



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 11, 2022
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
6:30 PM

Members of the public may watch the meeting at:

https://www.youtube.com/channel/UC3OGBV_loV0Nr3AqM1jTzA

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. **Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone Land From "R-1" Single Family Housing District To "R-3" Single Family, Two Family, And Industrialized Housing District Located On Parcels Of Land Known By The Travis Co. Appraisal District As Parcels 358800, 358801, 358802, Located Between Carlson Ln. & Carlson Rd. Across From Eagles Landing Ph. 2 (Being A 52.76 Acre Tract Out Of The Henry Martin Survey Number 65, Abstract 518, Travis Co., TX), Being More Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

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

2. **Public Hearing On An Ordinance Granting A Specific Use Permit For A Wireless Communications Facility (WCF), Self-Enclosed Monopole, In A Residential Zoning District On Property Located At 405 N. Highway 95 (A20 CHRISTIAN, THOMAS, ACRES 1.2730), City Of Elgin, Texas, Bastrop County, Texas, And Providing 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 20-22, AS HOGYE FESTIVAL WEEKEND IN THE CITY OF ELGIN

Documents:

[A PROCLAMATION DECLARING OCTOBER 20-22, AS HOGYE FESTIVAL WEEKEND IN THE CITY OF ELGIN.PDF](#)

2. Austin Community College 2022 Bond Proposal Presentation

Documents:

[EXSUMMARYACCBONDPRESENTATION.PDF](#)
[ACC BOND 9.9 UPDATE.PDF](#)

VIII. CITY MANAGERS REPORT

1. 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 27,2022

Documents:

[EX SUMMARY- SEPTEMBER 27, 2022 REGULAR MEETING MINUTES.PDF](#)
[09-27-2022 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ADOPTING A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS TO BE EFFECTIVE OCTOBER 12, 2022 AND PROVIDING FOR RELATED MATTERS

Documents:

[EXSUMMARY - INVEST POLICY.PDF](#)
[RESINVESTPOLICY922.PDF](#)
[INVESTMENT POLICY 2022-23 .PDF](#)

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH FGM ARCHITECTS INC. RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[EXSUMMARY - AUTH EPD FGMA.PDF](#)
[RES-EPD PROJECT.PDF](#)
[INVOICE- CITY OF ELGIN NEW POLICE STATION.PDF](#)

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH BASELINE SURVEYORS - DCCM RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[EXSUMMARY - AUTH EPD BASELINE SURVEY - DCCM.PDF](#)
[RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DCCM FOR SURVEYING SERVICES RELATED TO THE EPD STATION PROJECT.PDF](#)
[BASELINE DCCM SURVEY PROPOSAL- ELGIN POLICE DEPT. DESIGN SURVEY - REV.PDF](#)

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JAMAR ROOFING AND SHEET METAL FOR CONSTRUCTION SERVICES RELATED TO THE ELGIN MEMORIAL PARK RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

Documents:

[EXSUMMARY - JAMAR.PDF](#)
[RESAUTH EMPJAMARR.PDF](#)
[2022.09.15 JAMAR ROOFING PARK RR.PDF](#)

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JL3 CONSTRUCTION SERVICES

**LLC FOR CONCRETE SERVICES RELATED TO THE ELGIN MEMORIAL PARK
RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - JL3.PDF](#)
[RESAUTH EMPJL3.PDF](#)
[ELGIN RESTROOM SLAB PROPOSALS.PDF](#)
[JL3 INVOICE - 0922-0072 - CITY OF ELGIN - PARK RESTROOM
IMPROVEMENTS.PDF](#)

X. NEW BUSINESS

- 1. AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A WIRELESS COMMUNICATION FACILITY (WCF), SELF-ENCLOSED MONOPOLE, IN A RESIDENTIAL ZONING DISTRICT ON PROPERTY LOCATED AT 405 N. HWY 95 (A20 CHRISTIAN, THOMAS, ACRES 1.2730), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[WCF SPECIFIC USE COMBINED PACKET.PDF](#)

- 2. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY HOUSING DISTRICT TO “R-3” SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, LOCATED BETWEEN CARLSON LN. & CARLSON RD. ACROSS FROM EAGLES LANDING PH. 2 (BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SUEVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[CARLSON TRACT REZONING COMBINED PACKET.PDF](#)

- 3. AN ORDINANCE CHANGING THE NAME OF “SHARECROPPER DRIVE” TO “HACIENDA ESTATES DRIVE” WITHIN THE HOMESTEAD ESTATES SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

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

XI. EXECUTIVE SESSION

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

XII. RECONVENE

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

XIII. ANNOUNCEMENTS

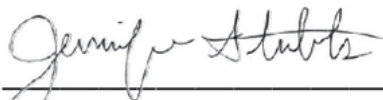
XIV. ADJOURMENT

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

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

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512)229-3222. Please provide forty-eight hours notice when feasible.

I, Jennifer Stubbs, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, October 7, 2022, in accordance with Chapter 551 of the Texas Government Code.



Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an Ordinance amending the Official Zoning Map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone land from “R-1” Single Family Housing District to “R-3” Single Family, Two Family, and Industrialized Housing District located on parcels of land known by the Travis Co. Appraisal District as parcels 358800, 358801, 358802, located between Carlson Ln. & Carlson Rd. across from Eagles Landing Ph. 2 (being a 52.76 acre tract out of the Henry Martin Survey Number 65, Abstract 518, Travis Co., TX), being more described in Exhibit “A”, attached hereto and providing 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 proposed ordinance in accordance with State law (Carlson Tract Rezoning from R-1 to R-3).

BACKGROUND: The Planning & Zoning Commission recommended denial at their September 26, 2022 hearing date.

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.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an ordinance granting a specific use permit for a wireless communications facility (WCF), self-enclosed monopole, in a residential zoning district on property located at 405 N. Highway 95 (A20 CHRISTIAN, THOMAS, ACRES 1.2730), City of Elgin, Texas, Bastrop County, Texas, and providing 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 proposed ordinance in accordance with State law.

BACKGROUND: The Planning & Zoning Commission held the first of two public hearings on the requested specific use on September 26, 2022.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: The Planning & Zoning Commission recommended denial of this item at their September 26, 2022, meeting.

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 20-22, AS HOGEYE FESTIVAL
WEEKEND IN THE CITY OF ELGIN**

WHEREAS, the Annual Hogeye Festival was named for a small hamlet and stage stop called Hogeye which disappeared after the railroad came and Elgin was formed in 1872; and

WHEREAS, the hog theme is the centerpiece of this downtown community celebration; and

WHEREAS, Elgin has been recognized as a Nationally Accredited Main Street Community every year since 1999; and

WHEREAS, the State Legislature has declared Elgin the Sausage Capital of Texas for its prodigious supply of outstanding sausage – over 3 million pounds annually; and

WHEREAS, this is the 35th year for Elgin to host The Best Little Pig Gig in Texas; and

WHEREAS, more than 20,000 people join in this celebration of "A Time for Warm Hearts and Hot Guts" from across the Great State of Texas and beyond; and

WHEREAS, community hogunteers, business sponsors, the Elgin Main Street Board, and the City of Elgin produce this hometown celebration including the Hogeye Stroll on Thursday, October 20, with the Hogalicious Dessert Contest, Pearls Before Swine Art Show, and carnival; and on Friday, October 21, the Free Street Dance with Kenny Orts and No Chance, and carnival; and on Saturday, October 22, the Gordon Swenson Memorial BBQ Pork Cook-off, Cow Patty Bingo, live music, Lindsay Kay Wing Memorial Children's Costume Pet Parade, handmade arts and crafts, Road Hog Car Show, carnival, activities for children, Old Iron Farm Equipment Exhibit, In a Pigs Eye Corn Hole Contest and many more fun activities;

Now, Therefore, in official recognition whereof, this **11th day of October 2022**, I declare **October 20 - 22 Hogeye Festival Weekend in Elgin, Texas**, and encourage all citizens to share and enjoy this community celebration.

Theresa McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Austin Community College 2022 Bond Proposal Presentation

DEPARTMENT: Community Services

PROPOSED ACTION: presentation

BACKGROUND: ACC Trustee Dr. Barbara Mink and Chris Cervini, Associate Vice Chancellor Community and Public Affairs for Austin Community College, will share a presentation on the ACC 2022 Bond Proposition.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: no action required

ATTACHMENTS:

Presentation ACC

{ 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.



Austin Community College District

2022 Bond Proposition

2022

Meet the Board

Chair

Dr. Nan McRaven

Vice Chair

Dr. Nora De Hoyos Comstock

Secretary

Mr. Sean Hassan



DANA WALKER

Place 1



GIGI EDWARDS BRYANT

Place 2



DR. NAN MCRAVEN

Place 3



SEAN HASSAN

Place 4



DR. MANUEL GONZALEZ

Place 5



DR. NORA DE HOYOS COMSTOCK

Place 6



DR. BARBARA MINK

Place 7



STEPHANE GHARAKHANIAN

Place 8



JULIE NITSCH

Place 9

ACC Background

1973

50 years of service to
Central Texas



ACCelerators &
Incubators



Critical Need
Bachelor's Degrees

11

Campuses
Serving 70,000



Faculty with
Real-World Experience



Open-access institution

Most Affordable Local Choice

COLLEGE COSTS 2022 to 23

Average Full-Time Tuition/Fees

Includes Fall & Spring Semesters



*30 credit hours over fall/spring semesters

Source: Texas Higher Education Coordinating Board; College for All Texans

2014 Bond Review



»» On Time



»» More Than Promised



»» On Budget

2014 Bond Review



**\$385
million**



Campus Renovations

- Rio Grande | Historical Renovations
- Districtwide | Safety, Security, Accessibility



Campus Expansion

- ACC Highland | Phase 2
- Elgin | Veterinary Technology & Sustainable Ag
- Hays | Public Safety Training Center
- Round Rock | General Studies; Nursing Expansion



New Campus Construction

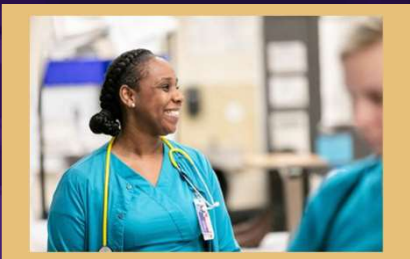
- Leander | San Gabriel Campus



Property Acquired for Future Workforce Training Center

- Southeast Travis County | Land banking

2014 Bond Review



Historic Preservation/

Sustainability

Award-winning projects preserving historic spaces, LEED certifications



Collaborations

Army Futures Command, Tesla, Dell ARMA, Austin PBS, Samsung, Apple, Ascension Seton, Baylor Scott & White, St. David's Healthcare, NI, and more



Skilled Workforce

Producing more nurses, manufacturers, skilled trade workers & IT specialists

2014 Bond Review: Highland



Regional challenges



Fast-Growth

How do we keep pace with economic/population growth?



Homegrown Talent

How do we meet high demand for regional workforce talent?



Upward Mobility

What role can ACC play in helping Central Texans afford to live here?

Challenges Ahead



Workforce Demands

Expand training capacity in
fields/industries booming in
Central Texas



Campus Capacity

Expand classroom capacity in
highest growth communities



Support for Success

Expand academic support and access
to in-house financial/personal
resources

Workforce Demands

2.9%

Unemployment

AUSTIN MSA (June 30, 2022)

* Source: Lightcast Job Posting Analytics, Jan. 2022-Jun. 2022.. Entry and median wage data are for selected occupations associated with Austin CC programs.

20,400

Job Postings

Manufacturing

Samsung, Applied Materials, Tesla, etc.

Entry Wage Range: \$32k - \$47k / year

Median Salary Range: \$53k - \$71k / year

24,900

Job Postings

IT Services

Apple, Amazon, Wayfair, Google, etc.

Entry Wage Range: \$33k - \$66k / year

Median Salary Range: \$50k - \$106k / year

12,300

Job Postings

Healthcare

Ascension Seton, Baylor Scott & White, Hospital Corporation of America, etc.

Entry Wage Range: \$26k - \$51k / year

Median Salary Range: \$36k - \$79k / year

High-Demand Programs

Enrollment Growth, Fall 2017 - Fall 2021



Health Sciences



CS/IT



Fast Track
Careers

Advanced Manufacturing

2021 Target

211

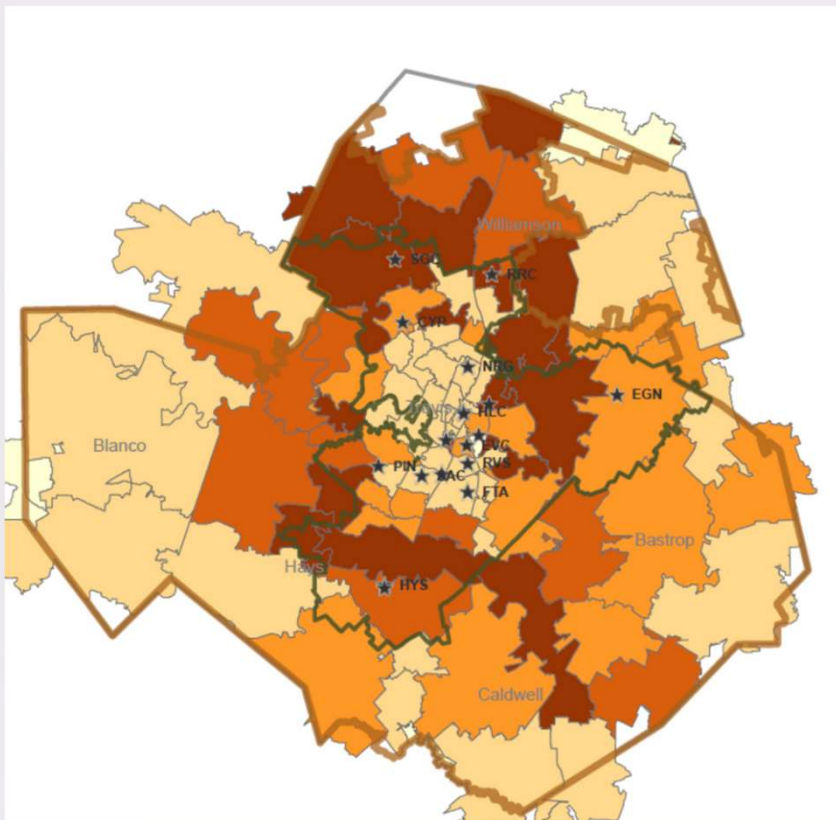
2021 Actual

396

2022 Target

576

Population Growth



Source: ACC Office of Institutional Research & Analytics

Campus Capacity Takeaways

> 60% Growth: Round Rock, San Gabriel, and Hays campuses

41%-60% Growth: Areas adjacent to Pinnacle Campus and SE Travis Co.

21-40% Growth: Cypress, Highland, Eastview, and Rio Grande campuses

Highest projected population growth rates are near:

- 1) Leander - San Gabriel Campus
- 2) Hays
- 3) SE Travis Co.
- 4) Round Rock

Student Services and New Tech

Expanding Districtwide Services in Key Areas



Campus Childcare



Hyflex Classrooms



Campus Clinics

2022 Bond Proposal – South Region

Investments in Student Support Services: Onsite Childcare & Student Health Services

South Region		Program Focus
Southeast Travis County	\$200 million	State-of-the-art campus for Advanced Manufacturing and Skilled Trades, including Welding, Automotive Technology, and Building Construction Technology, along with General Education classrooms and Student Services.
Hays	\$100 million	Health Sciences Significant expansion including Professional Nursing and other programs
Pinnacle	\$75 million	General Education Computer Science, Business, and Health Care Offerings
Riverside	\$10 million	Expansion of Student Services Childcare, Student Health Services & Modernization of Campus Technology
South Austin	\$5 million	Expansion of Student Services Childcare, Student Health Services & Modernization of Campus Technology

2022 Bond Proposal – Central Region

Investments in Student Support Services: Onsite Childcare & Student Health Services

Central Region		Program Focus
Rio Grande	\$40 million	Expansion of Computer Science Cyber Security Program
Highland	\$100 million	Expansion of Advanced Manufacturing, implementation of Entrepreneurship Institute, Cyber Security
Eastview	\$15 million	Expansion of Health Sciences and of student services Childcare, Student Health Services & Modernization of Campus Technology
Elgin	\$25 million	New skilled trades building for welding and advanced manufacturing

2022 Bond Proposal – North Region

Investments in Student Support Services: Onsite Childcare & Student Health Services

North Region		Program Focus
Round Rock	\$75 million	Expansion of Skilled Trades, Advanced Manufacturing, and Health Sciences
Cypress Creek	\$80 million	Expansion of IT/Cyber Security, Increased Overall Campus Capacity
Northridge	\$15 million	Expansion of Business & Continuing Education and of student services Childcare, Student Health Services & Modernization of Campus Technology
San Gabriel	\$30 million	Skilled Trades and Advanced Manufacturing

Projected Tax Impact

Proposed
Package

\$770
MILLION

No Increase in Tax Rate

Average Homeowner Impact

- Though tax rate stays flat, expect gradual increase due to appreciation
- Approximately \$5/year
- Impact will max-out in 5 years at \$25/year*

*At \$770 million, the college is able to issue bonds without raising its tax rate. Since property values are expected to increase, the college estimates that at its current tax rate, a taxpayer with a home worth \$500,000 would pay up to \$5 per year over the first five years, maxing out at \$25/year for the remainder of the bond. Seniors (age 65+) and residents with disabilities would see no tax increase as a result of this bond program. In 2021, the ACC Board of Trustees adopted a tax ceiling (freeze) for seniors and residents with disabilities.



Austin Community College District

2022 Bond Proposition

THANK YOU!

Projected Tax Impact

- Since property values are expected to increase, the college estimates that at its current tax rate, a taxpayer with a home worth \$500,000 would pay up to \$5 per year over the first five years.
- Seniors age 65+ and people with disabilities would not pay additional taxes because of a tax freeze initiated by the ACC Board of Trustees in 2021.
- The final estimated tax impact of the bond proposition for a standard homestead would be as listed in the table below.

Year	Standard Homestead (\$500,000 Home Value)
1	\$5/year (\$.47/month)
2	\$10/year (\$.83/month)
3	\$15/year (\$1.25/month)
4	\$20/year (\$1.67/month)
5	\$25/year (\$2.08/month)

Ongoing Investments

Campus	2021 Maintenance Tax Notes*
South Region	
Riverside	\$23,000,000
South Austin	\$2,500,000
Central Region	
Eastview	\$4,500,000
Highland	\$23,000,000
Rio Grande	\$6,000,000
North Region	
Cypress Creek	\$1,000,000
Northridge	\$13,000,000
Round Rock	\$6,500,000
Total	\$79,500,000

*Projects funded by maintenance tax notes passed by the Board of Trustees in 2021. These funds cannot be used for new construction and must be used for renovation of existing structures. Additional funds were allocated to the ACC Service Center location as a part of this program.



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 27, 2022

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes-September 27, 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 27, 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 27, 2022

CALL TO ORDER

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

ROLL CALL

Present: Theresa McShan, Mayor
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: Sue Brashar, Mayor Pro Tem

Mayor McShan stated that all members were present with the exception of Mayor Pro Tem Brashar. Mr. Dennis made a motion to excuse Mayor Pro Tem Brashar. Mr. Gibson seconded the motion. All voted in favor. Motion carried.

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

Mr. Gibson 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 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.

No one wished to speak under the public hearing item. Mayor McShan stated the public hearings were closed.

PUBLIC COMMENT

No one wished to speak under the public comment item. Mayor McShan recognized Boy Scout Troup #182.

PRESENTATION

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

Mayor McShan read the proclamation and presented it to Elgin ISD Superintendent, Dr. Jana Rueter.

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

Members of the Downtown Elgin INC. presented a check for \$34,000 for Veterans Memorial Park Expansion.

CITY MANAGERS REPORT

1. City Of Elgin 101 Presentation

Ms. Stubbs provided a presentation on the City of Elgin 101, a citizen's academy that will begin in January 2022. She answered questions of the Council.

2. Presentation For Thomas Memorial Park New Parking Area

Mr. Mattis provided a presentation and stated that some goals for Thomas Memorial Park were to create better access to get to the park and to keep the mature trees on site. Mr. Mattis and Ms. Miller answered questions of the Council.

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

Mr. Mattis provided information and stated this mural would recognize some Elgin local icons. Ms. Miller stated that this is the legacy project for the Sesquicentennial provided by the Main Street Board.

4. General Activity Report And/Or Project Update

Mr. Mattis stated that there were some scheduling changes. The next City Council meetings will be on October 11, October 25, November 15, and December 6. Mr. Mattis provided information and stated that the city's bond rating was upgraded to A2 which is like a credit rating.

CONSENT AGENDA

1. City Council Regular Meeting Minutes September 6, 2022

The minutes passed on the consent agenda.

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

The item passed on the consent agenda.

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.

The item passed on the consent agenda.

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.

The item passed on the consent agenda.

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.

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

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

Mr. Dennis made a motion to pass the consent agenda prior to discussing item 6. Mr. Swain seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. 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

Mr. Maldonado asked if the project came under budget. Mr. Mattis stated that the project is \$30,000 over budget and part of the problem is this project is relatively small. Mr. Mattis stated that this project cannot wait and that Acme Brick donated bricks for the project. Discussion followed. Mr. Swain made a motion to approve the resolution. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

2. 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. He stated that the total appropriations are just over \$24 million and the proposed budget includes funding for 172 total employees. Mr. Mattis stated the Cost-of-Living Adjustment was increased to 8% and the minimum pay was increased to \$18 an hour after receiving direction from the City Council. Discussion followed. Mr. Maldonado made a motion to approve the ordinance. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

3. 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 that the tax rate is 4 cents lower than what the Council could adopt, and this represents a 17% decrease over the last two years.

Ms. Casnovsky made a motion to approve the Ordinance and that the property tax rate be decreased by the adoption of a tax rate of \$0.364311 for the M&O 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. The vote was: Ms. Casnovsky-yes, Mr. Gibson-yes, Mr. Swain-yes, Mr. Maldonado-yes, Mr. Callahan-yes, Mr. Rodriguez-yes, Mr. Dennis-yes, and Mayor McShan-yes. The motion carried on an 8-0 vote.

Ms. Casnovsky 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. Dennis seconded the motion. The vote was: Ms. Casnovsky-yes, Mr. Gibson-yes, Mr. Swain-yes, Mr. Maldonado-yes, Mr. Callahan-yes, Mr. Rodriguez-yes, Mr. Dennis-yes, and Mayor McShan-yes. The motion carried on an 8-0 vote.

4. 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

Mr. Mattis provided information and stated that no fees will change except the trash rates which are required per the contract. Mr. Callahan made a motion to approve the Ordinance. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

5. 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.

Mr. Mattis stated this is the annual street and resurfacing program. He stated that this is a line item in this current fiscal year and the expenditure was delayed because now is the best time to bid. He stated that there are 17 different streets that will be reconstructed or resurfaced. Mr. Mattis stated that the bids came in higher than projected. He stated that staff recommends approval of the entire program and some of the funds could come out of next year's street and resurfacing program. Mr. Gibson made a motion to approve the resolution. Mr. Maldonado seconded the motion. All voted in favor. The motion carried.

6. 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.

Mr. Mattis provided information and stated there are no development plans currently. Mr. Harrell stated that the developer is Prima Vista. Mr. Callahan made a motion to approve the Ordinance. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

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

Mr. Mattis stated that this is a routine procedure for the newly annexed property. Mr. Callahan made a motion to approve the Ordinance. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

8. 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

Mayor McShan provided information. She stated that she asked for the Chairs to make recommendations and they did. Mayor McShan stated that a Library Advisory Board applicant lives in Paige and asked if the council could waive the criteria of her living inside the city limits. Mr. Swain asked if the alternates are on the board. Mr. Mattis stated that they are there in case a regular member cannot attend. Mr. Swain asked if alternates count as time on the board. Mr. Mattis stated probably not but in the end, Council decides and makes the final decision.

Mr. Dennis made a motion to appoint the Board of Adjustment nominees to that board. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

Mr. Callahan made a motion to accept the Mayor's proposal for the Planning and Zoning Commission. Mr. Rodriguez seconded the motion. All voted in favor. The motion carried.

Mr. Dennis made a motion to suspend the rule for residency for the library board so we can appoint these to the board. Mr. Gibson seconded the motion. All voted in favor. The motion carried. Mr. Mattis stated that we have users and future users of the library who do not pay city taxes and it will be a financial issue the council will need to address at a later date.

Ms. Casnovsky made a motion to approve the Library Advisory Board as suggested. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

Mr. Swain made a motion to approve the Parks & Rec Advisory Board. Mr. Maldonado seconded the motion. All voted in favor. The motion carried.

Mr. Dennis made a motion to accept these candidates as members of the Historic Review board. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

Mr. Rodriguez made a motion to approve the Main Street Board nominees. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

Mr. Maldonado made a motion to approve the candidates of the EDC board as proposed. Mr. Swain seconded the motion. All voted in favor. The motion carried. Mr. Mattis stated that two council members are required to serve on the board and are not taking up spots for the public.

Mr. Dennis made a motion to suspend the rules for residency to accommodate Mr. Walterscheidt on the committee and that we accept the rest of the candidates as members of the Public Safety Advisory Committee. Mr. Swain seconded the motion. All voted in favor. The motion carried.

Mr. Maldonado made a motion to approve the candidates as proposed for the Building Standards Commission. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

Mr. Mattis stated that the Main Street Board has members outside of the city limits. He stated that it is sufficient to clarify for the record that he assumes the Council agreed to waive that residency requirement when they approved the Main Street Board. There was a consensus among the Council.

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

Ms. Miller stated that troop #182 is working on a citizenship badge which involves a lot of public engagement. She invited the public to purchase souvenirs for the Sesquicentennial celebration.

Mr. Mattis stated the Poco Loco grand opening on Thursday was exciting.

Ms. Stubbs stated that October 24th through November 4th is the start of Early Voting and November 8th is Election Day. She stated that on Election Day, if residents live in Travis County,

they can vote at Elgin High School and if residents live in Bastrop County, they can vote at the Elgin Rec Center.

Ms. Veronica Seever, Chamber of Commerce President, invited the public to the National Night Out party held at the Chamber of Commerce on October 4th from 5:00 to 7:00 PM. She stated that October 19th is National Chamber of Commerce Day, and the Chamber building is 150 years old. She stated that there will be a ribbon cutting at 10:00 AM.

ADJOURNMENT

Mayor McShan adjourned the meeting at 8:02 p.m.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ADOPTING A WRITTEN INVESTMENT POLICY AND INVESTMENT STRATEGY REGARDING THE INVESTMENT OF CITY FUNDS TO BE EFFECTIVE OCTOBER 12, 2022 AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: Finance

PROPOSED ACTION: Approval of a Resolution adopting and approving the *Investment Policy and Investment Strategy* for the City of Elgin.

BACKGROUND:

Section 2256.005 of the Texas Local Government Code requires all Texas cities to adopt and maintain a written investment policy and investment strategy regarding the investment of City funds. The policy is to be reviewed and reconsidered by the governing body on an annual basis.

Staff has reviewed the City's policy; and has prepared a revised and updated version of the *City of Elgin Investment Policy and Investment Strategy* for Council's consideration.

Any amendments made thereto are purely administrative updates and/or corrections and do not represent a material change in the previously adopted policy.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adopt and approve a Resolution approving the *Investment Policy and Investment Strategy* for the City of Elgin; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) *Investment Policy and Investment Strategy*

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
ADOPTING A WRITTEN INVESTMENT POLICY
AND INVESTMENT STRATEGY REGARDING THE
INVESTMENT OF CITY FUNDS TO BE EFFECTIVE
OCTOBER 12, 2022 AND PROVIDING FOR
RELATED MATTERS**

WHEREAS, pursuant to Section 2256.005 of the Texas Local Government Code (“the Act”) the Mayor and City Council desires to adopt a written investment policy and investment strategy regarding the investment of City funds; and

WHEREAS, city staff has prepared a revised and updated version of the *City of Elgin Investment Policy and Investment Strategy*; and,

WHEREAS, the Mayor and City Council have reviewed the updated version of the *City of Elgin Investment Policy and Investment Strategy* and has determined same to comply with the Act.

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. City of Elgin Investment Policy and Investment Strategy. The Mayor and City Council do hereby approve *Investment Policy and Investment Strategy* for the City of Elgin; a copy of which is attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

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

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

PASSED AND ADOPTED this 11th day of September, 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

EXHIBIT A



CITY OF ELGIN, TEXAS

INVESTMENT POLICY AND INVESTMENT STRATEGY

Revision Adopted: October 11, 2022

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POLICY

It is the policy of the City of Elgin (City) after allowing for anticipated cash flow requirements in its bank accounts to meet daily needs and after giving due consideration to the safety and risk of investments, providing protection for both principal and liquidity, to invest public funds in a manner which will provide the highest investment return while conforming to all state and local statutes governing the investment of public funds. This Investment Policy is authorized by the City Council in accordance with Texas Government Code, Chapter 2256-Public Funds Investment, also cited as the Public Funds Investment Act (Act), to satisfy the statutory requirements to define, adopt, and review a written investment policy regarding the investment of its funds and funds under its control. **The City Council shall review and adopt by resolution, its investment strategies and policy not less than annually.**

This is required even if there are no changes within the policy. Such an investment must be written, emphasize safety, address investment management, and include types of authorized investments, maximum allowable stated maturity, maximum dollar-weighted average maturity, method to monitor the market price, and requirements for settlement of transactions. The resolution shall state that the policy has been reviewed and include record of changes made to either the investment policy or strategy.

SCOPE

This policy applies to all funds or financial resources available for investment under the City's financial control and accounted for in the City of Elgin, Texas Annual Financial Report which includes all current funds and will include any new fund created by the City Council unless specifically exempt. These policies do not, however, govern funds that are managed under separate investment programs or trust agreements, such as retirement funds, pension funds, deferred compensation funds, and certain private donations that are maintained as required by Federal and State laws, other local policies, or donor stipulations. In addition to this Policy, bond funds (as defined by the Internal Revenue Service) shall be managed by their governing ordinances and all applicable State and Federal laws.

The City will consolidate cash balances from all applicable funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. Such earnings from investments will be used in a manner that best serves the public trust and interests of the City as deemed in the annual budget.

INVESTMENT OBJECTIVES

All investments shall be designed and managed in a manner responsive to the public trust and in compliance with all Federal, State, and other legal requirements, including but not limited to the Act. The City shall manage and invest its available resources with four objectives, listed in order of priority: Safety, Liquidity, Public Trust, and Yield.

Safety

Safety of principal and the City's assets is the foremost objective of the investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To increase investment safety, the City strives to decrease or minimize credit and interest rate risk. Minimization of credit risk or the risk of loss due to the failure of a security issuer or guarantor shall be done by the City by limiting investments to safe types, pre-qualifying financial institutions, and broker/dealers, and diversifying the portfolio in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Minimization of interest rate risk or the decrease in market value of securities in the City's portfolio due to changes in interest rates shall be done by the City through strong cash flow projections so that market value losses are reduced and through investments in short-term securities.

Liquidity

The City's investment portfolio will remain sufficiently liquidated to enable the City to meet all operating requirements that might be reasonably anticipated. Liquidity shall be achieved by matching investment maturities with forecasted cash flow requirements and by investing in securities with active secondary markets. A portion of the portfolio will also be placed in short term investment pools and/or money market mutual funds, which offer daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Public Trust

Investments shall be made with judgment and care, under circumstances, then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of capital as well as the probable income to be derived. All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively.

Yield

The City's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the City's investment risk constraints and the cash flow characteristics of the portfolio. Return on investment is of secondary importance compared to the safety, liquidity and public trust objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

STANDARDS OF CARE

A. Prudence

The standard of prudence to be used in the investment function shall be the “prudent person” standard and shall be applied in the context of managing the overall portfolio. This standard states: “Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.”

B. Limitations of Personal Liability

The investment officer and those delegated investment authority under this policy, when acting in accordance with written procedures and this policy and in accord with the Prudent Person Rule, shall be relieved of personal responsibility and liability in the management of the portfolio provided that deviations from expectations for a specific security’s credit risk or market price change or portfolio shifts are reported in a timely manner and then appropriate action is taken to control adverse market effects.

C. Delegation of Authority

The City Manager Finance Director and/or designee, acting on behalf of the City Council, are the Investment Officers of the City and are responsible for investment decisions and activities. The Investment Officers may delegate day-to-day administrative duties to other persons authorized to perform investment activities for the City, or he/she may perform the duties him or herself. The City Manager is responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officers are responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived.

Training Requirements

It is the City’s policy to provide training required by the Public Funds Investment Act Section 2256.008 (a) thorough courses and seminars offered in compliance with the Act to ensure the quality and capability of the Investment Officers in making decisions. The Investment Officers are required to attend at least one training session relating to the officer’s responsibility under the Act within 12 months after assuming duties. Afterwards, the City shall provide eight hours of investment training not less than once in a two-year period that begins on the first day of the fiscal year and consists of two

consecutive fiscal years after that date for the Investment Officer(s) and/or his/her delegate(s), through courses and seminars offered by an independent professional source such as:

- *Government Finance Officers Association of Texas,*
- *Government Treasurers Organization of Texas,*
- *Texas Municipal League,*
- *Center for Public Management at the University of North Texas;*

As approved by the City Council in order to ensure the quality and capability of the City's investment personnel making investment decisions in compliance with the Act. The training must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

The City shall also encourage those who may perform daily activities with the City investments to attend such training although they are not listed specifically as Investment Officers of the City.

This is addressed in Standard of Care
Ethics and Conflict of Interest

Investment Officers and other employees involved in the investment process shall refrain from personal business activities that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. According to the Act, a personal business relationship with a business exists if one of the following three (3) items applies:

1. The Investment Officer owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization.
2. Funds received by the Investment Officer from the business organization exceed 10 percent of the Investment Officer's gross income for the previous year.
3. The Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the Investment Officer.

Investment Officer(s) must file a disclosure statement with the Texas Ethics Commission and the City Council if an officer has a personal business relationship with a business organization offering to engage in an investment transaction with the City or the Officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573 of the Texas Government Code, to an individual seeking to transact investment business with the entity.

"No officer or employee of the City shall:

1. Have a financial interest, direct or indirect, in any contract with the city nor shall be financially interested, directly or indirectly, in the sale to the city of any land, or rights or interest in any land, materials, supplies or service. The “financial interest” contemplated under this article requires that the officer or employee receive an actual financial benefit from the transaction with the city. An actual financial benefit from the transaction shall not include:
 - A. An ownership in the entity transacting with the city where the ownership interest is less than one (1) percent of the entity.
 - B. Compensation or benefits as an employee, officer, or director of the entity transacting business within the city where such compensation is not affected by the entity’s transaction with the City.
2. Participate in a vote or decision on any matter in which the officer or employee has a direct or indirect financial interest or in which a relative of the officer or employee has a direct or indirect financial interest. It is expressly provided herein that an investment or ownership in a publicly held company in an amount less than three thousand, five hundred dollars (\$3,500.00) does not constitute a prohibited financial interest under this article.”
- 3.

AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

A qualified depository shall be selected through the City’s banking services procurement process, which shall include solicitation of proposals as required under Chapter 105 of the Local Government Code. The centralization of depository services is designed to maximize investment capabilities while minimizing service costs. The selection of a depository shall be based on the financial institution offering the most favorable terms and conditions at the least possible cost, while adhering to guidelines and provisions within the request for proposal. In selecting a depository, the City shall consider the financial institution’s credit characteristics, financial history, service capabilities, location within City limits or within ten (10) mile radii of the City limits, and costs for required services. The City’s depository contract shall be for three years with an option to extend for an additional two years upon agreement of the depository and the City. Specialized services may be contracted for by the City with another financial institution or company if the depository cannot provide such service or charges more than the same service with little or no appreciable benefit.

AUTHORIZED AND SUITABLE INVESTMENTS

Investments described below are authorized by Chapter 2256, Texas Government Code as eligible securities for the City. City funds governed by this Policy may be invested in the following types of securities:

- 1.) Obligations of the United States or its agencies and instrumentalities with stated maturity not to exceed two years.

- 2.) Direct obligations of the State of Texas or its agencies with a stated maturity not to exceed two years.
- 3.) Other obligations, the principal of and interest on which are unconditionally guaranteed or insured by the State of Texas or the United States or its agencies and instrumentalities with stated maturity not to exceed two years.
- 4.) Obligations of states, agencies, counties, cities, and other political subdivisions of any state having been rated as to investment quality by a nationally recognized investment rating firm and having received a rating of not less than A or its equivalent along with a stated maturity not to exceed two years.
- 5.) Certificates of deposit issued by a depository institution that has its main office or a branch office in this state that are:
 - (a) guaranteed or insured by the Federal Deposit Insurance Corporation, or its successor with a stated maturity not to exceed five years; or
 - (b) secured by obligations that are described by (1) - (4) above, which are intended to include all direct federal agency or instrumentality issued mortgage backed securities that have a market value of not less than the principal amount of the certificates and a stated maturity not to exceed two years, but excluding those mortgage-backed securities described in Section 2256.009(b) of the Government Code; or
 - (c) Secured in any other manner and amount provided by law for deposits of Participants with a stated maturity not to exceed five years.
- 6.) Certificates of Deposit or Share Certificates.
 - (a) A certificate of deposit or share certificate is an authorized investment under this subchapter if the certificate is issued by a depository institution that has its main office or a branch office in this state and is:
 - (1) guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
 - (2) secured by obligations that are described by Section 2256.009(a) of the Government Code, including mortgage backed securities directly issued by a federal agency or instrumentality that have a market value of not less than the principal amount of the certificates, but excluding those mortgage backed securities of the nature described by Section 2256.009(b) of the Government Code; or
 - (3) secured in any other manner and amount provided by law for deposits of the investing entity.

(b) In addition to the authority to invest funds in certificates of deposit under Subsection (a), an investment in certificates of deposit made in accordance with the following conditions is an authorized investment.

- (1) the funds are invested by an investing entity through:
 - A) a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025 of the Texas Government Code; or
 - B) a depository institution that has its main office or a branch office in this state and that is selected by the investing entity;
- (2) the broker or the depository institution selected by the investing entity under Subdivision (1) arranges for the deposit of the funds in certificates of deposit in one or more federally insured depository institutions, wherever located, for the account of the investing entity;
- (3) the full amount of the principal and accrued interest of each of the certificates of deposit is insured by the United States or an instrumentality of the United States; and
- (4) the investing entity appoints a clearing broker-dealer registered with the Securities and Exchange Commission and operating pursuant to Securities and Exchange Commission Rule 15c3-3 (17 C.F.R. Section 240.15c3-3) as custodian for the investing entity with respect to the certificates of deposit issued for the account of the investing entity.

7.) Eligible Investment Pools as defined in Section 2256.016 of the Texas Government Code provided that:

- (a) investment in the pool has been authorized by the City Council;
- (b) the pool shall have furnished the Investment Officer(s) an offering circular containing the information required by Section 2256.016(b) of the Texas Government Code;
- (c) the pool shall furnish to the Investment Officer(s) investment transaction confirmations with respect to all investments made with it;
- (d) the pool shall furnish to the Investment Officer(s) monthly reports that

contain the information required by Section 2256.016(c) of the Texas Government Code;

- (e) any pool that is created to function as a money market mutual fund must continuously maintain a stable net asset value of one dollar (\$1.00),
 - (f) the pool's investment philosophy and strategy are consistent with this Policy and the City's ongoing investment strategy; and
 - (g) the pool provides evidence of credit rating no lower than "AAA" or "AAA-m" by at least one nationally recognized credit rating service,
 - (h) An investment pool must make available an annual audited financial statement.
 - (i) If the investment pool operates an Internet website, the information required by section 2256.016(b), (c) (2), and (f) must be posted on the website.
 - (j) An investment pool in advertising investment rates must include either all levels of return based on breakpoints provided or state the lowest possible level of return based on the smallest level of funds invested if an investment pool offers fee breakpoints based on fund balances invested.
- 8.) Fully collateralized direct repurchase agreements having a defined termination date that is no later than 270 days from the delivery date, secured by direct obligations of the U.S. or its agencies and instrumentalities, pledged with a third party selected or approved by the political entity, and placed through a primary government securities dealer, and as otherwise defined by the Public Funds Investment Act. Each issuer of repurchase agreements must sign a copy of a Master Repurchase Agreement.

The City shall take all prudent measures that are consistent with this investment policy to liquidate any investment that does not have or is downgraded to less than the minimum rating stated herein. The investment officer(s) will monitor the rating of all investments held by the City, monthly. However, as stated in Section 2256.017, the City is not required to liquidate investments that were authorized investments at the time of purchase.

UNAUTHORIZED INVESTMENTS

The following investments are specifically prohibited by State Law:

- 1.) Obligations whose payment represents the coupon payment on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.
- 2.) Obligations whose payment represents the principal stream of cash flow

from the underlying mortgage-backed security collateral and bears no interest.

- 3.) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.
- 4.) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

COLLATERALIZATION

Consistent with requirements of the Public Funds Collateral Act, the city requires that all bank deposits shall be federally insured or collateralized with eligible securities. This pledged collateral will have a market value equal to or no less than 100% of the deposits plus accrued interest less an amount insured by the FDIC. Evidence of the pledged collateral must be provided to and reviewed by the Director of Finance and will be retained by the City of Elgin. Evidence of collateral is reviewed annually by the City's independent auditor in conjunction with the annual audit.

Financial institutions serving as City Depositories will be required to sign a Depository Agreement with the City and the City's safekeeping agent. The safekeeping portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing, and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- 1.) The Agreement must be in writing;
- 2.) The Agreement must be executed by the Depository and the City contemporaneously with the acquisition of the assets;
- 3.) The Agreement must be approved by the Depository's Board of Directors or loan committee, and a copy of the meeting minutes must be delivered to the City; and,
- 4.) The Agreement must be part of the Depository's "official record" continuously since its execution.

Repurchase agreements must also be secured in accordance with State Law. Each counter party to a repurchase transaction is required to sign a copy of **The Bond Market Association** Master Repurchase Agreement. An executed copy of the Agreement must be on file before the City will enter into any transactions with a counter party.

1.) Allowable Collateral

a.) Demand Deposits

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than "A" or its equivalent), with a remaining maturity of 10 years or less.

b.) Certificates of Deposit

Eligible securities for Collateralization of deposits are limited to U.S. Treasuries or agencies, FDIC coverage, direct or unconditionally guaranteed obligations of the State of Texas; states, agencies, counties, cities, or political subdivisions of the State of Texas having been rated as investment grade (investment rating no less than “A” or its equivalent), with a remaining maturity of 10 years or less.

c.) Repurchase Agreements

Collateral underlying repurchase agreements is limited to U.S. government and agency obligations, which are eligible for wire transfer (i.e. book entry) to the City’s designated safekeeping agent through the Federal Reserve System.

2.) Collateral Levels

Collateral is valued at current market price plus interest accrued through the date of valuation.

a.) Demand Deposits

The market value of collateral pledged for demand deposits will be in an amount equal to the largest total balance of the City’s account, less the amount of coverage provided by FDIC. The securities comprising the pledge shall be valued at par or market, whichever is lower.

b.) Certificates of Deposits

The market value of collateral pledged for certificates of deposit must always be equal to or greater than the par value plus accrued interest, less the amount insured by the FDIC.

c.) Repurchase Agreements

The market value of collateral required to be pledged for repurchase agreements shall be at a percentage of the par value of the agreement plus accrued interest and shall be maintained at the following levels:

<u>Maturity</u>	<u>U.S. Treasury Securities</u>	<u>U.S. Agency</u>
1 year or less	101%	101%
1 year to 5 years	102%	102%
Over 5 years	103%	104%

Any collateral with a maturity of over 5 years must be approved by the Investment Officer(s) in writing before the transaction is initiated.

3.) Monitoring Collateral Adequacy

a.) Demand Deposits

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has bank deposits. The

Investment Officer(s) will monitor adequacy of collateralization monthly.

b.) Certificates of Deposit

The City requires monthly reports with market values of pledged securities from all financial institutions with which the City has certificates of deposit. The Investment Officer(s) will monitor adequacy of collateralization monthly.

c.) Repurchase Agreements

Weekly monitoring by the Investment Officer(s) of all collateral underlying repurchase agreement is required. More frequent monitoring may be necessary during periods of market volatility.

4.) Margin Calls

a.) Certificates of Deposit

If the collateral pledged for a certificate of deposit falls below the par value of the deposit, plus accrued interest less FDIC insurance, the Institution will be notified by the Investment Officer and will be required to pledge additional securities no later than the end of the next succeeding business day.

b.) Repurchase Agreements

If the value of the collateral underlying a repurchase agreement falls below the margin maintenance levels specified above, the City will make a margin call unless the repurchase agreement is scheduled to mature within five business days and the amount is deemed to be immaterial.

5.) Collateral Substitution

Collateralized certificates of deposit and repurchase agreements often require substitution of collateral. Any broker, dealer, or financial institution requesting substitution must contact the Investment Officer for approval and settlement. The substituted security's value will be calculated, and a substitution approved if its value is equal to or greater than the required security level. The Investment Officer(s), or a designee, must provide written notification of the decision to the bank or the safekeeping agent holding the security prior to any security release. Substitution is allowable for all transactions, but should be limited, if possible, to minimize potential administrative problems and transfer expense. The Investment Officer(s) may limit substitution and assess appropriate fees if substitution becomes excessive or abusive.

6.) Collateral Reductions

Should the collateral's market value exceed the required amount, any broker or financial institution may request approval from the Investment Officer(s) to reduce collateral. Collateral reductions may be permitted only if the City's records indicate that the collateral's market value exceeds the required amount.

SAFEKEEPING AND CUSTODY

The City shall contract with a bank or banks for the safekeeping of securities either owned by the City as part of its investment portfolio or as part of its depository and repurchase agreements. All collateral securing bank deposits must be held by third-party banking institution acceptable to and under contract with the City, or by the Federal Reserve Bank. The securities purchased under a repurchase agreement must be delivered to a third-party custodian with whom the City has established a safekeeping agreement.

All security transactions, including collateral for repurchase agreements considered by the City shall be conducted on a delivery-verses-payment (DVP) basis. By so doing, City funds are not released until the City has received, through the Safekeeping Agent, the securities purchased. The security shall be held in the name of the City or held on behalf of the City. The Safekeeping Agent's records shall assure the notation of the City's ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

INVESTMENT PARAMETERS

Maximum and Weighted Average Maturity

To minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirement of the funds. The City of Elgin intends to match the holding periods of investment funds with liquidity needs of the City. The maximum final stated maturity of any investment shall not exceed five years. All long-term maturities will be intended to cover long-term liabilities. In addition, no less than ten percent (10%) of the funds in the portfolio will be liquid. The entire portfolio will have a weighted average maturity of one (1) year or less. This weighted average will be calculated using the stated final maturity dates of each security.

By Fund Groups

Maturity guidelines by fund are as follows:

- a.) Operating Funds - The weighted average days to maturity for the operating fund portfolio shall be 365 days or less and the maximum allowable maturity shall be two years.
- b.) Debt Service Funds - Debt Service Funds shall be invested to ensure adequate funding for each consecutive debt service payment. The Investment Officer shall invest in such a manner as not to exceed an "unfunded" debt service date with the maturity of any investment. Any unfunded debt service date is defined as a coupon or principal payment date that does not have cash or investment securities available to satisfy said payment.

- c.) Debt Service Reserve Funds - Market conditions, Bond Resolutions constraints and Arbitrage compliance will be considered when formulating Reserve Fund strategy. Maturity limitation shall generally not exceed the call provisions of the Bond Ordinance and shall not exceed the final maturity of the bond issue. All Debt Service Reserve Fund investment maturities shall not exceed five years.
- d.) Special Project, Special Purpose, and Capital Improvement Funds - The investment maturity of bond proceeds shall generally be limited to the anticipated cash flow requirements. City funds that are considered “bond proceeds” for arbitrage purposes will be invested using a more conservative approach than the standard investment strategy when arbitrage rebate rules requiring refunding excess earnings. All earnings in excess of the allowable arbitrage earnings will be segregated and made available for any necessary payments to the U.S. Treasury.

INVESTMENT STRATEGY

The City of Elgin maintains one portfolio in which all funds under the City’s control are pooled for investment purposes. To minimize risk of loss due to interest rate fluctuations, investment maturities will not exceed the anticipated cash flow requirements of the funds. Investment guidelines by fund-type are as follows:

1. General, Enterprise, or Operating-type Funds

Suitability – Any investment eligible in the Investment Policy is suitable for General, Enterprise, or Operating Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, managing the weighted average days to maturity of each fund’s portfolio to less than 365 days and restricting the maximum allowable maturity to two years will minimize the price volatility of the portfolio.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity – General, Enterprise, or Operating-type Funds require the greatest short-term liquidity of any of the fund-types. Short-term investment pools and money market mutual funds will provide daily liquidity and may be utilized as a competitive yield alternative to fixed maturity investments.

Diversification – Investment maturities should be staggered throughout the budget cycle to provide cash flow based on the anticipated operating needs of ELGIN. Diversifying the appropriate maturity structure up to the two-year

maximum will reduce interest rate risk.

Yield – Attaining a competitive market yield for comparable security- types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective.

2. Debt Service Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Funds.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Funds maturities to not exceed the debt service payment schedule the market risk of the overall portfolio will be minimized.

Marketability – Securities with active and efficient secondary markets are not necessary as the event of an unanticipated cash flow requirement is not probable.

Liquidity – Debt Service Funds have predictable payment schedules. Therefore, investment maturities should not exceed the anticipated cash flow requirements. Investment pools and money market mutual funds may provide a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions influence the attractiveness of fully extending maturity to the next “unfunded” payment date. Generally, if investment rates are anticipated to decrease over time, ELGIN is best served by locking in most investments. If the interest rates are potentially rising, then investing in shorter and larger amounts may provide advantage. At no time shall the debt service schedule be exceeded to bolster yield.

Yield – Attaining a competitive market yield for comparable security- types and portfolio restrictions is the desired objective. The yield of an equally weighted, rolling six-month Treasury bill portfolio shall be the minimum yield objective.

3. Debt Service Reserve Funds

Suitability – Any investment eligible in the Investment Policy is suitable for the Debt Service Reserve Funds. Bond resolution and loan documentation constraints and insurance company restrictions may create specific

considerations in addition to the Investment Policy.

Safety of Principal – All investments shall be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Debt Service Reserve Fund maturities to not exceed the call provisions of the borrowing will reduce the investment's market risk if ELGIN's debt is redeemed and the Reserve Fund liquidated. No stated final investment maturity shall exceed the shorter of the final maturity of the borrowing or five years. Annual market-to-market requirements or specific maturity and average life limitations within the borrowing's documentation will influence the attractiveness of market risk and influence maturity extension.

Marketability – Securities with less active and efficient secondary markets are acceptable for Debt Service Reserve Funds.

Liquidity – Debt Service Reserve Funds have no anticipated expenditures. The Funds are deposited to provide annual debt service payment protection to ELGIN's debt holders. The funds are "returned" to ELGIN at the final debt service payment. Market conditions and arbitrage regulation compliance determine the advantage of investment diversification and liquidity. Generally, if investment rates exceed the cost of borrowing, ELGIN is best served by locking in investment maturities and reducing liquidity. If the borrowing costs cannot be exceeded, then current market conditions will determine the attractiveness of locking in maturities or investing shorter and anticipated future increased yields.

Diversification – Market conditions and the arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for Debt Service Reserve Funds. At no time shall the final debt service payment date of the bond issue be exceeded in an attempt to bolster yield.

Yield – Achieving a positive spread to the applicable borrowing cost is the desired objective. Debt Service Reserve Fund portfolio management shall operate within the limits of the Investment Policy's risk constraints.

4. Special Project, Special Purpose or Capital Improvement Funds

Suitability – Any investment eligible in the Investment Policy is suitable for Capital Improvement Funds.

Safety of Principal – All investments will be of high quality with no perceived default risk. Market price fluctuations will occur. However, by managing Capital Improvement Funds to not exceed the anticipated expenditure schedule, the market risk of the overall portfolio will be minimized. No stated final investment maturity shall exceed the shorter of the

anticipated expenditure schedule.

Marketability – Securities with active and efficient secondary markets are necessary in the event of an unanticipated cash flow requirement. Historical market “spreads” between the bid and offer prices of a security-type of less than a quarter of a percentage point will define an efficient secondary market.

Liquidity Most capital improvement programs have reasonably predictable draw down schedules. Therefore, investment maturities should generally follow the anticipated cash flow requirements. Investment pools and money market mutual funds will provide readily available funds generally equal to one month’s anticipated cash flow needs, or a competitive yield alternative for short-term fixed maturity investments.

Diversification – Market conditions and arbitrage regulations influence the attractiveness of staggering the maturity of fixed rate investments for bond proceeds. Generally, if investment rates exceed the applicable cost of borrowing, ELGIN is best served by locking in most investments. If the cost of borrowing cannot be exceeded, then current market conditions will determine the attractiveness of diversifying maturities or investing in shorter and larger amounts. At no time shall the anticipated expenditure schedule be exceeded to bolster yield.

Yield – Achieving a positive spread to the cost of borrowing is the objective within the limits of the Investment Policy’s risk constraints. The yield of an equally weighted, rolling six-month Treasury bill portfolio will be the minimum yield objective for non-borrowed funds.

Investment transactions must be settled on delivery-versus-payment (DVP) basis, excepting investment pools and mutual funds.

REPORTING

Not less than quarterly, the Investment Officer shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include the following:

- 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value.
- 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested.
- 3.) The maturity date of each investment.

- 4.) Statement of compliance of the portfolios as it relates to the investment strategy.

Detailed and summary reports will be prepared and presented to the City Council and Mayor not less than quarterly. Reports will comply with the applicable Section of the PFIA at a minimum.

Quarterly reports will be formally reviewed at least annually by an independent auditor and reported to the City Council once the City invests in items other than money market mutual funds, investment pools, or accounts offered by its depository bank in the form of CD's or money market accounts.

MONITORING OF THE MARKET VALUE OF INVESTMENTS AND COLLATERAL

The Investment Officer shall determine the market value of each investment and of all Collateral pledged to secure deposits of City funds at least quarterly and at a time as close as practicable to the closing of the reporting period for the investments. Such values shall be included on the investment report. The following methods shall be used:

- 1) Certificates of deposit shall be valued at their face value plus any accrued but unpaid interest.
- 2) Shares in money market mutual funds and investment pools shall be valued at par plus any accrued but unpaid interest.
- 3) Other investment securities with a remaining maturity of one year or less may be valued in any of the following ways:
 - a. the lower of two bids obtained from securities broker/dealers for such security;
 - b. the average of the bid and asked prices for such investment security as published in The Wall Street Journal or The New York Times;
 - c. The bid price published by any nationally recognized security pricing service; or the market value quoted by the seller of the security or the owner of such Collateral.
- 4) Other investment securities with a remaining maturity of greater than one year shall be valued at the lower of two bids obtained from securities broker/dealers for such security, unless two bids are not available, in which case the securities may be valued in any manner provided in this section.

INTERNAL CONTROLS

Investment Officer(s) shall establish a system of internal controls, which shall be designed to prevent losses of public funds arising from fraud, employee error, unanticipated changes in financial markets, or imprudent actions by employees. Pertinent controls include custodian safekeeping receipts records management, documentation of

investment bidding activities, written confirmations of oral transactions, reconciliation records, training requirement documentation, and compliance with investment policies. Where practical, the City should emphasize control of collusion, separation of duties, clear delegation of duties, accurate and timely reports, and staying informed about market conditions, changes, and trends. In conjunction with the City's annual financial audit, the independent external auditor will assure compliance with the management controls on investments and adherence to investment policies.

PERFORMANCE STANDARDS

The investment portfolio shall be designed with the objective of ensuring the safety of the City's assets and minimizing interest rate risk. In addition, it will remain sufficiently liquid to meet cash flow needs, while protecting the interests of the public, all while obtaining a rate of return throughout budgetary and economic cycles.

The City's overall investment strategy is conservative. Given this strategy, the basis used by the Treasury to determine whether market yields are being achieved shall be the six-month U.S. Treasury bill.

INVESTMENT POLICY ADOPTION

The City's investment policy, which includes strategies for each fund, shall be adopted by resolution of the City Council. The policy shall be reviewed annually, and any modifications thereto must be approved by the City Council. This adoption by resolution is required even if there are no changes within the policy.

AUTHORIZED FINANCIAL INSTITUTIONS AND GOVERNMENT POOLS

Financial Institutions Authorized To Do Business with the City of Elgin

First National Bank
Frontier Bank of Texas

Government Pools Authorized To do Business with the City Elgin

Logic. LOGIC is a AAA rated investment program tailored to the investment needs of Texas local governments.

TexPool Local Government Investment Pool. Texpool is the largest and oldest local government investment pool in the State of Texas.

APPENDIX “A”

I hereby certify that I have personally read and understand the investment policy and master repurchase agreement (if applicable), conditions of the City of Elgin, Texas. I further acknowledge that reasonable procedures and controls designed to fulfill those objectives and conditions have been implemented. Therefore, this firm will preclude investment transactions between itself and the City of Elgin that are not authorized by the City’s investment policy, except to the extent that this authorization is dependent on an analysis of the makeup the City’s entire portfolio or requires an interpretation of subjective investment standards, thus protecting the City’s credit or market risk.

All sales personnel of this firm dealing with the City of Elgin’s account(s) have been informed and will be routinely informed of the City’s investment horizons, limitations, strategy, and risk constraints, whenever we are so informed by the City.

This firm pledges due diligence in informing the City of foreseeable risks associated with financial transactions connected to this firm.

I further acknowledge that no investment transaction shall occur between this firm and the City, until the City of Elgin receives this consent form, completed by the firm’s qualified representative.

FIRM

SIGNATURE OF QUALIFIED FIRM REPRESENTATIVE

PRIMARY REPRESENTATIVE: NAME/TITLE
(Please print)

DATE

GLOSSARY

AGENCIES: Federal agency securities.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer.

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specified maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit or other property that a borrower pledges to secure repayment of a loan. Also refer to securities pledged by a bank to secure deposits of public moneys.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR): The official Annual report for the City of Elgin. It includes five combined statements for each individual fund and account group prepared in conformity with GAAP. It also includes supporting schedules necessary to demonstrate compliance with finance-related legal and contractual provisions, extensive introductory material, and a detailed Statistical Section.

COUPON: (a) The annual rate of interest that a bond's issuer promises to pay the bondholder on the bond's face value. (b) A certificate attached to a bond evidencing interest due on a payment date.

DEALER: A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DEBENTURE: A bond secured only by the general credit of the issuer.

DELIVERY-VERSES- PAYMENT (DVP): There are two methods of delivery of securities: delivery-verses-payment and delivery-verses-receipt. Delivery-verses- payment is delivery of securities with an exchange of money for the securities. Delivery-versus-receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value, e.g. U.S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals, e.g., S&L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$250,000 per deposit.

FEDERAL FUNDS RATE: The rate of interest at which Fed Funds are traded. This rate is currently pegged by the Federal Reserve through open-market operations.

FEDERAL HOME LOAN BANKS (FHLB): The institutions that regulate and lend to savings and loan associations. The Federal Home Loan Banks play a role analogous to that played by the Federal Reserve Banks with member commercial banks.

FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA): FNMA, like GNMA was chartered under the Federal National Mortgage Association Act in 1938. FNMA is a federal corporation working under the auspices of the Department of Housing and Urban Development (HUD). It is the largest single provider of residential mortgage funds in the United States. Fannie Mae, as the corporation is called, is a private stockholder-owned corporation. The corporation's purchases include a variety of adjustable rate mortgages and second loans, in addition to fixed-rate mortgages. FNMA's securities are also highly liquid and are widely accepted. FNMA assumes and guarantees that all security holders will receive timely payment of principal and interest.

FEDERAL OPEN MARKET COMMITTEE (FOMC): Consists of seven members of the Federal Reserve Bank Board and five of the twelve Federal Reserve Bank Presidents. The President of the New York Federal Reserve Bank is a permanent member, while the other Presidents serve on a rotating basis. The Committee periodically meets to set Federal Reserve guidelines regarding purchases and sales of Government Securities in the open market as a means of influencing the volume of bank credit and money.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven-member Board of Governors in Washington, DC regional banks and about 5,700 commercial banks that are members of the system.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION (GNMA or Ginnie Mae): Securities influencing the volume of bank credit guaranteed by GNMA and issued by mortgage bankers, commercial banks, savings and loan associations, and other institutions. Security holder is protected by full faith and credit of the U.S. Government. Ginnie Mae securities are backed by the FHA, VA, or FMHM mortgages. The term “pass-through” is often used to describe “Ginnie Mae”.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and a reasonable trade size can be done at the quoted prices.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase – reverse repurchase agreements that establishes each party’s rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MONEY MARKET: The date upon which the principal or stated value of an investment becomes due and payable.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve’s most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state—the so-called legal list. In other states the trustee may invest in security if it is one that would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized-yield-to-maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security “buyer” in effect lends the “seller” money for the period of the agreement, and the terms of the agreement are structured to compensate him for this. Dealers use RFPs extensively to finance their positions. Exception: When the Fed is said to be doing RP, it is lending money that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank’s vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest-bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY NOTES: A non-interest-bearing security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms, as well as nonmember broker-dealers in securities, maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income returns on an investment, expressed as a percentage. (a) **Income Yield** is obtained by dividing the current dollar income by the current market price for the security. (b) **Net Yield to Yield to Maturity** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH FGM ARCHITECTS INC. RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager/EPD

PROPOSED ACTION: Approval of a Resolution authorizing the City Manager to remit payment for professional services fees in the amount of \$36,690.43 associated with the City of Elgin Police Station 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 City of Elgin Police Department (EPD) Station.

Previously, the City Council, upon recommendation of the EPD Station Building Committee, authorized utilization of the “Construction Manager at Risk” (“CMAR”) delivery process for the project and the engagement of FGM Architects Inc. to provide engineering and design services as part of the CMAR team.

These fees are for Programming/Schematic Design and for traveling fees as a part of the contract previously approved by the City Council.

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 the City Manager to remit payment for professional services fees in the amount of \$36,690.43 associated with the City of Elgin Police Station Project.

ATTACHMENTS: (1) Resolution (2) Invoice

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO APPROVE
PROFESSIONAL SERVICES FEES WITH FGM
ARCHITECTS INC. RELATED TO THE ELGIN POLICE
DEPARTMENT STATION 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 City of Elgin Police Department (EPD) Station (“Project”); and,

WHEREAS, the City Council, upon recommendation of the EPD Station Building Committee, has previously authorized utilization of the “Construction Manager at Risk” (“CMAR”) delivery process for the Project and the engagement of FGM Architects Inc. to provide engineering and design services as part of the CMAR team, and;

WHEREAS, FGM Architects Inc. have submitted an invoice to the city for professional services charges related to the Elgin Police Department Station Project.

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 a dollar amount of \$36,690.43 for professional services associated with the City of Elgin Police Department Station Project from July 30, 2022, to August 26, 2022.

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 11th day of October, 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

FGMARCHITECTS

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

September 16, 2022
Invoice No: 22-3415.01 - 4

Project 22-3415.01 Elgin TX New Police Station
Professional Services from July 30, 2022 to August 26, 2022
Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Initial Conceptual Design	35,430.00	100.00	35,430.00	35,430.00	0.00
Programming/Schematic Design	40,522.00	90.00	36,469.80	0.00	36,469.80
Design Development	101,270.00	0.00	0.00	0.00	0.00
Construction Documents	202,540.00	0.00	0.00	0.00	0.00
Bidding	25,318.00	0.00	0.00	0.00	0.00
Construction Administration	101,270.00	0.00	0.00	0.00	0.00
Total Fee	506,350.00		71,899.80	35,430.00	36,469.80
Total Fee					36,469.80

Reimbursable Expenses

Mileage, tolls and misc.	34.75	
Travel	185.88	
Total Reimbursables	220.63	220.63

TOTAL CURRENT INVOICE \$36,690.43

Billings to Date

	Current	Prior	Total	Received	A/R Balance
Basic Services	36,469.80	35,430.00	71,899.80		
Expense	220.63	1,201.98	1,422.61		
Totals	36,690.43	36,631.98	73,322.41	36,631.98	36,690.43

Please remit to:

FGM Architects Inc.
1211 West 22nd Street, Suite 700
Oak Brook IL 60523-2109

630.574.8300

Billing Backup

Friday, September 16, 2022

FGM Architects Inc.

Invoice 4 Dated 9/16/2022

9:57:38 AM

Project	22-3415.01	Elgin TX New Police Station
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Reimbursable Expenses

Mileage, tolls and misc.

EX	0018529	6/22/2022	Galloway, Jr., Bob / Elgin Police Station / 54.00 miles @ 0.585	34.75
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Travel

EX	0018529	6/22/2022	Galloway, Jr., Bob / Elgin Police Station	48.22
EX	0018694	8/8/2022	Meade, Brian / food during trip	4.59
EX	0018694	8/8/2022	Meade, Brian / dinner during trip	14.65
EX	0018710	8/8/2022	Galloway, Jr., Bob / Meyers	47.80
EX	0018694	8/9/2022	Meade, Brian / hotel in Austin / hotel stay while in town for project meetings - split between 2 projects	70.62

Total Reimbursables	220.63	220.63
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Total this Project	\$220.63
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Total this Report	\$220.63
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Please remit to:

FGM Architects Inc.
1211 West 22nd Street, Suite 700
Oak Brook IL 60523-2109

630.574.8300



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 BASELINE SURVEYORS DCCM OF SAN ANTONIO, TEXAS FOR SURVEYING SERVICES RELATED TO THE ELGIN POLICE DEPARTMENT STATION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager/EPD

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *Baseline Surveyors - DCCM, of San Antonio, Texas*, in the amount of \$4,449.00 for surveying services associated with the City of Elgin Police Station 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 City of Elgin Police Department (EPD) Station.

Previously, the City Council, upon recommendation of the EPD Station Building Committee, authorized utilization of the “Construction Manager at Risk” (“CMAR”) delivery process for the project and the engagement of FGM Architects Inc. to provide engineering and design services as part of the CMAR team.

FGM Architects Inc. has requested and reviewed proposals for surveying services related to the Project and has recommended *Baseline Surveyors - DCCM* of San Antonio, Texas, as the lowest and best bid.

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 Baseline Surveyors – DCCM of San Antonio, Texas, in the amount of \$4,499.00 for surveying services associated with the City of Elgin Police Station Project; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) Baseline - DCCM Proposal

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH BASELINE SURVEYORS-
DCCM OF SAN ANTONIO, TEXAS FOR SURVEYING
SERVICES RELATED TO THE ELGIN POLICE
DEPARTMENT STATION 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 City of Elgin Police Department (EPD) Station (“Project”); and,

WHEREAS, the City Council, upon recommendation of the EPD Station Building Committee, has previously authorized utilization of the “Construction Manager at Risk” (“CMAR”) delivery process for the Project and the engagement of FGM Architects Inc. to provide engineering and design services as part of the CMAR team, and;

WHEREAS, FGM Architects Inc. has requested and reviewed proposals for surveying services related to the Project and has recommended *Baseline Surveyors - DCCM* of San Antonio, Texas, as the lowest and best bid.

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 Baseline Surveyors of San Antonio, Texas, in the amount of \$4,449.00 for surveying services associated with the City of Elgin Police Department Station 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 *FY22-23 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 11th day of October 2022

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

September 8, 2022

Revised: September 22, 2022

Mr. Thomas L. Mattis
City Manager

City of Elgin
310 North Main Street
P.O. Box 591
Elgin Texas 78621

c/o Jaime Palomo, AIA
FGM Architects Inc.
737.263.1722 JaimePalomo@fgmarchitects.com

**Proposal for Professional Surveying Services
Elgin Police Department Design Survey
Bastrop County, Texas**

Baseline Corporation (Surveyor) appreciates the opportunity to provide this proposal to the City of Elgin (Client), for professional surveying services at the proposed Elgin Police Department site located at 202 Depot Street in the City of Elgin, Bastrop County, Texas (Project). This proposal is based on conversations with, and exhibits provided by the Client's representative, Jaime Palomo.

The Project site is near the intersection of Depot Street with North Avenue C, being all of Lots 3, 4, 5, and 6 of Block 16 out of the Town of Elgin, a subdivision according to the map of record in Cabinet 1, Page 100-B of the Plat Records of Bastrop County, Texas, according to *Elgin Site.pdf* received September 8, 2022, and *Elgin Site_More Survey Info Needed.pdf* received September 19, 2022. It is our understanding that the client is requesting a Boundary Verification Survey and Design Survey to support architectural design.

Scope of Services:

Boundary Verification Survey

Surveyor will perform a Boundary Verification Survey of the above referenced project site. The survey will be performed in accordance with TSPS Standards for a Category 1B Condition II Standard Boundary Survey and will be based on NAD 83 (2011). Surveyor will perform property research and locate found subject property and adjoining property corner monumentation. Results will be compared, and a boundary resolution determined. Easements found or provided in a title policy will be depicted on the survey.

Design Survey

Surveyor will perform a design survey of the above referenced project site, utilizing survey information previously obtained from neighboring site, surveyed in January 2021. The design survey will extend out to the immediate adjoining crown of roadway. The survey will be performed in accordance with TSPS Standards for a Category 6 Condition II Topographic Survey and will be based on NAD 83 (2011) using NAVD88 vertical datum with Geoid 12B. The Survey will be performed on the ground utilizing a combination of terrestrial lidar and imagery with GNSS survey observations methods to locate found visible features, both horizontally and vertically. Features will include existing on-site structures, drainage structures, adjacent and onsite sidewalks, curb lines, pavement, fences and visible above-ground utility appurtenances. The Design Survey will obtain topographic field elevations throughout the project site for use in developing a digital terrain model. Flowline elevations

of found storm water and sanitary sewer manhole inlet structures immediately adjoining the site will be identified. Surveyor will contact Texas 811 for utility locates and will secure available maps of record from utility purveyors. Utility markings placed by purveyors will be surveyed at time of Design Survey. Survey deliverables will be an AutoCAD .dwg base file showing topographic points, features and breaklines, accompanied by a points file in .csv format and digital terrain model in .xml format, and a survey sheet signed and sealed by a Registered Professional Land Surveyor.

Schedule:

The survey will be scheduled to be delivered within two weeks from receipt of signed proposal and notice to proceed. Client is to coordinate access to the site.

Compensation:

The above Scope of Services shall be completed for the following per task estimated lump sum fees:

Boundary Verification Survey – \$1200 (plus tax, \$99)

Design Survey – \$3200

The total lump sum fee for the Project is \$4,499

Terms and Conditions

The following Terms and Conditions shall apply to this proposal (Agreement)

1. Authorization for Work to Proceed

Signing of this Agreement shall be authorization by the Client for Baseline to proceed with the work.

2. Standard of Care

Services performed by Baseline under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. No other representation expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document or otherwise.

3. Billing and Payment

The Client shall pay Baseline for services performed in accordance with the rates and charges set forth herein. Invoices will be submitted by Baseline on a monthly basis and shall be due upon receipt. If payment is not received within thirty (30) calendar days from the date of the invoice, Baseline reserves the right to charge one-and-one-half percent (1.5%) interest (or the maximum percentage allowed by law, whichever is lower) in addition to the invoiced amount. If Client fails to pay an invoice within sixty (60) calendar days of the invoice date, Baseline reserves the right to suspend work on the project until invoices are paid. In the event any invoice or portion thereof is disputed by the Client, the Client shall notify Baseline within ten (10) calendar days of receipt of the invoice in question. The Client and Baseline shall work together to resolve the matter within forty-five (45) days of its being called to Baseline's attention.

4. Consequential Damages

The Client shall not be liable to Baseline, and Baseline shall not be liable to the Client for any consequential damages incurred by either due to the fault of the other, regardless of the nature of the fault, or whether it was committed by the Client or Baseline, their employees, agents or subcontractors. Consequential damages include, but are not limited to loss of use and loss of profit.

5. Termination

If termination becomes necessary, the Client or Baseline shall so notify the other party in writing and termination will become effective fourteen (14) calendar days after receipt of the termination notice. Regardless which party requests termination or the cause of termination, the Client shall pay Baseline within thirty (30) calendar days of termination for services rendered and costs incurred up to the effective time of termination.

6. Governing Law

The laws of the State of Texas will govern the validity of this Agreement, its interpretation and performance. Any litigation arising in any way from this Agreement shall be brought to the courts of that State.

7. Hazardous Materials – Suspension of Services

As used in this Agreement, the term *hazardous materials* shall mean any substances, including without limitation asbestos, toxic or hazardous waste, PCBs, combustible gases and materials, petroleum or radioactive materials (as each of these is defined in applicable federal statutes) or any other substances under any conditions and in such quantities as would pose a substantial danger to persons or property exposed to such substances at or near the Site. Both parties acknowledge that Baseline's scope of services does not include any services related to the presence of any hazardous or toxic materials. In the event Baseline or any other party encounters any hazardous or toxic materials, or should it become known to Baseline that such materials may be present on or near the Site that may affect the performance of Baseline's services, Baseline may, at its sole option and without liability for consequential or other damages, suspend performance of the services within this Agreement until the Client retains appropriate consultants or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the Site is in full compliance with all applicable laws and regulations.

8. Right to Rely on Client-Provided Information

The Client shall be responsible for, and Baseline may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by Client or any of its consultants. Baseline may use such requirements, programs, instructions, reports, data, plans and information in performing or furnishing services under this Agreement.

9. Ownership of Instruments of Service

All reports, drawings, surveys, computer files, field data, notes and other documents and (instruments of service) prepared by Baseline shall remain the property of Baseline. Baseline shall retain all common law, statutory and other reserved rights, including the copyright thereto.

10. Severability

Any term or provision of this Agreement found to be invalid under any applicable statute or rule of law shall be deemed omitted and the remainder of this Agreement shall remain in full force and effect.

11. Assignment

Neither party to this Agreement shall transfer, sublet or assign any rights or duties under or interest in this Agreement, including but not limited to payments that are due or payments that may be due, without the prior written consent of the other party.

Authorization:

If this proposal meets with your approval, please sign and return to our office. If you have any questions or concerns, please call or email.

Sincerely,

Baseline Corporation

Accepted

Client / 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 JAMARR ROOFING AND SHEET METAL FOR CONSTRUCTION SERVICES RELATED TO THE ELGIN MEMORIAL PARK RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager/Public Works/ Parks and Recreation

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *JaMar Roofing and Sheet Metal* of Austin, Texas, in the amount of \$25,000 for installation of a standing seam metal roof.

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 in Elgin Memorial Park.

Previously, the City Council, upon recommendation from City Staff and the Parks and Recreation Advisory board determined this project to be a high priority.

The Public Works Director has requested through a formal bid process and received only 1 response for roofing services related to the Project and has recommended *JaMar Roofing and sheet Metal* of Austin, Texas, as the lowest and best bid.

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 *JaMar Roofing and Sheet Metal* of Austin, Texas, in the amount of \$25,000.00 for roofing services associated with the Elgin Memorial Park Restroom Project; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) JaMar Proposal

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH JAMAR ROOFING AND SHEET
METAL FOR CONSTRUCTION SERVICES 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 City Park Restroom In Elgin Memorial Park; and,

WHEREAS, the City Council, upon recommendation of The Elgin Parks and Recreation Advisory Board and City staff, have designated The Elgin Memorial Park Restroom Project as high priority, and;

WHEREAS, The Public Works Director has requested and received only one formal proposal for roofing services related to the Project and has recommended *Ja Mar, Roofing and Sheet metal* of Austin, Texas, as the lowest and best bid.

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 *Ja Mar, Roofing and Sheet metal* of Austin, Texas, in the amount of \$25,000 for construction 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 11th day of October, 2022

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

RCAT License #03-0309



Fax: (512) 441-8446

Email: mgonzalez@ci.elgin.tx.us

TOTAL	\$ 25,000.00
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3% Convenience fee to be applied on Credit Card Payments

Payment to be made as follows: 50% Deposit w/ Balance Due Upon Completion.

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

FINANCING AVAILABLE

David Phillips 512-466-3595

AUTHORIZED AGENT

SIGNATURE

SIGNATURE

9/15/22

DATE _____

DATE _____



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

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

Engineered Metal Roofing Systems



www.jamarroofing.com

SMI 2.0" Mechanical Seam Standing Seam

Panel Information:

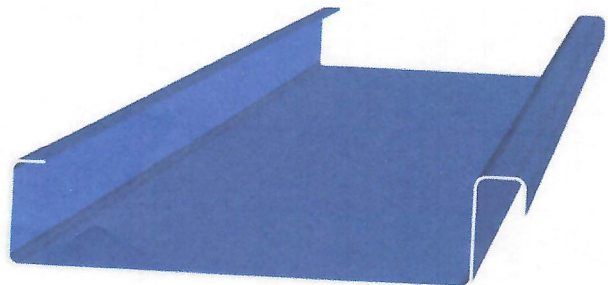
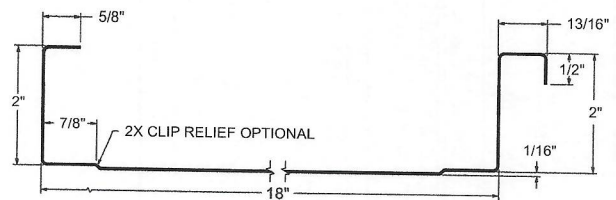
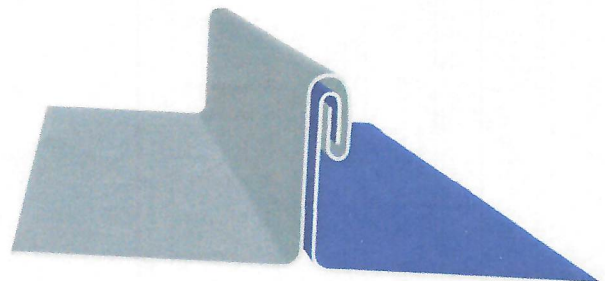
Panel Type:	Standing Seam
Panel Seam:	Mechanical
Panel Width:	18"
Seam Height:	2.0"
Panel Material:	22 GA - 24 GA Min
Panel Surface:	Smooth / Embossed Optional
Panel Clip:	Required Per Engineering
Minimum Slope:	.5/12
Substrate:	Open Framing, Plywood, B-Deck, B-Deck w/ISO

Panel Testing:

Uplift Resistance:	ASTM E1592, UL 580, UL 1897, UL 90
Air Infiltration:	ASTM E 1680
Water Penetration:	ASTM E 1646
Water Submersion:	ASTM E 2140
Foot Traffic:	FM 4471
Hail Rating:	Class 4 Impact UL 2218
Fire Rating:	UL Class A
Texas Department of Insurance Approval:	RC-383, RC-384, RC-385, RC-390
FBC Non-HVHZ Approval:	FL18316

Panel Notes:

- With this 24 GA, 18" wide panel engineering, you may opt to use heavier gauge coil and narrower width panels. Clip spacing will not change.
- For slopes lower than a 2/12 roof pitch, install sealant per ASTM E 2140.
- This panel uses a 24" coil. Maximum width coil of 24".
- This panel uses 5-13/16" of material to form the panel.
- If you take the square footage of the roof and multiply that by 1.34, the total will be the amount of coil needed to manufacture the panels.
- This panel is approved for Weathertight Warranties.
- We offer a full line of roofing accessories — clips, screws, and underlayment.



**Sheffield Metals
International**

A MAZZELLA COMPANY

**Ja-Mar Roofing
& Sheet Metal**

16712 IH-35 S

Buda, TX 78610

512-441-8437

sales@jamarroofing.com

City of Elgin Bid Opening

Owner: City of Elgin

Project No.:

Project: Elgin Memorial Park

Bid Date: May 9, 2022

Restroom Project

Bid Time 10:00

[illegible]

PUBLIC NOTICE

This notice shall serve as an invitation to bid the Elgin Memorial Park Restroom Project for individual building trades insured and bonded. Trades shall include but not limited to; concrete, plumbing, electrical, mason, framing, metal roofing doors and access controls.

A complete bid labeled "City of Elgin, Elgin Memorial Park Restroom Project"

Bids shall be accepted in sealed envelope or email addressed to:

In Writing:

Michael Gonzalez
Public Works Director
PO Box 591
Elgin, TX 78621

Or by email to:

mgonzalez@ci.elgin.tx.us

Sealed bids will be accepted until Monday May 9th at 10:00 am.

A notice of awarded bid will be Friday May 20th EOD.

A notice of bidders not awarded will be sent at the same time.

Any bid received after the official bid opening will be returned unopened.

Principal items of construction include: Construction of a park restroom facility with details and specifications provided by requested plans.

Bidders shall submit with their bids a Cashier's Check in the amount of five percent (5%) of the maximum total bid, payable to the City of Elgin, Texas without recourse, or a Proposal Bond in the same amount from an approved Surety Company as a guarantee that Bidder will enter into a contract and execute performance and payment bonds on the forms provided, within ten (10) days after the award of Contract. Bids without check or Proposal Bond will not be considered.

The successful Bidder must furnish Performance and Payments Bonds each in the amount of 100% of the contract price from an approved Surety Company holding a permit from the State of Texas to act as Surety and acceptable according to the latest list of companies holding certificates of authority from the Secretary of Treasury of the United States, or other Surety or Sureties acceptable to the Owner.

Plans and specifications may be examined without charge at Elgin City Hall, 310 North Main, Elgin, Texas 78621.

Plans and specifications may be examined without charge at City of Elgin Public works Department 1135 Swenson, Elgin, Texas 78621. By appointment by contacting Karol Jarmon 512-229-3260. Bid Documents and Construction Drawings for the project may be emailed by contacting Michael Gonzalez mgonzalez@ci.elgin.tx.us.



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 JL3 CONSTRUCTION FOR CONCRETE SERVICES RELATED TO THE ELGIN MEMORIAL PARK RESTROOM PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager/Public Works/ Parks and Recreation

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *JL3 Construction Services LLC*, of Hutto Texas, in the amount of \$29,650, for Concrete slab and flatwork Related to the Elgin Memorial Park Restroom 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 in Elgin Memorial Park.

Previously, the City Council, upon recommendation from City Staff and the Parks and Recreation Advisory board determined this restroom project to be a high priority.

The Public Works Director has requested through a formal bid process and received only 1 response for roofing services related to the Project and has recommended *JL3 Construction Services LLC* of Hutto, Texas, as the lowest and best bid.

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 *JL3 Construction Services LLC* of Hutto, Texas, in the amount of \$29,650.00 for Concrete Services related to the Elgin Memorial Park Restroom Project and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) JL3 Invoice and Proposal

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH JL3 CONSTRUCTION
SERVICES LLC FOR CONCRETE SERVICES 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 City Park Restroom In Elgin Memorial Park; and,

WHEREAS, the City Council, upon recommendation of The Elgin Parks and Recreation Advisory Board and City staff, have designated The Elgin Memorial Park Restroom Project as high priority, and;

WHEREAS, The Public Works Director has requested and received no formal proposals in a response to the invitation to bid but has obtained a reasonable proposal for concrete services from JL3 Construction Services LLC of Hutto, Texas, as the lowest and best bid.

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 *JL3 Construction Services LLC* of Hutto, Texas, in the amount of \$29,650.00 for concrete 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 11th day of October, 2022

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary



Phone: 512-921-3865

Bid Date: June 7, 2022

Proposal #: 06222022

Project: Elgin Restroom Slab Proposal

**** Certified COA/Txdot DBE, MBE & HUB****

JL3 Construction Services. LLC proposes to provide all the materials, labor, equipment and supervision necessary to perform the following work at the above referenced project per plans and specifications.

ITEM #	DESCRIPTION	UNIT	QUANTITIES	BID PRICE	EXT. PRICE
1	Restroom Slab (Move in out backhoe, Cut beams, Set Rebar & Forms and Pour)	SF	430	\$ 28.00	\$12,040.00
1	6" Sidewalk around building (Fine Grade, Set Forms, Set Rebar and Pour)	SF	910.00	\$ 14.00	\$12,740.00
				Total Bid	\$24,780.00

Notes:

City to provide access and staging area for materials & equipment.
All permits, Lane Closures and Testing are excluded.
Asphalt work to be done by others
Mass Excavation and subgrade work to be completed by others
Sales Tax is NOT included in above pricing. If exempt, please send an exemption certificate
If bond is required, add 5% of contract amount and place in mobilization.
Pricing is good for thirty (30) days.
*****All bid prices are negotiable.*****

Respectfully submitted by JJ Lopez, Operations Manager/Estimator

Accepted by: _____

Date: _____

JL3 Construction Services, LLC

100 Tonkawa Ridge
Hutto, TX 78634 US
(512) 921-3865
jj@jl3texas.com

INVOICE

BILL TO

City of Elgin

SHIP TO

City of Elgin

INVOICE

0922-0072

DATE

09/21/2022

TERMS

Due on receipt

DUE DATE

09/21/2022

PROJECT
0072 - Elgin Park Restroom

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
Concrete	6" Sidewalk	848	14.00	11,872.00
Concrete	Ramp	1	2,500.00	2,500.00
Concrete	Toe Wall	129	22.00	2,838.00
Concrete	Install Labor (Base Embankment) (2 Guys - 2 Days - 4 Hrs Each Day)	8	50.00	400.00
SUBTOTAL				17,610.00
TAX				0.00
TOTAL				17,610.00
BALANCE DUE				\$17,610.00



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A WIRELESS COMMUNICATION FACILITY (WCF), SELF-ENCLOSED MONOPOLE, IN A RESIDENTIAL ZONING DISTRICT ON PROPERTY LOCATED AT 405 N. HWY 95 (A20 CHRISTIAN, THOMAS, ACRES 1.2730), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an Ordinance to grant a WCF at 405 N. Highway 95.

BACKGROUND: See attached staff report. If Council approves the item, it is recommended these conditions be placed on the approval.

1. The specific use is approved to an 80-foot height; if a zoning variance is approved the tower can be 145-foot height.
2. The location of the 50' x 50' leased area southern boundary to be located no further than fifteen (15) feet from the south property line as measured from the property line to the leased area.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: The Planning & Zoning Commission recommended denial of this item at their September 26, 2022, meeting.

ATTACHMENTS: Application & narrative, Applicant Propagation Maps, Staff added Zoning Map, Fall letter, Applicant Development Plan, and Ordinance.

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

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

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

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



Development Services Department

STAFF REPORT

Specific Use Permit for Wireless Communication Facility (WCF)

File #: 202200120

Date: September 16, 2022

Applicants: SCI Wireless, Tillman Infrastructure, AT&T Wireless

Representative: SAME

Hearing Dates: Planning & Zoning Commission – September 26, 2022.
City Council – October 11, 2022.

Location: 405 N. SH 95.

APPLICATION SUMMARY

Recommendation of the Planning & Zoning Commission and consideration (action) of the City Council of a Specific Use Permit to allow for the construction of a wireless communication facility (WCF) in a residentially zoned district.

DEPARTMENT COMMENTS

The current zoning on the lot is R-1, which is a residential zoning. The application and associated paperwork indicate that the applicant desires to build a 145-foot tall WCF. However, Code limits this height to a maximum of eighty (80) feet in a residential zoning district. To allow for a taller height, the applicant has filed a separate zoning variance application to increase the height to 145 feet and it will be considered by the Board of Adjustment if the specific use is granted by the City Council. This specific use application covers allowance of the WCF at this location to a maximum height of eighty (80) feet.

The proposed WCF will be a monopole with internally mounted antenna inside the pole. Items such as setbacks, walls, landscaping, irrigation, easements, pole color, design of pole, location of antennas, lighting, & mandatory co-location of antennas are already covered by City Code and do not need to be covered with this specific use request. Applicant has indicated that a tower does not exist within one (1) mile of the proposed location. They have also provided a propagation map (see attachment 2) that indicates a deficiency in coverage in this area. No beacon light is needed for the proposed tower as it is below 150 feet and that makes it exempt from FAA regulations.

Section 704 of the Telecommunications Act of 1996 guides the City's review of WCFs. The City's review and approval or denial of WCF applications "shall not unreasonably discriminate among providers of functionally equivalent services," and "shall not prohibit or have the effect of prohibiting the provision of personal wireless services." The Telecommunications Act requires the City to act on a permit application request within "a reasonable period of time", and states that any decision to deny a request to "place, construct, or modify [a WCF] shall be in writing and supported by substantial evidence contained in the written record." The Telecommunications Act also prohibits

the City from regulating the "placement, construction, and modification of [WCFs] on the basis of the environmental effects of Radio Frequency (RF) emissions to the extent that such facilities comply with the [FCC's] regulations concerning such emissions."

STAFF ANALYSIS

The applicant has provided propagation maps (See attachment 2) which indicate a need for the provision of personal wireless services around the tower. Under the Telecommunications Act of 1996 this demonstrates the need for personal wireless services. Under the rules of the Act, the City is curtailed from denial of the application if it could be construed as having an effect of prohibiting the provision of personnel wireless services.

The area in which the proposed Use is located on a heavily wooded site with some single-family residential within 136 feet from the tower (See Section 5, page Z-1). Staff has concerns the tower would be visible from these properties and that it would be mitigated for by moving the tower towards the southern property line and further from single family residences. Staff would suggest making the location of the 50' x 50' leased area southern boundary to be located no further than fifteen (15) feet from the south property line as measured from the property line to the leased area. This would move the actual tower from 136 feet to 232 feet (96-foot difference) from the closest single-family home in that area and thereby reduce the visibility of the proposed WCF.

As part of that request the Commission/Council may pass any requirements, conditions, or safeguards as needed to protect adjacent property in accordance with Section 46-138, City Code.

Staff would suggest the following conditions if the Commission/Council decide to recommend approval/approve the project.

1. The specific use is approved to an 80-foot height; if a zoning variance is approved the tower can be 145-foot height.
2. The location of the 50' x 50' leased area southern boundary to be located no further than fifteen (15) feet from the south property line as measured from the property line to the leased area.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application & narrative.
2. Applicant propagation map.
3. Staff added zoning map.
4. Fall letter.
5. Applicant development plan.
6. Ordinance.

Attachment 1
Application & Narrative

SPECIFIC USE APPLICATION

Date: August 15, 2022

SITE INFORMATION

Project Address: 405 North Hiway 95, Elgin, TX 78621

Parcel Identification Number (if no address): 11159

APPLICANT

Name: SCI Wireless, Tillman Infrastructure, AT&T Wireless, ATTN. Greg Ferris

Postal Address: PO Box 573, Wichita, KS 67201

E-Mail Address: ferrisco@aol.com; Phone Number: 316-516-0808

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Gregory M Ferris Gregory M Ferris August 15, 2022

Signature

Printed Name

Date

Project Description:

Construction of a 145-foot communication tower for AT&T Equipment. Tower will be

Enclosed within a 50-foot by 50-foot unpainted split-face decorative masonry wall. Tower will
be a monopole with internal mounted antennas.



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



(512) 281-0119



www.elgintx.com

May 12, 2022

David Harrell, Development Services Director
City of Elgin, Texas
310 N. Main St.
Elgin, TX 78621

Dear Mr. Harrell,

The Antolik Family LTD is the owner of the property on the attached application. Greg Ferris of SCI Wireless is authorized to represent the property as its agent, on the request for a Special Permit for a Wireless Communication Facility. He is authorized to represent us on the property located on State Highway 95, with a Property ID of 11159 and a Geographic ID of R11159 on the leased premises of 50' x 50' plus easements. A copy of the deed is attached. The legal description of the leased premises is included with the drawing that are included.

This authorization is restricted to the leased area on the property with a Property ID of 11159 and a Geographic ID of R11159 and does not apply to any other property owned by Antolik Family LTD. This authorization is a one-time authorization for the Special Permit for a Wireless Communication Facility.

Please let me know if you have any questions.

Sincerely,
Antolik Family LTD

A handwritten signature in black ink that reads "Cindy Antolik". The signature is fluid and cursive, with the first name "Cindy" and last name "Antolik" clearly legible.

Cindy Antolik



City of Elgin, TX, Development Services
Planning and Zoning Division
David Harrell, Development Services Director

Narrative for a Specific Use Permit for Wireless Communication Facility in R-1 Zoning

Applicant: SCI Wireless and Tillman Infrastructure
497 Ridge Point Drive
Heath, TX 75126

Tenant: AT&T Wireless
308 S. Akard St., 19th Floor
Dallas, TX 75202

Landowner: Antolik Family, Ltd
6001 Tonkawa Trail
Georgetown, TX 78628

Rep.: Greg Ferris, SCI Wireless
PO Box 573
Wichita, KS 67201
Ph. 316-516-0808, Email: ferrisco@aol.com

Site No.: 14709144

Location: 405 N. Highway 95, Elgin, TX 78621 PIN: 11159

Project Description

Tillman Infrastructure ("Tillman") is requesting the review and approval of Specific Use Permit to establish a new 145-foot Wireless Communication Facility located at 405 N. Highway 95, the ("Facility"). It will consist of a 145-foot monopole tower with internal mounted antennas and utility cabinets within a 50-foot x 50-foot compound. The compound is enclosed by an unpainted split-face decorative masonry wall with access gates. The ground space within the enclosure and access area will covered with crushed stone.

AT&T Wireless ("AT&T") will collocate their panel antennas, remote radio units, antenna mounting frame and mounting poles, fiber optic cables and equipment, a GPS antenna, surge protector,

generator, radio equipment cabinets, utility connections on the Facility. The tower will be constructed to allow collocation of at least three additional antenna heights.

Location

The Facility will be located behind apartments on the parcel owned by Antolik Family. The subject property is zoned R-1. The areas to the North, South and West have mature trees. The area to the South is commercially zoned with office and commercial uses. The apartment complex to the west is owned by the same owner as the subject parcel. There is a residential occupied parcel to the North and East of the parcel. There are also vacant residentially zoned parcels to the North. The property to the South is an apartment complex with a City Park South of that parcel.

Objective

The Facility will provide an antenna platform for AT&T locate their antennas. This will provide added service to this area of Elgin. There are no towers within one and one-half miles of the proposed facility. There are three other towers that are approximately 1.5, or more, miles from the proposed support structure of the Wireless Communication Facility. AT&T has antennas on the majority of these towers. These towers are too far from the proposed site to provide 5G coverage to this area. Coverage maps, drafted by an AT&T RF engineer, are provided. Therefore, a new WCF is required for AT&T to provide coverage to this area. A map showing the proposed location, a 1.00-mile ring from the proposed location, and the three FCC licensed towers in the Elgin is included with this application. This lack of a tower in the area, clearly has created a coverage gap for Elgin.

This WCF will also provide AT&T 5G coverage. Support structures providing 5G service in urban areas need to be much closer to the desired service areas than the existing towers allow. More and more homes and businesses are using handheld devices for their business operations and daily use. The welfare of these businesses and households are served by having good wireless coverage. The proposed site will provide AT&T's Elgin's customers with the service they require.

Finally, the tower owner, Tillman Infrastructure, is in the business of providing tower space to every wireless carrier. The fact that this tower will be constructed to hold multiple antennas will assure Elgin that collocation opportunity is available.

Coverage

The Facility will augment the coverage and capacity of AT&T's wireless telecommunications network in the surrounding area including the addition of FirstNet, the national first responders' emergency network, equipment. With the increase in demand of AT&T services in the area, the existing network of sites cannot provide satisfactory and reliable service to users of the network. The lack of signal strength and network capacity in the area constitutes a gap in coverage that will be minimized by the proposed project. The Facility will ensure that AT&T can meet the high demand for their services in the immediate area surrounding the site. This demand is generated by the increasing number of people that use wireless telecommunications services not only for phone calls but for texting, emailing, teleconferencing, video streaming and surfing the web. Wireless phones and devices have

replaced "traditional" landline phones and have become the primary device and service used for communication including contacting emergency services in the form of 911 calls. AT&T is committed to providing quality and reliable service to meet this user demand. In addition to facilitating the public's access to E-911, ATT will be adding FirstNet equipment which allows dedicated frequencies and services to first responders to allow them to coordinate efforts in the event of emergencies such as fires, active shooters, or weather emergencies.

About AT&T

As a licensee authorized by the Federal Communications Commission to provide wireless services in this region, AT&T must establish a network of wireless telecommunications facilities in the Jonesboro area and beyond. Each wireless telecommunications facility, or base station, consists of transmitting and receiving antennas mounted on a communication tower or other suitable structure and electronic equipment cabinets. It will also consist of radios for receiving and transmitting wireless communications and complex electronic equipment to operate the radios, interface with other cellular sites, provide connections to the landline telephone network, and link the facility with the main switching center.

AT&T will operate this facility in full compliance with the regulations and licensing requirements of the FCC and FAA as governed by the Telecommunications Act of 1996 and other applicable laws.

In order to meet the basic level of operational radio signal coverage, radio frequency (RF) engineers have designed a network of wireless telecommunications facilities for the area and routinely maintains and modifies the facilities to ensure they use the most up to date equipment and technology to provide the most reliable and high-quality service possible. Due to increases in demand for wireless telecommunications services modifying the existing facilities does not always fix network coverage and capacity issues resulting in the need for the development of new wireless telecommunications facilities.

The applicant's engineers choose specific sites after lengthy analysis. Selection criteria include limitations imposed by surrounding topography, the intended service area of the site, and the ability of the new site to "see" other sites in the network from its proposed location. Other selection factors include suitable access, availability of electrical and telephone service, and a willing property lessor. The antennas and equipment are screened or integrated with the building whenever possible. Only after careful analysis of many candidates and successful lease negotiations have been completed is a land use application such as this one submitted.

The cellular site is a passive use and will have no impact on other properties in the surrounding area. The facility is unstaffed. After an initial construction period of 30 to 45 days, the only traffic generated will be for routine maintenance visits, typically once or twice a month. There are no activities that will produce airborne emissions, odor, vibration, heat, glare, or noxious and toxic materials. All equipment and materials needed to operate the site are located in the equipment cabinets. The cellular site does not require water or sanitary facilities and therefore will generate no wastewater.

Wireless Communication Facilities Standards

Division 5, Section 46-138 of the City Code of Elgin lists the uses that are allowed in every zoning district with a Specific Use Permit. Sec. 46-739. - Wireless Communication Facilities (WCF), spells out the specific regulations for Wireless Communication Facilities. Section 101 of the Elgin Application for a Specific Use Permit lists the submittal requirements. This narrative addresses both the regulations for WCFs and the submittal requirements.

Section 101: Application Submission Requirements. One (1) copy of following items:

- A. Submittal of appropriate filing fees for the application. \$600.00 + 115% for any City third-party review, as needed (this will be charged later in the process).

Applicant's comment: Filing fee of \$600 is included. If there are additional charges they will be paid as required.

- B. Copy of the application with all information completely filled out and all applicable signatures.

Applicant's comment: The signed application is attached.

- C. Copy of the deed showing ownership. Proof of signatory authority for corporations is required.

Applicant's comment: The deed is attached.

- D. Owner's authorization for agent, as applicable.

Applicant's comment: Authorization from the owner allowing Greg Ferris of Ferris Consulting is attached.

- E. A site plan which includes at a minimum:

1. Date, scale, north point, title, name of owner and the name of person preparing plan;

Applicant's comment: The information required is included in the attached zoning drawings.

2. Location of existing boundary lines and dimensions of the tract;

Applicant's comment: The information required is included in the attached zoning drawings.

3. Centerline of existing watercourses, drainage features, and location and size of existing and proposed streets and alleys;

Applicant's comment: The information required is included in the attached zoning drawings.

4. Location and size to the nearest one-half foot of all proposed buildings and land improvements;

Applicant's comment: The information required is included in the attached zoning drawings.

5. Clear designation of areas reserved for off-street parking and for off-street loading; the location and size of points of ingress and egress; and

Applicant's comment: Access points of ingress and egress are shown on the drawings. There is no proposed parking as there the site will not have employees or will be open to the public. There is adequate space inside the compound for a service truck that may need to be on-site for an hour or two.

6. The ratio of parking space to floor space, as applicable.

Applicant's comment: This item is not applicable.

Section 46-739. Wireless Communications Facilities

a. Monopoles and self-enclosed monopoles.

- (1) Permitted locations.

c. Self-enclosed monopoles may be in any residential zoning districts, excluding PDDs, in accordance with Section 46-138, subject to the following conditions:

1. WCFs must be separated by a distance of one-quarter of a mile from each other.
2. Documentation from an engineer that an attached WCF or stealth WCF cannot accommodate the proposed improvement.

Applicant's comment: The property is zoned residential. Section 46-138 allows Self-enclosed monopoles in residential zoning with a Specific Use Permit. This is an application for Specific Use Permit. There is no WCF within 1 mile of the proposed tower and no structure to attach the proposed antennas. Elgin Code only allows stealth applications to a height of the type of structure they resemble (Sect. 46-739 d. (3)). This would only allow a structure of 30-40 feet. Propagation maps from an AT&T RF engineer are provided.

- (2) Setbacks. The standard setbacks for each zoning district, including setbacks within the Planned Development District (PDD), shall apply to the poles and any associated equipment.

Applicant's comment: The side yard setbacks of 32 feet on the north and 111 feet on the south exceed the required setbacks. The front yard setback exceeds the maximum requirement of 40 feet. The rear yard setback is over 200 feet and exceeds the required 10 feet.

- (3) Maximum height.

b. Residential zoning districts or Planned Development Districts (PDD) with residential uses. The maximum height of a pole shall be 80 feet.

Applicant's comment: The property is zoned residential. AT&T requires a minimum height of 140 feet. A Variance request for the additional height accompanies this Special Use application.

c. The maximum height of associated equipment located at the base of a monopole or self-enclosed monopole shall be no more than ten feet.

Applicant's comment: The equipment at the base of the tower will not exceed 10 feet.

(4) Color. Monopoles and self-enclosed monopoles shall be painted a non-contrasting gray, beige or similar neutral color minimizing its visibility, unless otherwise required by the Federal Communications Commission or Federal Aviation Administration.

Applicant's comment: The self-enclosed monopole will be painted a non-contrasting gray.

(5) Lighting. No pole shall be artificially lighted except as required by the Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) or their predecessors. Security lighting around the equipment shelter is permitted provided it is not visible from neighboring properties. Lighting for maintenance purposes is permitted, provided the lights are not used at any other time.

Applicant's comment: No lighting is proposed unless required by the FAA or FCC. Security lighting may be installed but will not be visible from neighboring properties.

(6) The equipment shelter at the base of a pole shall be screened from public view by an unpainted split-face decorative masonry wall with a minimum height of one foot greater than the height of the equipment shelter.

Applicant's comment: An unpainted split-face decorative masonry wall is shown on the drawing attached to this application. The height of the wall is shown as eight feet. This should be one foot above the equipment proposed. No shelter is planned. Construction Drawings will be submitted with the building permit application. If there is a shelter that exceeds seven feet, the drawings will show the modified height to be one foot above the height of the shelter or equipment.

(7) Collocation requirements. New monopoles and self-enclosed monopoles shall be designed to accommodate at a minimum three antennae and any associated ground-mounted equipment, unless an engineer demonstrates that such a design is not feasible for technical or physical reasons. Service providers shall allow the collocation of antenna by competing service providers.

Applicant's comment: The attached drawings show that the tower will be designed for four antennae. The compound will accommodate four equipment pads. Tillman Infrastructure is in vertical real estate company. They have favorable Master Lease Agreements with all wireless carriers in this market. They welcome all service providers and are ready to place them on the tower at the provider's request.

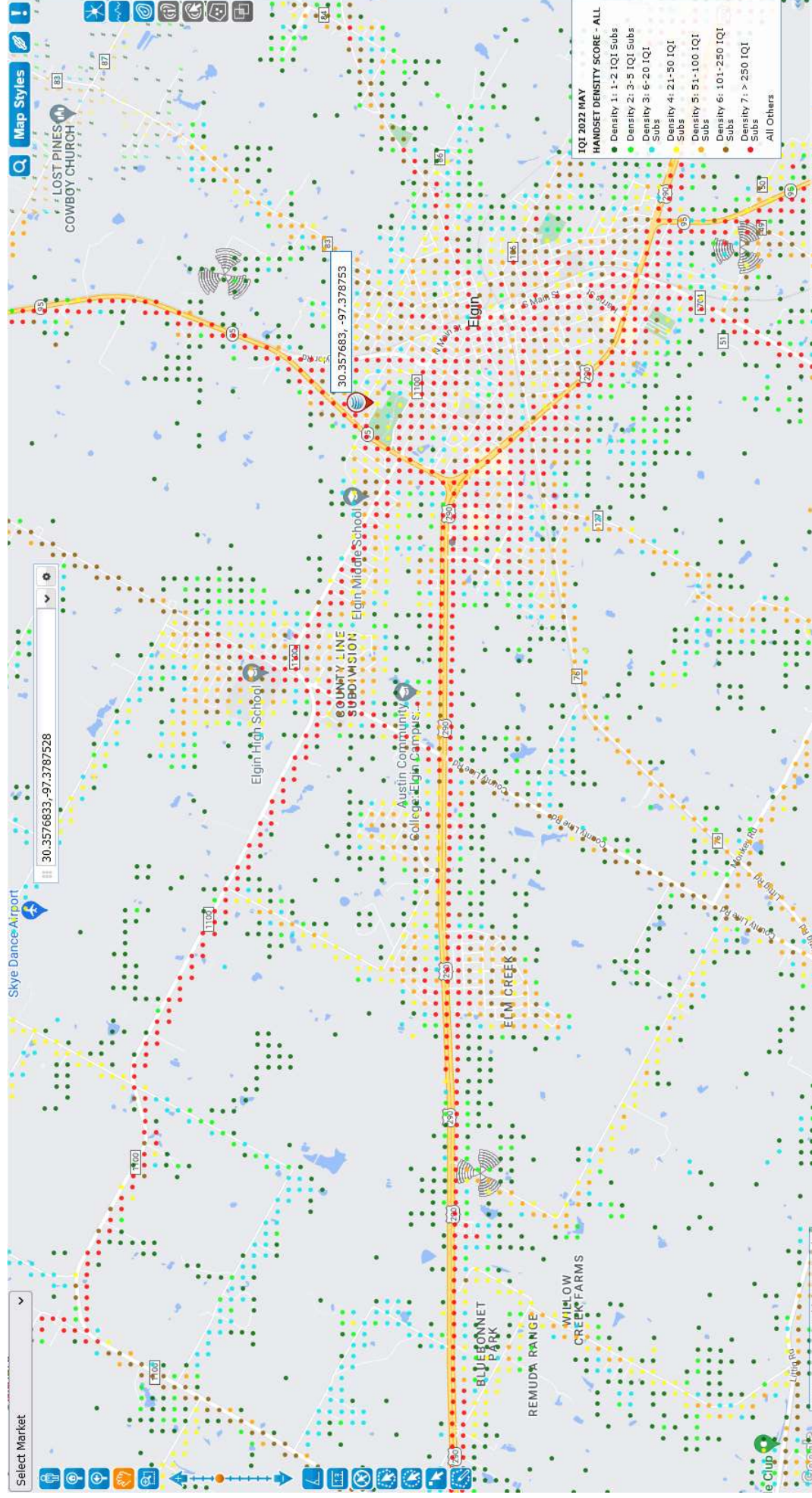
(8) Mandatory co-location required. An applicant shall be required to co-locate, as feasible, on an existing tower if it is within one-quarter mile of the proposed new monopole or self-enclosed monopole tower. The applicant shall inquire about potential collocation opportunities at all technically feasible locations.

Applicant's comment: There are no towers within one-quarter mile of the proposed new self-enclosed monopole. The towers that are over one mile away will not provide the 5G coverage desired by AT&T. 5G coverage does not have the range of its predecessors'

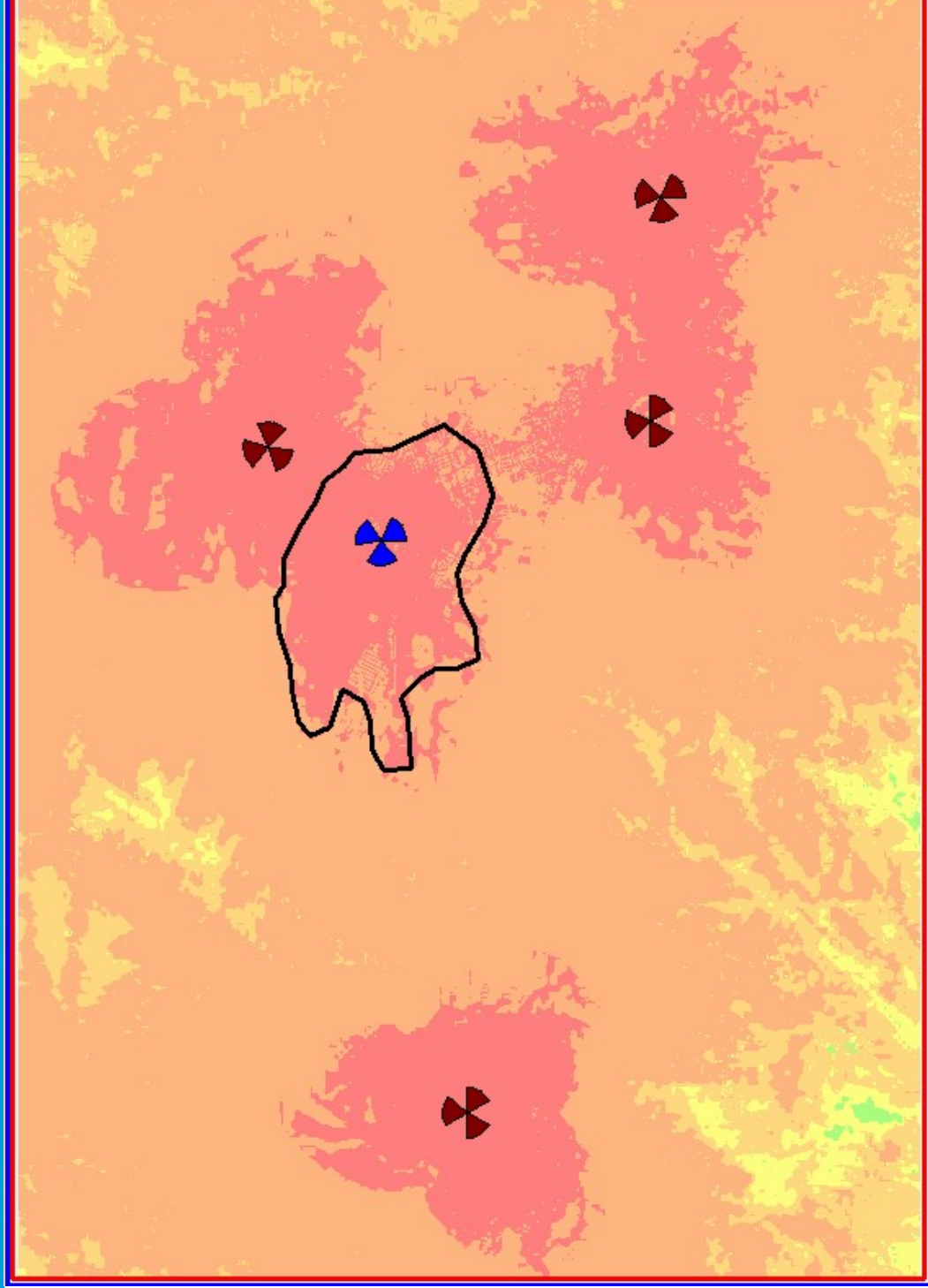
range. Towers must be closer to the desired market coverage area. Typically, 5G coverage needs to be within one-half mile, or nearer, of the coverage area. The attached propagation maps show the need for a tower in this location.

Attachment 2
Applicant Propagation Map

Traffic Density Map (Users Traffic)



AXL00904 Coverage (RSRP) at 140 ft

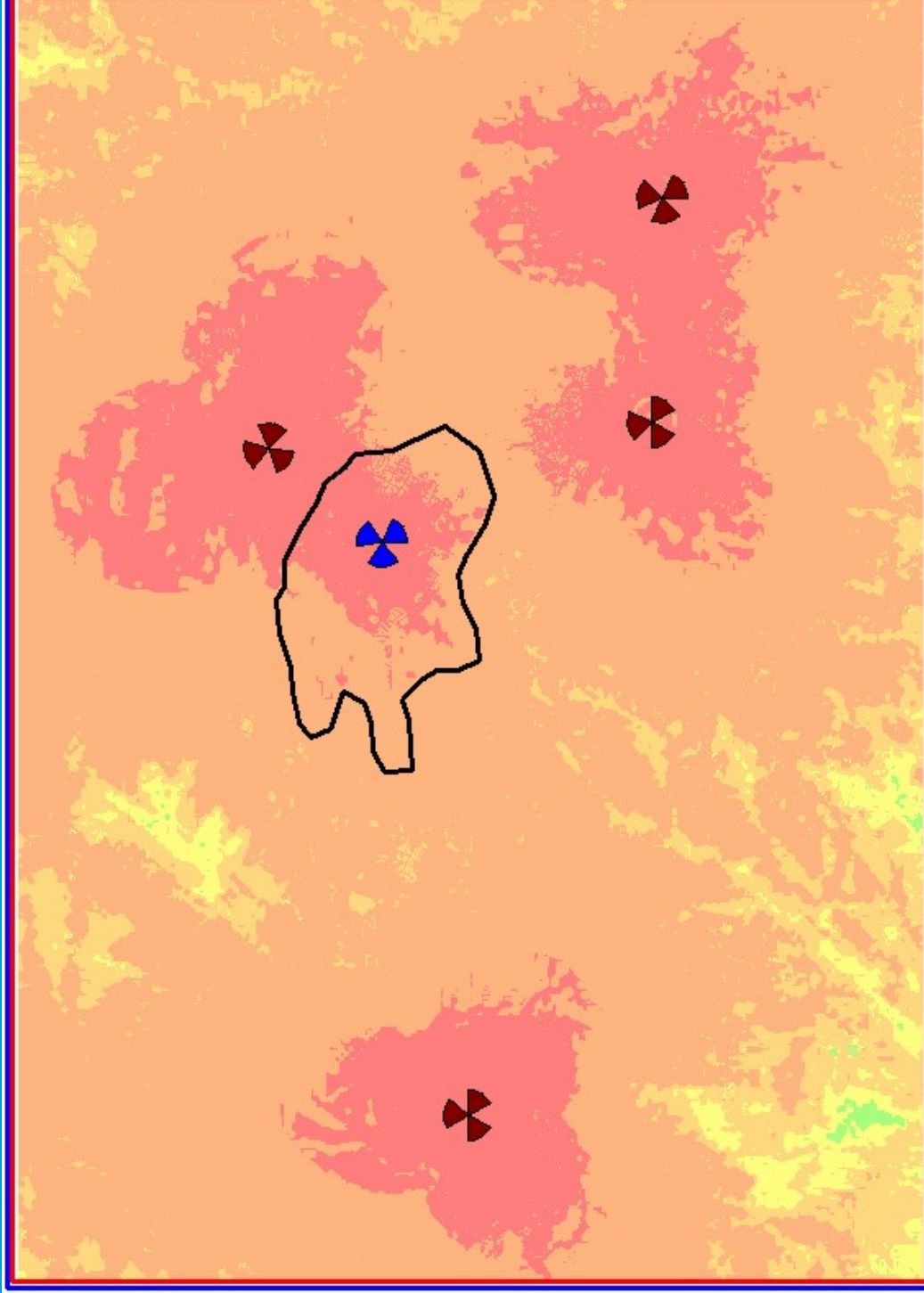


Based on the prediction at 140 ft RAD, is the desired height to provide

enough RF coverage to 290, 1100 and reliable indoor coverage to Elgin, also

capacity off load to neighboring sites. Reference slide 1 for areas that will be covered.

AXL00904 Coverage (RSRP) at 75 ft



- Planned AXL00904
- On Air Sites

Based on the prediction at 75 ft RAD, is not high enough to provide the

desired RF coverage to 290, 1100 and reliable indoor coverage to Elgin, also

4 capacity off load to neighboring sites. Reference slide 1 for areas that will be covered.

Attachment 3
Staff Added Zoning Map

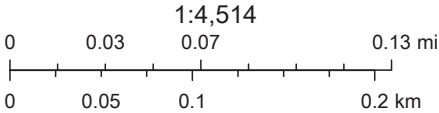
Zoning Map



9/12/2022, 8:06:38 PM

- Zoning

 - A - Multiple Family Residential District
 - C1 - Neighborhood Shopping District
 - C2 - General Commercial District
 - C3 - Highway Commercial District
 - I - General Industrial District
- PDD - Planned Development District
 - R1 - Single Family



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

Attachment 4
Fall Letter

August 25, 2022

Ms. Chelsea Reeves
Project Controls Coordinator Sr.
Tillman Infrastructure, LLC.
299 Market St, Suite 350
Saddle Brook, NJ 07663

RE: 145' Monopole for TI-OPP-22303 Memorial Park, TX

Dear Ms. Reeves,

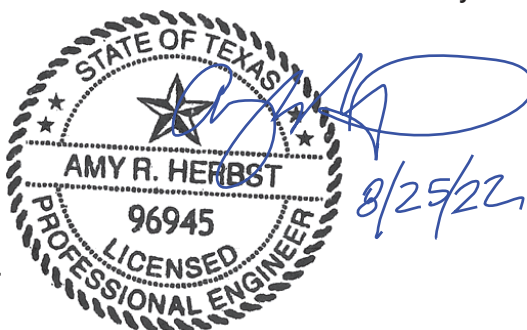
Upon receipt of order, we propose to design and supply the above-referenced monopole for a Basic Wind Speed of 109 mph without ice and 30 mph with 1" ice, Risk II, Structure Classification II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standard for Antenna-Supporting Structures and Antennas and Small Wind Turbine Support Structures".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. *Please note that this letter only applies to the above-referenced monopole designed and manufactured by Sabre Industries.* This would effectively result in a fall radius less than or equal to 57'.

Sincerely,

Amy R. Herbst, P.E.
Senior Design Engineer



Sabre Communications Corporation
Texas Registration Number F-4365

Attachment 5

Applicant Development Plan



1800

DRAWN BY:	DL
CHECKED BY:	DL

[illegible]

TI-OPP #
22303-A
FA #
14709144
SITE NAME:
AXL00904
SITE ADDRESS:
405 NORTH HWY. 95
ELGIN, TX 78621

SHEET TITLE
TITLE SHEET

SHEET NUMBER
T-1



Know what's below.
Call before you dig.
www.call811.com

DRAWING INDEX

T-1	TITLE SHEET
	SURVEY
Z-1	OVERALL SITE
Z-2	ENLARGED SITE

T-1 TITLE SHEET
SURVEY
Z-1 OVERALL SITE PLAN
Z-2 ENLARGED SITE PLAN & ELEVATION

DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 27"x34" AND HALF SIZE AT 11"x17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

SCOPE OF WORK

THIS PROJECT CONSISTS OF:

- CONSTRUCTION OF A NEW UNMANNED TELECOMMUNICATIONS FACILITY.
- SITE WORK: NEW TOWER, UNMANNED EQUIPMENT SHELTER ON PLATFORM OR CONCRETE PAD AND UTILITY INSTALLATIONS.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- [illegible]

SITE INFORMATION

ENR1 SITE ADDRESS:	465 NORTH HWY 95 ELGIN, TX 79021
LATITUDE (NAD 83):	30° 21' 27" 00" (30.357686°)
LONGITUDE (NAD 83):	-97° 22' 43.54" (-97.378161°)
GROUND ELEVATION:	557.9 (AMSL)
JURISDICTION CONTACT:	CITY OF ELGIN 310 N MAIN STREET ELGIN, TX 79028 JENNIFER STEUBERS - 512-225-3222
LAND OWNER:	CINDY ANTOLIK 10000 WINDY HILL GEORGETOWN, TX 76028 512-917-1101 patrickw.elgin@yahoo.com
ZONING:	R-1
PARCEL MAP NUMBER:	11159
TOWER OWNER:	TULMAN INFRASTRUCTURE LLC 1400 W. WYATT STREET 27TH FLOOR NEW YORK, NY 10105
STRUCTURE TYPE:	MONOPOLE W/ INTERNAL MOUNTS
STRUCTURE HEIGHT:	145' (AGL)
POWER SUPPLIER:	SWPDS 898-315-6892
TELCO SUPPLIER:	FRONTIER 800-828-7575

PROJECT TEAM

APPLICANT: TULSA WIRELESS, INC. 111 WEST 27TH STREET, 27TH FLOOR
NEW YORK, NY 10019

PROJECT MANAGEMENT FIRM: SCI WIRELESS
497 RIDGE POINT DRIVE
HEATH, TX 75126
(409) 436-3922
stevenwoody@sciwireless.com
davidbair@sciwireless.com

ENGINEERING FIRM: MISSION COMMUNICATIONS
5205 CANTONMENT CIRCLE C
FORT WAYNE, IN 46804
(260) 436-3922
doug@missioncomm.com
wireless@missioncomm.com

PROVIDER: AT&T WIRELESS
607 N MILLER BLVD.
OKLAHOMA CITY, OK 73107
(405) 948-5847
(405) 948-5847

RAWLAND SURVEY

THOMAS CHRISTIAN SURVEY, ABSTRACT NO. 20

BASTROP COUNTY, TEXAS

FOR: INFINITY

SITE: MEMORIAL PARK

NO.: AXI00904B

ADDRESS: 401 TX-95

ELGIN, TX 78621

BASTROP COUNTY

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PO BOX 9237

GREENVILLE, TEXAS 75404

PHONE: (903) 450-8100

FAX: (903) 455-2902

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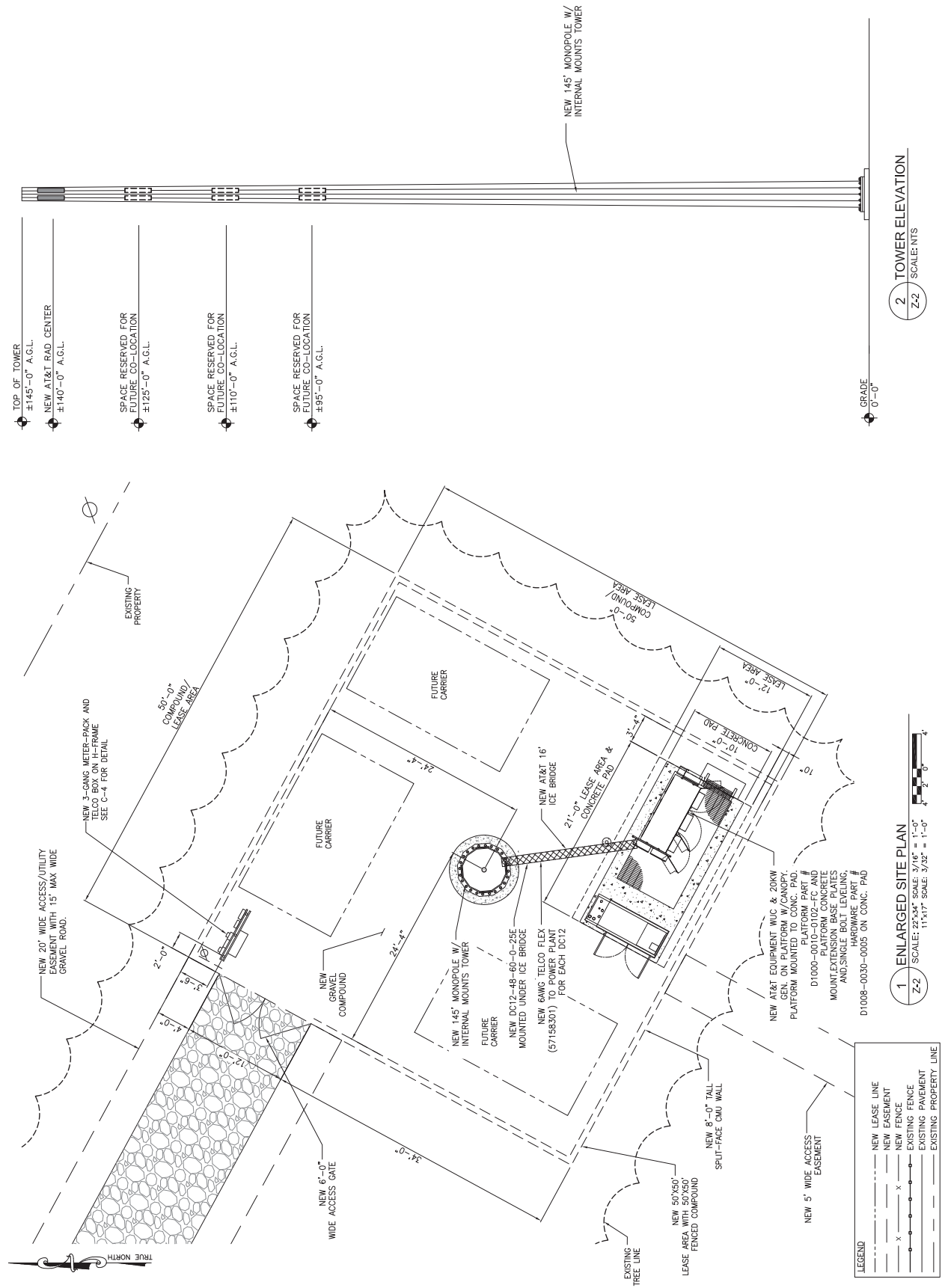
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Attachment 6

Ordinance

ORDINANCE NO. 2022-10-11-??

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A WIRELESS COMMUNICATION FACILITY (WCF), SELF-ENCLOSED MONOPOLE, IN A RESIDENTIAL ZONING DISTRICT ON PROPERTY LOCATED AT 405 N. HWY 95 (A20 CHRISTIAN, THOMAS, ACRES 1.2730), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow a WCF, self-enclosed monopole, in a residential district at the property described in Exhibit “A” attached hereto and incorporated herein (“Property”); and

WHEREAS, the City Council has submitted the application to the Planning and Zoning Commission for its recommendation and report; and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on September 26th, 2022, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended a specific use permit be granted allowing for a WCF, self-enclosed monopole, in a residential district at the property described in documents attached hereto as Exhibit “B”; and

WHEREAS, on the 11th day of October, 2022, after proper notification, the City Council held a public hearing on the requested application, and

WHEREAS, the City Council determines that the Specific Use Permit provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with,

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

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further finds that enactment of this Ordinance is not inconsistent with or in conflict with any other polices or provisions of the Comprehensive Plan and the City’s Code of Ordinances.

II.

The Zoning District for the Property shall remain R-1 Single Family District, and the Ordinance granting a Specific Use Permit for the specific use on the property of WCF, self-enclosed monopole, is hereby adopted with the conditions that: (1) the specific use is approved at an 80-foot height; if a zoning variance is approved the tower can be at 145-foot height; (2) the location of the 50' x 50' leased area southern boundary to be located no further than fifteen (15) feet from the south property line as measured from the property line to the leased area.

III.

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

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

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

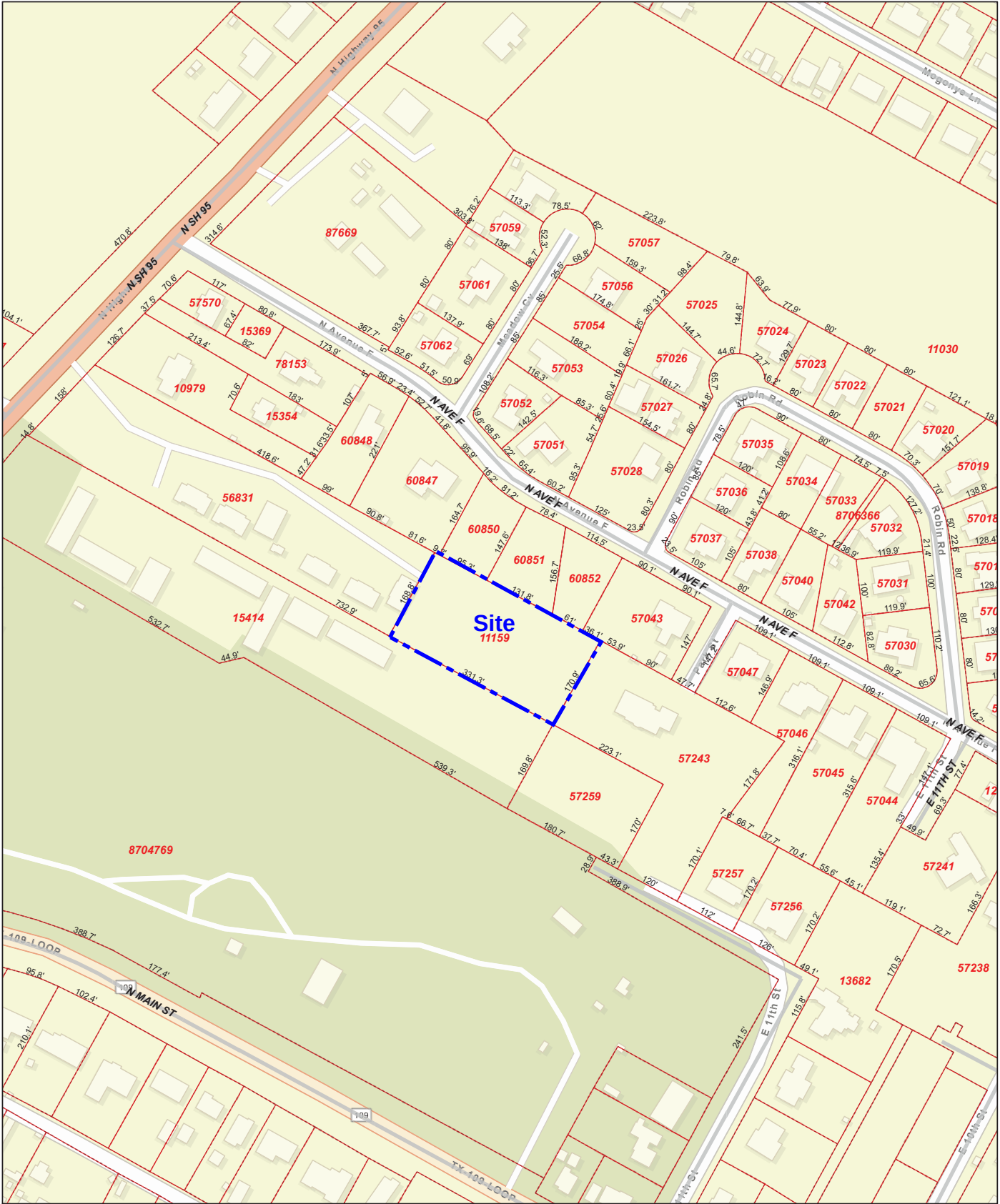
READ, PASSED, and ADOPTED on first reading this the 11th day of October 2022.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

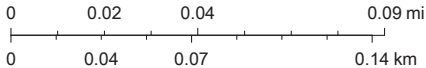
Exhibit "A"



9/12/2022, 8:15:43 PM

- Abstracts
- Parcels
- Lot Lines
- Bastrop Roads

1:2,257



Esri Community Maps Contributors, Baylor University, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY HOUSING DISTRICT TO “R-3” SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, LOCATED BETWEEN CARLSON LN. & CARLSON RD. ACROSS FROM EAGLES LANDING PH. 2 (BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SUVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (Creeks Crossing Rezoning from R-1 to PDD).

BACKGROUND: See attached staff report.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: The Planning & Zoning Commission recommended denial of this item at their September 26, 2022, meeting.

ATTACHMENTS: Application, Ordinance, Staff added Comprehensive Plan Exhibit 4.4, Staff added Zoning Map, & proposed Applicant Development Plan.

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

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

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

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



Development Service Department

STAFF REPORT

Rezoning from R-1 to R-3 (Carlson Tract Rezoning)

File Number: 202200117

Date: September 16, 2022

Applicant: Christopher A. Reed c/o Doucet & Associates, Inc.

Representative: SAME

Hearing Dates: Planning & Zoning Commission – September 26, 2022
City Council – October 11, 2022

Location: Travis Co. Appraisal District Parcels 358800, 358801, & 358802.

APPLICATION SUMMARY

Recommendation of a rezoning (a change to the official zoning map) by the Commission and consideration (action) by the City Council of 52.76 acres of land located between Carlson Ln. (south), Elgin Rolling Meadows Development (east) and Carlson Rd. (north). The proposal is to change the zoning from R-1 Single Family District to R-3 Single Family, Two Family, and Industrialized Housing District for a proposed single family residential development.

DEPARTMENT COMMENTS

Since the property is rezoning to the R-3 zoning district, there is no development text or development map like a Planned Development District (PDD) rezoning. The applicant has provided a proposed development plan (concept plan) for informational purposes (see attachment 5). Assuming the zoning change is granted by the City Council; the applicant will file a separate concept plan application and it will eventually go before the Planning & Zoning Commission for future consideration (action). This potential approval will set the development pattern of the tract.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Agricultural Land Use category. This category's primary land usage is agriculture (see attachment 3) according to the provided map and associated land use language. The current R-1 zoning category, as the parcel was zoned automatically when annexed, allows for single family homes as a use by right. This is a conflict with the land use and zoning, the rezoning will keep the conflicting residential uses. It is City Staff's professional opinion that the overall development pattern of the area has changed since the approval of enlargement of the Eagles Landing development to the across Carlson Ln. which allows for single family homes (see attachment 4). Also, the R-3 zoning exists within the immediate area in Eagles Landing (see attachment 4).

When seeking a rezoning, the Council should consider the uses that could occur on the land by rezoning to another zoning category. There are three additional uses and no subtraction with the proposed rezoning request. Single family homes stay a permitted use in either zoning category.

R-1 District	R-3 District
Detached single-family dwelling.	Detached single-family dwelling.
Churches, but not including revival tents or arbors.	Churches, but not including revival tents or arbors.
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.	Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.
Public park and playground.	Public park and playground
Library.	Library.
Growing of farm products.	Growing of farm products.
Municipal use	Municipal use
Telephone exchanges.	Telephone exchanges.
Home occupations.	Home occupations.
Transportation and utility easements, alleys and rights-of-way	Transportation and utility easements, alleys and rights-of-way
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.
	Garage Apartment
	Duplex
	Zero-lot line two-family dwellings

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

	R-1 (exist. zoning)	R-3 (prop. zoning)
Height	2.5 stories or 35 feet	2 stories or 35 feet.
Front Setback	25 feet; garage at 25 feet	15 feet; garage at 25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	5 feet for 1 story; 7.5 feet for more than 1 story
Rear Setback	10 feet	10 feet
Lot Width	75 feet	50 feet
Lot Area	9,000 sq. ft.	6,000 sq. ft.
Impervious Cover on Lot	45% interior; 50% corner	45% interior; 50% corner

Based on the information within the packet, staff has no issues or concerns regarding the proposal. The R-3 zoning exists within the area and already allows for single family homes (see attachment 4). Also, although there is conflict with the Land Use and Zoning, the existing R-1 zoning allows for single family homes which the rezoning doesn't change the conflicting land use of single-family homes.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Ordinance
3. Staff Added Comprehensive Plan Exhibit 4.4
4. Staff Added Zoning Map
5. Proposed Applicant Development Plan

Attachment 1

Application

NON-PDD REZONING APPLICATION

Date: 8/16/2022

SITE INFORMATION

Project Address: 18512 Carlson Lane, Elgin, TX 78621

Parcel Identification Number (if no address): _____

APPLICANT

Name: Doucet & Associates, Inc. (Christopher A. Reid, PE)

Postal Address: 7401B Highway 71 West, Suite 160
Austin, TX 78735

E-Mail Address: creid@doucetengineers.com; Phone Number: (512) 583-2600

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

_____	<u>Christopher A. Reid</u>	<u>8/16/2022</u>
Signature	Printed Name	Date

Project Description:

PrimaVesta Land Company, LLC is proposing voluntary annexation and R-3 zoning for three (3)
tracts totaling approximately 53 acres, prior to development of approximately 206 single-family
and related street, sidewalk, drainage and utility improvements.



802 N. Ave. C
P.O. Box 591
Elgin, Texas, 78621



(512) 281-0119



www.elgintx.com

Attachment 2

Ordinance

ORDINANCE NO. 2022-10-11-??

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY HOUSING DISTRICT TO “R-3” SINGLE FAMILY, TWO FAMILY, AND INDUSTRIALIZED HOUSING DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCELS 358800, 358801, & 358802, LOCATED BETWEEN CARLSON LN. & CARLSON RD. ACROSS FROM EAGLES LANDING PH. 2 (BEING A 52.76 ACRE TRACT OUT OF THE HENRY MARTIN SUVEY NUMBER 65, ABSTRACT 518, TRAVIS CO., TX), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated here in, from R-1 Single Family District, and

WHEREAS, the City Council has submitted the requested change in the Official Zoning Map to the Planning and Zoning Commission for its recommendation and report, and

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on September 26, 2022, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map be amended so that the zoning classification of the property described in Exhibit "A" is R-3 Single Family, Two Family, & Industrialized Housing District, and

WHEREAS, on October 11, 2022, after proper notification, the City Council held a public hearing on the requested zoning, and

WHEREAS, the City Council determines that the zoning provided for herein promote the health, safety, morals, and protects and preserves the general welfare of the community, and

WHEREAS, each and every requirement set forth in Chapter 211, Sub-Chapter A, Texas Local Government Code, and Chapter 46, City of Elgin Ordinances, concerning public notices, hearings, and other procedural matters has been fully complied with, Now Therefore

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

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is classified as R-3 Single Family, Two Family, & Industrialized Housing District.

II.

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

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

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

READ, PASSED, and ADOPTED on first reading this the 11th day of October 2022.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



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

07/11/2022

Date

Registered Professional Land Surveyor

Texas Registration No. 6360

Doucet & Associates

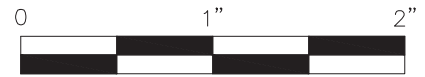
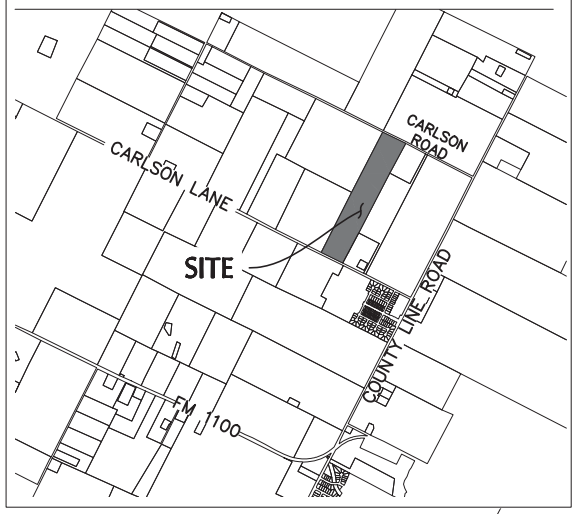
DFugate@DoucetEngineers.com

TBPELS Firm Registration No. 10105800



VICINITY MAP

NOT TO SCALE



GRAPHIC SCALE: 1" = 500'

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
BENGTSON
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 10.024 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'

5276 ACRES

S27°22'56"W 3,497.90'

S62°39'18"E 656.60'
CARLSON ROAD
(60' WIDE R.O.W.)
(VOL. 8942, PG. 716, R.P.R.T.C.T.)

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

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

DATE



52.76 ACRE
EXHIBIT

TRAVIS COUNTY, TEXAS



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Date: 07/11/2022

Scale: N/A

Drawn by: SWP

Reviewer: DF

Project: 2403-001

Sheet: 4 OF 4

Field Book: N/A

Party Chief: ADM

Survey Date: 05/04/2022



Development Service Department

STAFF REPORT

Rezoning from R-1 to R-3 (Carlson Tract Rezoning)

File Number: 202200117

Date: September 16, 2022

Applicant: Christopher A. Reed c/o Doucet & Associates, Inc.

Representative: SAME

Hearing Dates: Planning & Zoning Commission – September 26, 2022
City Council – October 11, 2022

Location: Travis Co. Appraisal District Parcels 358800, 358801, & 358802.

APPLICATION SUMMARY

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DEPARTMENT COMMENTS

Since the property is rezoning to the R-3 zoning district, there is no development text or development map like a Planned Development District (PDD) rezoning. The applicant has provided a proposed development plan (concept plan) for informational purposes (see attachment 5). Assuming the zoning change is granted by the City Council; the applicant will file a separate concept plan application and it will eventually go before the Planning & Zoning Commission for future consideration (action). This potential approval will set the development pattern of the tract.

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When seeking a rezoning, the Council should consider the uses that could occur on the land by rezoning to another zoning category. There are three additional uses and no subtraction with the proposed rezoning request. Single family homes stay a permitted use in either zoning category.

R-1 District	R-3 District
Detached single-family dwelling.	Detached single-family dwelling.
Churches, but not including revival tents or arbors.	Churches, but not including revival tents or arbors.
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.	Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.
Public park and playground.	Public park and playground
Library.	Library.
Growing of farm products.	Growing of farm products.
Municipal use	Municipal use
Telephone exchanges.	Telephone exchanges.
Home occupations.	Home occupations.
Transportation and utility easements, alleys and rights-of-way	Transportation and utility easements, alleys and rights-of-way
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.
	Garage Apartment
	Duplex
	Zero-lot line two-family dwellings

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

	R-1 (exist. zoning)	R-3 (prop. zoning)
Height	2.5 stories or 35 feet	2 stories or 35 feet.
Front Setback	25 feet; garage at 25 feet	15 feet; garage at 25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	5 feet for 1 story; 7.5 feet for more than 1 story
Rear Setback	10 feet	10 feet
Lot Width	75 feet	60 feet
Lot Area	9,000 sq. ft.	6,000 sq. ft.
Impervious Cover on Lot	45% interior; 50% corner	45% interior; 50% corner

Based on the information within the packet, staff has no issues or concerns regarding the proposal. The R-3 zoning exists within the area and already allows for single family homes (see attachment 4). Also, although there is conflict with the Land Use and Zoning, the existing R-1 zoning allows for single family homes which the rezoning doesn't change the conflicting land use of single-family homes.

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Ordinance
3. Staff Added Comprehensive Plan Exhibit 4.4
4. Staff Added Zoning Map
5. Proposed Applicant Development Plan

Attachment 3

Staff Added Comprehensive Plan Exhibits



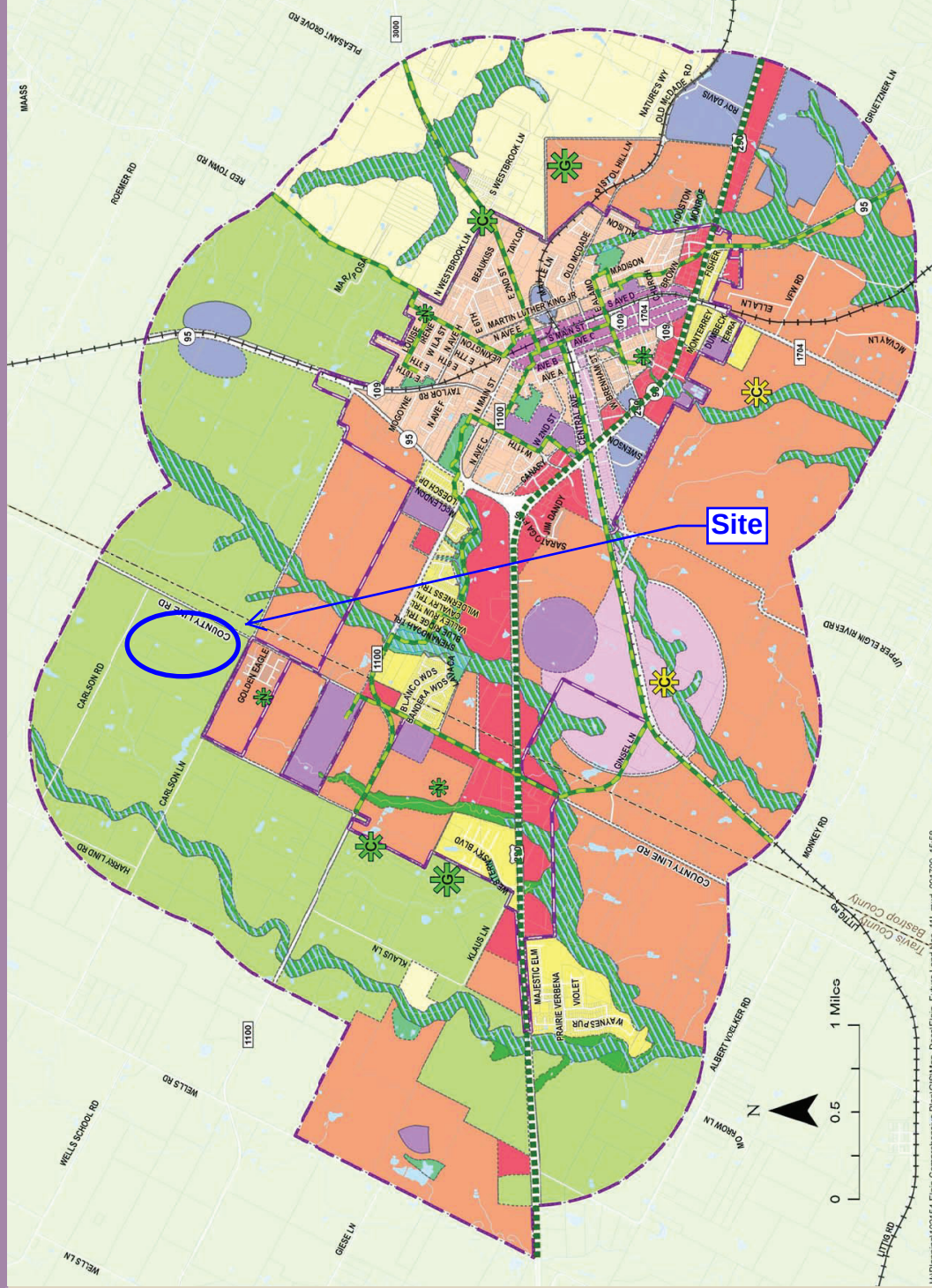
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

- Natural Area
- Agriculture
- Low Density Residential
- Existing Single-Family Residential
- Traditional Neighborhood Residential
- Central Elgin Neighborhoods
- Mixed Use
- Main Street Elgin
- Commercial
- Light Industrial
- Institutional
- Parks and Recreation
- 100-Year Flood Plain
- Proposed Park from Parks Master Plan
- Proposed Park from WSA
- Proposed Trail from Parks Master Plan
- US 290 Corridor Greenscaping

Note: A Comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



H:\Planning\102154-Elgin Comprehensive Plan\GIS\Map_Docs\Elgin_Future Land Use_11L.mxd 09/17/09 15:58
Source: Wilbur Smith Associates, Inc., 2009.

Agricultural

General Description: Areas dedicated to food production and raising livestock. Development in these areas is very minimal, and primarily associated with agricultural activity. Elgin desires to keep these areas as farmland or ranchland wherever possible in order to maintain and promote an agricultural economic base, as well as provide a local food source, and preserve the rural character of the community.

Transect Zone: Natural (T1)

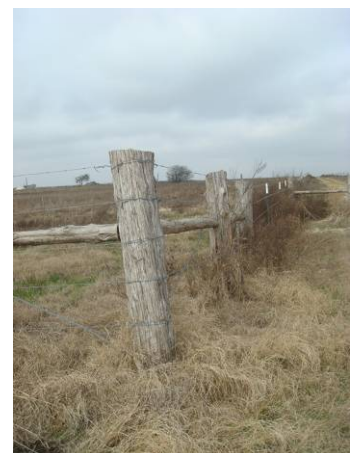
Primary Land Use: Agricultural

Supporting Land Uses: Rural residences (farm houses), equestrian facilities, agricultural storage, small-scale commercial, and industrial uses directly related to agricultural activity.

Residential Densities: 1 unit per 10 acres or more.

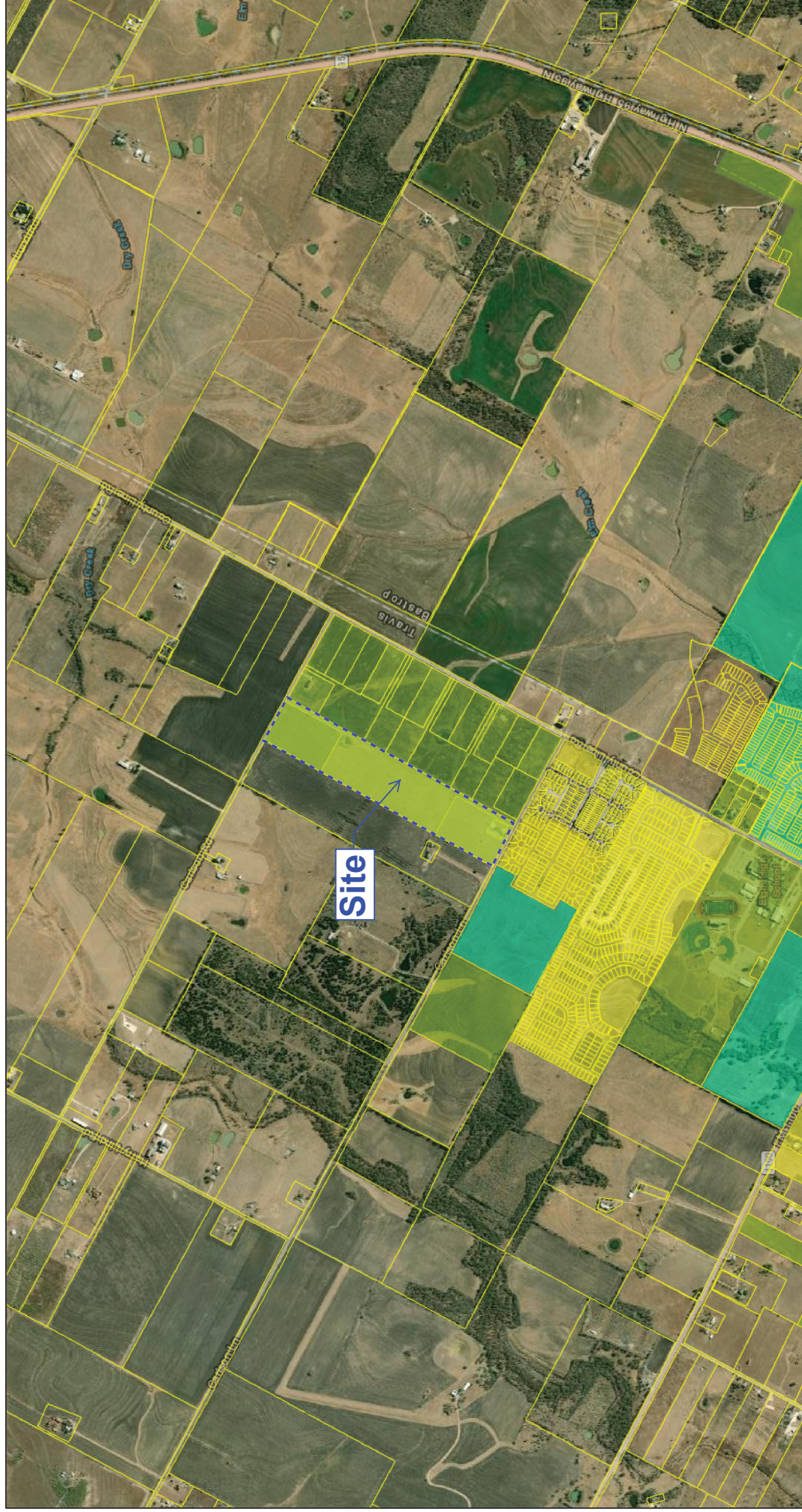
Form and Character: The area is defined by vast areas of open space and agricultural land with a rural or natural character. Built structures are very sparse and typically associated with farming operations such as barns, pens, sheds, and feed storage. Because it is a working landscape, agricultural areas are associated with some “nuisances” such as noise, dust, and fertilizer that are best mitigated by maintaining large parcel sizes and limiting urbanization where possible.

Parks and Open Space: The low-density of development and open spaces that are inherent in agricultural areas do not require that additional parks be provided. A regional park may be appropriate if it is focused on a natural or historic feature of local/regional significance.



Attachment 4
Staff Added Zoning Map

Zoning Map



8/24/2022, 6:28:38 PM

Zoning

- C1 - Neighborhood Shopping District
- C3 - Highway Commercial District
- PDD - Planned Development District
- R1 - Single Family
- R3 - Single Family/Two Family/Industrialized Housing District
- Travis Parcels March 2022
- Bastrop Parcels August 2022

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

Attachment 5

Proposed Applicant Development Plan



LAND USE SUMMARY		
Residential	Total	Mix
50 x 120' SFD Residential	206 units	100.00 %
Residential Total:	206 units	
Gross Area:	52.8 acres	
Gross Density:	3.90 du/ac	
Detention:	4.8 acres	
Net Area:	48.0 acres	
Net Density:	4.29 du/ac	

*This is a proposal. This plan could be changed, and may result entirely different than what is shown. This proposal cannot be conditionally approved for the rezoning.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE CHANGING THE NAME OF “SHARECROPPER DRIVE” TO “HACIENDA ESTATES DRIVE” WITHIN THE HOMESTEAD ESTATES SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an Ordinance changing a street name within the Homestead Estates Subdivision.

BACKGROUND: Initially Homestead Estates Unit 2 Final Plat was approved by the Planning & Zoning Commission on December 21, 2020, and along with the approval were the road names. One of those road names was “Sharecropper Dr.” which matches the homesteading theme of the Subdivision. Recently it has come to the attention of City Staff that the road name seems inappropriate. In working with the City of Austin Addressing, whose role is to verify road names in Travis Co., City of Elgin Staff have concluded that the new road name should be “Hacienda Estates Dr.” which keeps the homesteading theme for road names in that Subdivision.

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.

ATTACHMENTS: Ordinance with Exhibit A.

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

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

ORDINANCE NO. 2022-10-11-_____

AN ORDINANCE CHANGING THE NAME OF “SHARECROPPER DRIVE” TO “HACIENDA ESTATES DRIVE” WITHIN THE HOMESTEAD ESTATES SUBDIVISION; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City of Elgin approves names for city streets and roadways in conformity with Sec. 36-77 of the City of Elgin Code of Ordinances, and

WHEREAS, the City of Elgin is instituting this name change as it will impact twenty-nine (29) addressed lots, and

WHEREAS, there are currently no occupants at this time and this is the appropriate time to change the road name.

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

I.

That the street now known as “Sharecropper Drive” as shown on Exhibit “A”, will hereby be changed to “Hacienda Estates Dr.” effective on October 11, 2022; and

II.

That all references to this street name in The Code of Ordinances (2013 Edition), City of Elgin, Texas, are hereby amended to reflect said change; and

III.

All existing traffic control signs on this street are hereby amended to reflect this change of name.

IV.

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

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

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

READ, PASSED, and ADOPTED on first (1st) reading this the 11th day of October 2022

THERESA Y. MCSHAN, Mayor

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	175.00'	008°21'44"	N83°54'42"W	25.52'	25.54'
C2	15.00'	008°45'07"	N44°53'00"W	20.41'	22.45'
C3	15.00'	004°05'46"	S68°32'33"W	21.96'	24.63'
C4	625.00'	020°7'06"	S84°54'50"E	23.11'	23.11'
C5	15.00'	008°00'00"	S72°16'42"W	21.21'	23.56'
C6	125.00'	042°28'43"	S06°02'21"W	90.57'	92.67'
C7	525.00'	011°31'04"	S09°28'16"E	105.36'	105.54'
C8	475.00'	011°25'36"	N09°28'13"W	94.57'	94.73'
C9	175.00'	042°28'43"	N06°02'21"E	126.79'	129.74'
C10	15.00'	008°00'00"	N17°43'18"E	21.21'	23.56'
C11	15.00'	008°00'00"	S72°16'42"W	21.21'	23.56'
C12	175.00'	015°06'23"	S34°49'55"W	46.01'	46.14'
C13	15.00'	008°45'07"	S00°29'25"E	20.41'	22.45'
C14	525.00'	015°46'49"	S35°27'34"E	144.44'	144.90'
C15	325.00'	054°45'42"	S00°08'49"E	298.19'	310.91'
C16	265.00'	090°00'00"	S17°44'28"W	36.36'	39.27'
C17	575.00'	001°06'49"	S63°17'53"E	11.18'	11.18'
C18	625.00'	001°06'49"	S63°17'53"E	12.15'	12.15'
C19	15.00'	050°01'12"	N88°45'04"W	13.16'	13.62'
C20	50.00'	194°02'28"	N17°44'28"W	99.25'	169.33'
C21	15.00'	050°01'12"	S15°16'08"E	13.16'	13.62'
C22	275.00'	054°48'42"	N00°08'49"W	253.16'	263.08'
C23	475.00'	008°14'04"	N61°40'12"E	532.84'	585.88'
C24	275.00'	056°57'14"	S55°44'09"W	262.24'	273.36'
C25	15.00'	052°01'12"	S01°14'56"W	13.16'	13.62'
C26	50.00'	193°25'09"	S17°44'28"W	99.32'	168.79'
C27	15.00'	052°01'12"	N37°21'07"W	13.16'	13.62'
C28	15.00'	008°00'00"	S17°38'17"W	21.21'	23.56'
C29	15.00'	008°00'36"	S18°17'01"E	21.18'	23.52'
C30	125.00'	014°52'13"	S70°38'25"E	32.35'	32.44'
C31	15.00'	006°04'15"	S75°02'24"E	18.53'	18.54'
C32	15.00'	008°45'02"	N67°38'13"E	19.43'	21.13'
C33	15.00'	008°00'00"	S17°43'18"E	21.21'	23.56'
C34	125.00'	015°06'23"	S34°49'55"W	32.86'	32.96'
C35	15.00'	008°45'07"	S55°15'42"W	20.41'	22.45'
C36	525.00'	023°37'22"	N63°50'25"W	214.92'	216.45'
C37	15.00'	008°45'07"	N32°36'33"W	20.41'	22.45'
C38	125.00'	016°22'16"	N18°27'09"E	35.59'	35.72'
C39	15.00'	008°59'59"	N72°16'42"E	21.21'	23.56'
C40	15.00'	008°00'00"	S17°43'18"W	21.21'	23.56'
C41	175.00'	018°22'16"	N18°27'09"E	49.83'	50.00'
C42	15.00'	008°45'07"	S53°08'34"W	20.41'	22.45'
C43	525.00'	011°48'22"	N89°53'03"W	107.99'	108.18'
C44	325.00'	022°15'56"	S72°46'48"W	128.84'	129.70'
C45	15.00'	008°31'43"	N77°01'52"W	19.93'	21.79'
C46	175.00'	027°57'10"	N48°23'08"W	84.53'	85.38'
C47	15.00'	008°00'00"	N18°21'43"W	21.21'	23.56'
C48	15.00'	008°00'00"	N17°38'17"E	21.21'	23.56'
C49	205.00'	008°00'00"	N17°38'17"E	286.91'	322.01'
C50	15.00'	014°42'48"	N18°16'52"E	44.82'	44.94'
C51	15.00'	008°00'00"	N56°56'28"E	21.21'	23.56'
C52	125.00'	015°21'14"	S70°23'55"E	33.40'	33.50'
C53	15.00'	008°59'59"	S17°43'19"E	21.21'	23.56'
C54	125.00'	014°42'48"	S19°16'52"W	32.01'	32.10'
C55	155.00'	008°00'00"	S71°38'17"W	219.20'	243.47'
C56	15.00'	008°00'00"	N18°21'43"W	21.21'	23.56'
C57	15.00'	008°00'24"	N71°42'59"E	21.24'	23.60'
C58	175.00'	011°31'01"	S68°57'50"E	35.12'	35.18'
C59	15.00'	008°00'36"	S31°23'56"E	20.58'	22.85'
C60	15.00'	008°00'00"	S71°38'17"W	21.21'	23.56'
C61	15.00'	008°00'00"	N18°21'43"W	21.21'	23.56'
C62	15.00'	008°00'24"	N71°42'59"E	21.24'	23.60'
C63	15.00'	008°00'36"	S19°17'01"E	21.18'	23.52'
C64	325.00'	020°34'32"	S37°32'48"W	116.09'	116.71'
C65	25.00'	009°22'45"	N71°56'54"E	35.18'	39.00'
C66	15.00'	008°00'00"	N18°21'43"W	21.21'	23.56'
C67	15.00'	008°00'00"	S71°38'17"W	21.21'	23.56'
C68	125.00'	027°57'10"	S48°23'08"E	60.38'	60.98'
C69	15.00'	008°31'43"	N77°01'52"W	19.93'	21.79'
C70	125.00'	042°28'43"	S06°02'21"W	90.57'	92.67'
C71	525.00'	002°41'01"	S13°51'15"E	24.60'	24.61'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C72	525.00'	005°17'49"	S08°51'47"E	48.52'	48.54'
C73	525.00'	003°32'09"	S06°28'48"E	32.39'	32.40'
C74	175.00'	014°30'36"	S20°01'24"W	44.20'	44.32'
C75	175.00'	013°21'52"	S06°05'11"W	40.73'	40.82'
C76	175.00'	014°18'26"	S07°44'58"E	43.59'	43.70'
C77	175.00'	000°17'50"	S15°03'08"E	0.91'	0.91'
C78	325.00'	003°07'23"	N25°41'50"E	17.71'	17.72'
C79	325.00'	009°21'29"	N19°27'24"E	53.02'	53.08'
C80	325.00'	009°47'32"	N09°52'54"E	55.48'	55.54'
C81	325.00'	009°44'21"	N06°05'57"E	55.16'	55.18'
C82	325.00'	012°00'54"	N10°45'40"W	68.03'	68.15'
C83	325.00'	008°43'44"	N21°07'59"W	49.46'	49.51'
C84	325.00'	002°03'19"	N26°31'31"W	11.66'	11.66'
C85	525.00'	004°46'54"	N29°56'37"W	43.80'	43.81'
C86	525.00'	005°47'09"	N35°13'39"W	52.99'	53.02'
C87	525.00'	005°14'45"	N45°44'36"W	48.05'	48.07'
C88	15.00'	019°41'28"	S72°38'10"E	5.13'	5.15'
C89	15.00'	033°19'47"	N67°24'13"E	8.35'	8.46'
C90	50.00'	010°53'21"	S79°39'00"E	57.52'	61.28'
C91	50.00'	040°51'06"	S21°36'47"E	38.95'	40.01'
C92	50.00'	056°43'11"	S29°40'21"W	47.50'	49.50'
C93	50.00'	021°14'48"	S68°39'20"W	18.44'	18.54'
C94	275.00'	002°00'55"	S26°15'05"W	9.67'	9.67'
C95	275.00'	023°30'59"	S13°29'08"W	112.06'	112.87'
C96	275.00'	018°24'51"	S07°28'47"E	88.00'	88.38'
C97	275.00'	010°51'51"	S22°07'12"E	52.07'	52.15'
C98	475.00'	004°46'29"	S29°56'25"E	39.57'	39.58'
C99	475.00'	010°07'25"	S37°23'22"E	63.82'	63.83'
C100	475.00'	008°07'53"	S46°46'01"E	71.49'	71.97'
C101	475.00'	009°15'12"	S65°42'33"E	76.63'	76.71'
C102	475.00'	008°00'15"	S80°20'17"E	49.75'	49.78'
C103	475.00'	009°34'23"	S71°07'37"E	78.28'	78.37'
C104	475.00'	009°04'49"	S80°27'15"E	75.20'	75.28'
C105	475.00'	008°27'19"	S89°37'19"E	70.03'	70.10'
C106	475.00'	002°20'16"	N85°22'54"E	19.38'	19.38'
C107	275.00'	005°06'18"	N61°39'37"E	24.49'	24.50'
C108	275.00'	012°21'51"	N68°30'03"E	101.24'	101.82'
C109	275.00'	019°01'38"	N42°22'53"E	90.89'	91.31'
C110	275.00'	011°36'31"	N43°03'15"E	55.63'	55.65'
C111	50.00'	0173°49'41"	N16°03'15"W	15.14'	15.20'
C112	50.00'	004°56'10"	N05°07'20"E	21.96'	21.76'
C113	50.00'	063°39'58"	N44°23'03"E	45.08'	46.76'
C114	50.00'	061°21'42"	S78°08'32"E	51.03'	53.55'
C115	50.00'	036°07'10"	S29°24'08"E	31.00'	31.52'
C116	525.00'	010°01'54"	N56°52'31"W	91.75'	91.87'
C117	525.00'	003°49'16"	N63°47'56"W	35.01'	35.01'
C118	525.00'	009°46'32"	N70°35'50"W	89.47'	89.57'
C119	175.00'	010°51'20"	S21°12'36"W	33.11'	33.16'
C120	175.00'	008°30'55"	S13°01'29"W	16.84'	16.85'
C121	525.00'	0103°7'00"	N89°17'22"W	97.14'	97.28'
C122	525.00'	001°11'22"	S84°48'27"W	10.90'	10.90'
C123	325.00'	008°48'31"	S79°48'30"W	49.92'	49.97'
C124	325.00'	014°03'25"	S68°22'32"W	79.54'	79.74'
C125	15.00'	044°12'48"	S83°27'13"W	11.29'	11.57'
C126	15.00'	039°01'50"	N54°55'28"W	10.02'	10.22'
C127	175.00'	019°02'50"	N44°55'58"W	57.91'	58.18'
C128	175.00'	008°54'20"	N58°54'33"W	27.17'	27.20'
C129	205.00'	009°49'49"	S68°16'38"E	35.13'	35.17'
C130	205.00'	012°22'58"	S79°23'02"E	44.22'	44.30'
C131	205.00'	011°52'30"	N88°29'15"E	42.41'	42.49'
C132	205.00'	012°28'28"	N78°54'17"E	46.26'	46.36'
C133	205.00'	010°29'20"	N64°20'55"E	37.48'	37.53'
C134	205.00'	008°00'00"	N54°40'13"E	31.70'	31.73'
C135	205.00'	011°32'51"	N44°37'45"E	41.25'	41.32'
C136	205.00'	012°03'19"	N32°39'48"E	43.04'	43.12'
C137	175.00'	008°29'37"	N22°23'28"E	25.92'	25.94'
C138	175.00'	006°13'11"	N18°02'04"E	18.99'	19.07'
C139	155.00'	076°56'59"	N65°06'46"E	192.87'	208.17'
C140	155.00'	013°03'01"	S69°53'14"E	35.23'	35.30'
C141	325.00'	014°39'24"	S40°30'22"W	82.91'	83.14'
C142	325.00'	008°58'09"	S30°31'08"W	33.56'	33.57'

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S53°59'22"E	72.42'
L2	N67°45'34"W	65.81'
L3	N02°52'07"W	15.35'
L4	S87°11'04"W	50.00'
L5	S64°02'22"W	126.95'
L6	S07°55'28"E	10.97'
L7	S08°01'25"W	62.35'
L8	S09°08'04"W	71.52'
L9	S26°46'27"W	56.51'
L10	S67°44'28"E	126.57'
L11	N64°07'55"W	5.57'
L12	S26°08'43"W	50.00'
L13	N26°38'06"E	34.70'
L14	S42°23'08"W	28.97'
L15	S27°15'32"W	82.29'
L16	N27°15'32"E	81.06'
L17	S27°15'32"W	65.01'
L18	S78°04'32"E	91.33'
L19	S42°23'08"W	28.97'
L20	N10°16'18"E	28.24'
L21	S10°16'01"W	28.24'
L22	N36°24'33"W	24.00'
L23	N11°55'28"E	13.60'
L24	S78°04'32"E	22.44'
L25	S11°55'28"W	13.93'
L26	N63°21'43"W	70.00'
L27	S27°15'32"W	66.78'
L28	S35°24'33"E	24.00'
L29	N26°47'13"E	60.00'
L30	N78°20'47"E	47.03'
L31	S67°43'18"E	75.84'
L32	S33°00'40"E	20.39'
L33	S92°44'28"E	18.00'
L34	S41°17'43"E	29.00'

A CALLED 75.710
ACRE TRACT, C
OWNER: TRACER, C
& BARBARA K. NELLE
VOL. 12531 PG. 1372
(R.P.R.)

FINAL PLAT

OF
0000000000 0000000000 00

A 58.433 ACRE TRACT OF LAND, BEING OUT OF THE REMNANT PORTION OF A CALLED 120.601
ACRE TRACT OF LAND CONVEYED TO LGM HOMES-TEXAS LLC, AS DESCRIBED IN DOCUMENT
NO. 2018093369 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SITUATED IN
THE HENRY MARTIN SURVEY, SECTION NO. 65, ABSTRACT NO. 518 IN THE CITY OF ELGIN,
TRAVIS COUNTY, TEXAS.

LEGEND
DOC. NO. DOCUMENT NUMBER
O.P.R. OFFICIAL PUBLIC RECORDS OF
TRAVIS COUNTY, TEXAS
P.R. PLAT RECORDS OF TRAVIS
COUNTY, TEXAS
R.P.R. REAL PROPERTY RECORDS OF
TRAVIS COUNTY, TEXAS
O.R. OFFICIAL RECORDS OF
TRAVIS COUNTY, TEXAS
B.L. BUILDING SETBACK LINE
D.E. DRAINAGE EASEMENT
F.D. IR. FOUND IRON ROD
ROW. RIGHT OF WAY
VOL. VOLUME
PG. PAGE (B)

(SURVEYOR) FOUND 1/2" IRON ROD PAPE-DAWSON
(UNLESS NOTED OTHERWISE)
SET 1/2" IRON ROD (PO)
R-2 ZONING DISTRICT
R-3 ZONING DISTRICT
SHOWN WITHOUT SHADING

A CALLED 34.715 ACRE TRACT
OWNER: LARRY H. AXELSON & MARY JO BENGTON
VOL. 13334 PG. 50 (R.P.R.)

THE REMNANT PORTION OF A
CALLED 95 ACRE TRACT
OWNER: BARBARA A. HAGON
VOL. 3565, PG. 971 (D.R.)

