



AGENDA  
ELGIN CITY COUNCIL  
SPECIAL MEETING  
TUESDAY, NOVEMBER 22, 2022  
MAYOR'S OFFICE-FLEMING CENTER  
804 NORTH AVE C  
9:00 AM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. 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.

**IV. NEW BUSINESS**

- 1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN SPECIAL ELECTION HELD ON NOVEMBER 8, 2022; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW**

Documents:

[EX SUMMARY- CANVASSING ELECTION RESULTS.PDF](#)  
[DRAFT RESOLUTION CANVASS.PDF](#)  
[BASTROP COUNTY FINAL ELECTION RESULTS.PDF](#)

**V. RECONVENE**

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

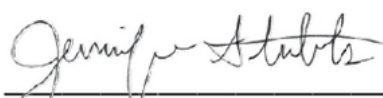
**VI. ADJOURMENT**

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, November 18, 2022, in accordance with Chapter 551 of the Texas Government Code.



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Jennifer Stubbs, City Secretary



## Elgin City Council Meeting Agenda Item Executive Summary

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**ITEM:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN SPECIAL ELECTION HELD ON NOVEMBER 8, 2022; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

**DEPARTMENT:** City Council

**PROPOSED ACTION:** Approval of the Resolution Canvassing the Election Results

**BACKGROUND:** The official election results were not available from Travis County at the time of posting the agenda. The amended resolution and finalized numbers will be given at the Special Meeting

**BUDGET/FINANCIAL IMPACT:**

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

**RECOMMENDATION:** Approval of the Resolution Canvassing the Election Results

**ATTACHMENTS:** Resolution and Bastrop County Results.

Travis County Results and Finalized Resolution to be provided and updated at the meeting.

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

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

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

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

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN SPECIAL ELECTION HELD ON NOVEMBER 8, 2022; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW**

**WHEREAS**, a Special Election was held on the 8<sup>th</sup> day of November 2022 for the purpose to submit to the voters of the City a proposed citizen-initiated ordinance regarding the elimination of low-level marijuana offenses; and

**WHEREAS**, the ballot was prepared to permit voting "For This Ordinance" or "Against The Ordinance" on the Proposition: Proposition A: Shall an initiative petition be approved to eliminate enforcement of low-level marijuana offenses in the City of Elgin?; and

**WHEREAS**, the returns of that election have been made to the Council and show the votes for and against the Proposition were cast as follows:

**Proposition A**

For

Against

**WHEREAS**, a majority of all votes cast in the special election were cast for Proposition A; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:**

The City Council, as canvassing authority, officially finds and determines that the election was duly ordered, that notice of said election was given, that the election was duly held, that the City has complied with the Texas Election Code, and that returns of the result of the election have been duly made and delivered, all in accordance with law.

The Council finds that the results of the special election as tabulated and canvassed reflect the votes cast at the election; and

The Council accepts and approves the returns for the special election, as tabulated, received, and canvassed, and declares that Proposition A is adopted.

**READ, RESOLVED and APPROVED** this the 22<sup>nd</sup> day of November 2022

ATTEST:

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Theresa Y. McShan, Mayor

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Jennifer Stubbs, City Secretary

Summary Results Report  
November 2022 General and Special Elections  
November 8, 2022

FINAL RESULTS

Bastrop County

**Proposition A City of Elgin**

Vote For 1

|                         | TOTAL        | Absentee  | Early<br>Voting | Election<br>Day |
|-------------------------|--------------|-----------|-----------------|-----------------|
| For the Ordinance       | 1,560        | 59        | 1,043           | 458             |
| Against the Ordinance   | 546          | 34        | 341             | 171             |
| <b>Total Votes Cast</b> | <b>2,106</b> | <b>93</b> | <b>1,384</b>    | <b>629</b>      |
| Overvotes               | 1            | 0         | 1               | 0               |
| Undervotes              | 66           | 9         | 36              | 21              |
| Contest Totals          | 2,173        | 102       | 1,421           | 650             |