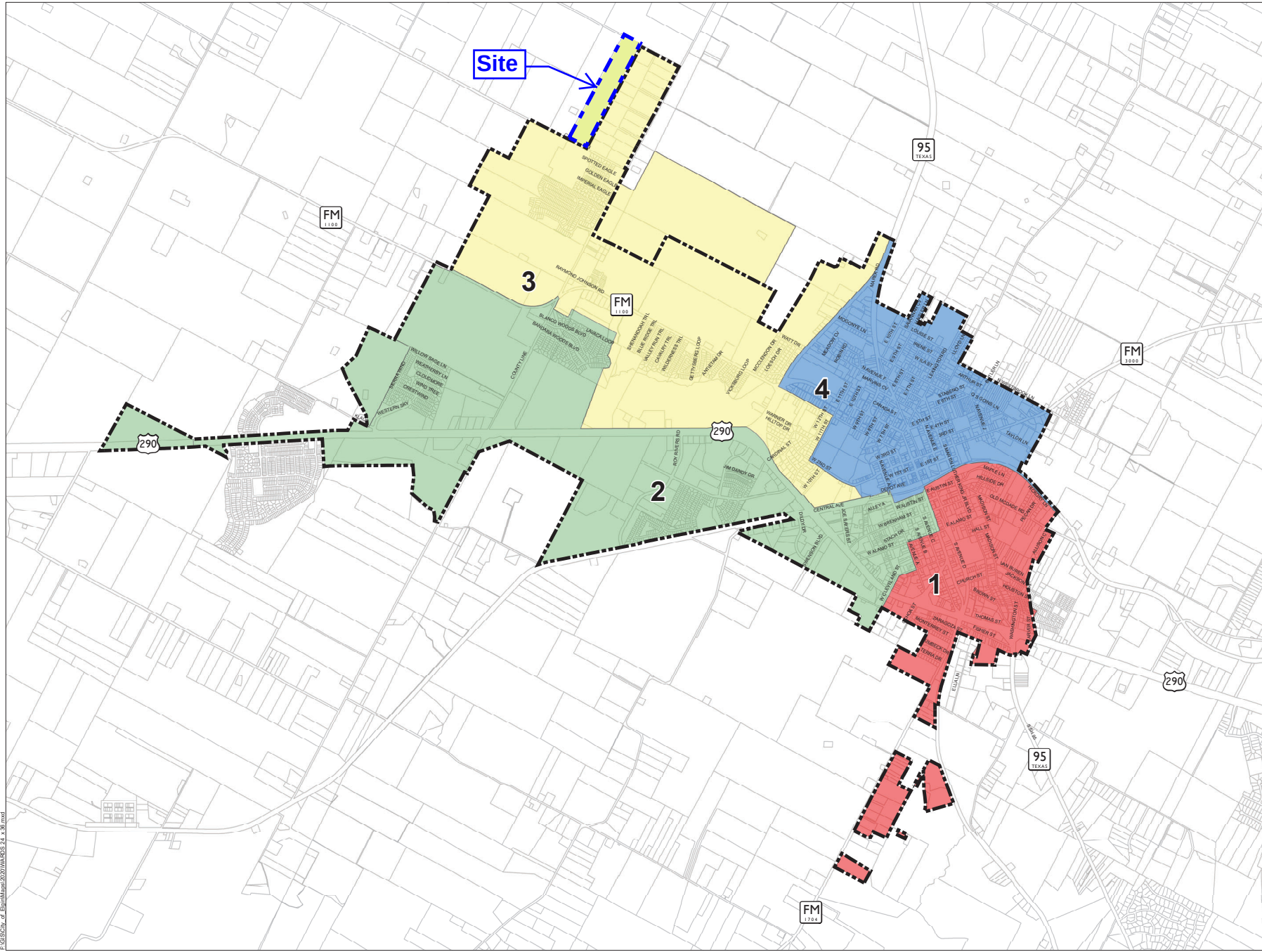
ELGIN, TEXAS

LEGEND

-  PARCEL
-  CITY LIMITS

WARDS

-  1
-  2
-  3
-  4



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. No responsibility is assumed by the City of Elgin or TRC for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided. The map is reflective of information as of the date of printing.

ORDINANCE NO. 2022-09-27-??

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.

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. 2022-09-27-_____ on September 27, 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. 3; and it is the intention of the City Council to add this parcel to Ward Area No. 3; 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. 3.

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 27th day of September 2022.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Appointment/re-appointment of members to various City Commissions, Boards, and/or Committees including the Planning & Zoning Commission, Board of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standards Commission

DEPARTMENT: Administration

PROPOSED ACTION: Appointment/re-appointment of members to the Planning & Zoning Commission, Board of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board of Directors, Historic Review Board, Main Street Board of Directors, and Building Standards Commission as applicable.

BACKGROUND:

The city Council has established by Ordinance policies and procedures regarding annual appointments to various City Commissions, Boards, and/or Committees. The City Secretary has previously provided a report to Council in compliance with the requirements of city code; and now such appointments and/or re-appointments are ready for Council's consideration.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Appointment/re-appointment of members to the Planning & Zoning Commission, Board of Adjustments, Library Advisory Board, Parks & Recreation Advisory Board, Economic Development Corporation Board of Directors, Main Street Board of Directors, and Building Standards Commission as determined by the Mayor and City Council; and direction to staff as may be deemed appropriate.

ATTACHMENTS: Ordinance

- { } 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. 2022-08-16-25

AN ORDINANCE ESTABLISHING GENERAL RULES AND PROCEDURES, INCLUDING APPOINTMENTS, TERM LIMITS, AND RELATED MATTERS FOR ALL BOARDS AND COMMISSIONS OF THE CITY OF ELGIN, TEXAS; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE

WHEREAS, Article XI of the Home Rule Charter of the City of Elgin provide the City Council with exclusive authority to establish "boards and commissions as it may deem necessary conduct of city business and management of municipal affairs"; and,

WHEREAS, Article XI of the Home Rule Charter of the City of Elgin further provides the City Council with authority to establish "authority, functions, and responsibilities of such boards and commissions"; and,

WHEREAS, the City Council is now desirous of establishing, among other items, procedural consistency regarding the appointment schedules for all such boards and commissions as well as term limits regarding same.

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

I.

Sec. 1-Purpose.

The purpose of this Ordinance is to establish clarity as to general rules and procedures for all City of Elgin Boards and Commissions.

Sec. 2-City Charter Authority

Article XI of the Home Rule Charter of the City of Elgin, states "The city council shall have the authority to establish by ordinance for such boards and commissions as it may deem necessary conduct of city business and management of municipal affairs. The authority, functions, and responsibilities of such boards and commissions shall be such as is spelled out in the ordinance establishing them. All existing boards and commissions heretofore established shall be continued in accordance with the ordinance or other acts under which they have been created, or until the city council shall by ordinance abolish, modify, or alter the ordinances or acts under which they exist. Notwithstanding, any other provision of this Charter the elected city council shall have paramount authority over all matters affecting the budgets, appropriation of funds expenditures, purchases, and sale of properties and procedures for accounting therefore consistent with the

express provisions of this Charter and applicable provisions of the State Constitution and law of this State."

Sec. 3-Boards and Commissions

(1) As of the date of this Ordinance, the following Boards and/or Commissions have been authorized and or duly recognized by the City Council:

- Planning & Zoning Commission
- Board of Adjustment
- Library Advisory Board
- Parks & Recreation Advisory Board
- Economic Development Corporation Board of Directors
- Public Safety Advisory Committee
- Historic Review Board
- Main Street Board of Directors
- Building Standards Commission

(2) Ad hoc boards may be temporarily appointed and terminate upon completion of a specific task or special purpose for which it was created, or when abolished by a majority vote of the City Council. No ad hoc board shall have powers other than advisory to the City Council.

Sec. 4-Meeting Times and Agenda

Boards, commissions, and committees shall set their own meeting times. All boards, commissions, and committees shall be subject to these rules. Each board, commission, and committee shall set their own agenda, so long as it is in accordance with the Texas Open Meetings Act.

Sec. 5-Regulatory Authority

The Board of Adjustments, Economic Development Corporation, and Planning and Zoning Commission, are the only boards and commissions that have regulatory authority.

Sec. 6-Board and/or Commission Members

Members appointed to boards or commissions serve at the will of the Council and may be removed, replaced, or not reappointed at the discretion of the Council, by majority vote, with or

without cause. When conducting the business of the City, appointed members of all boards or commissions shall follow the rules of procedure set forth by the City Council.

Sec. 7-Qualifications of Board and/or Commission Appointees

(1) Members appointed to boards and commissions, for at least twelve (12) months preceding their appointment, must be:

- a. registered voters of the city who have resided within the corporate limits of the City of Elgin, or within territory annexed prior to the appointment; or
- b. an owner of real property within the corporate limits of the City; or,
- c. an owner of a business located within the corporate limits of the City.

(2) Members appointed to boards and commissions should not have any delinquent City taxes, City utilities, or other City assessments; and must not have any pending claim against the City.

(3) Members appointed to boards and commissions serve without compensation and must not be employed by or hold any other position in city government.

(4) No member of a board or commission may remain in his/her position after being elected or appointed to City Council.

(5) No member of a board or commission may simultaneously occupy a seat on any other City board or commission, except for the Historic Review Board and the Main Street Board of Directors

(6) In addition to any other requirements prescribed by the City Council, members must maintain the qualifications established while in office.

Sec. 8-Term Limits

No appointed member of a board or commission shall serve more than two (2) full two (2) year terms. After completing said terms, an appointee shall not be eligible for reappointment of any board, committee, or commission, by the City Council for a period of two (2) years.

Sec. 9-Uniform Appointment Schedule for Board and/or Commission Members

(1) The City Council will review applications and may, at their discretion, interview eligible applicants for open positions on boards and commissions. The City Secretary shall establish

deadlines and procedures for providing all applications to the City Council relating to upcoming board and commission appointments.

(2) Applications are accepted at the beginning of May and through the end of June. The City Secretary will submit applications to the City Council at least sixty (60) days prior to October 1st. All board and/or commission appointments shall be made in September of each year and members begin their terms October 1st. Final appointment decisions will be determined by the City Council.

(3) Should a vacancy occur before the next appointment and causes a quorum conflict on the board, commission, or committee, the chair should report this to the City Council and City Secretary in writing. The City Council will then consider a special appointment to fill a vacancy on an as needed basis.

(4) Any member of a board or commission whose term is expiring must repeat the application process or submit their interest of reappointment in writing to be considered for a subsequent term.

Sec. 10-Quarterly Meetings

All boards and/or commissions shall conduct an official meeting at least once every three (3) months. This requirement shall not apply to the Board of Adjustments and Building Standards Commission who shall meet as needed.

Sec. 11-Regular Presentations to City Council

Each board and/or commission shall provide to City Council an activity report at least once every three (3) months.

Sec. 12-Open Government Training

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all board, commission, and or committee members shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the City Secretary.

Sec. 13 -Waiver of Qualifications Requirements

Solely at its discretion, the City Council may consider on a case-by-case basis the waiver of any and all such qualification requirements and/or rules for individual appointments to any board or commission as they may be deemed warranted in serving the best interest of the City.

II.

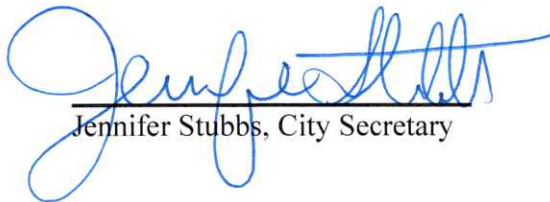
A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

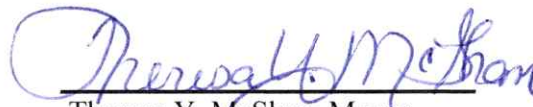
B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

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

READ, PASSED, and ADOPTED on first reading this 16th day of August 2022

ATTEST:


Jennifer Stubbs, City Secretary


Theresa Y. McShan, Mayor
City of Elgin, Texas

