



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 17, 2023
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 COMMENT

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

Speaker comments are limited to three (3) minutes. No formal action can be taken by the City Council on items not posted on the agenda. Items requiring a PUBLIC HEARING will allow a member of the public an opportunity to speak during the Public Hearing and does not require a "PUBLIC COMMENT FORM".

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

VI. PRESENTATION

1. A PROCLAMATION DECLARING MARCH 1, 2023, AS MARY CHRISTIAN BURLESON DAY IN THE CITY OF ELGIN

Documents:

[MCB PROCLAMATION.PDF](#)

VII. CITY MANAGERS REPORT

1. Discussion And Possible Direction To Staff Regarding The Distribution Of Community Non-Profit Support Funding As Included In The FY2022-23 Annual Operating Budget

Documents:

[EX SUMMARY - NONPROFIT FUNDING.PDF](#)
[COPY OF NON-PROFIT FUNDING REQUESTS AT A GLANCE.PDF](#)

2. Review And Approval Of FY2022-23 Annual Budget Vehicle And Equipment Expenditures

Documents:

[EXSUMMARY - EQUIPMENT BUDGET FY23.PDF](#)
[FY23 CAPITAL RECAP.PDF](#)

3. Update On 2021 Certificates Of Obligation - Capital Investment Program

Documents:

[EXSUMMARY - REPORT 2021 COS.PDF](#)

4. General Activity Report And/Or Project Update

Documents:

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

VIII. 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 January 3, 2023

Documents:

[EX SUMMARY- JANUARY 3, 2023 REGULAR MEETING MINUTES.PDF](#)
[ELGIN CITY COUNCIL MEETING MINUTES-JANUARY 3, 2023.PDF](#)

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CSA CONSTRUCTION, INC FOR REPAIRS TO THE ELM CREEK LIFT STATION FORCE MAIN AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[EX SUMMARY CSA REPAIRS.PDF](#)
[RESAUTHCSA FOR REPAIRS.PDF](#)
[ELGIN - PUMP STATION REPAIRS - 12-28-22 \(002\).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:

[EX SUMMARY-AUTH EPD FGMA.PDF](#)
[EPD STATION RESOLUTION.PDF](#)
[INVOICE 6 - ELGIN TX NEW POLICE STATION \(1\).PDF](#)
[INVOICE 7 - ELGIN TX NEW POLICE STATION \(2\).PDF](#)

IX. NEW BUSINESS

- 1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, ADOPTING A PROCUREMENT/PURCHASING POLICY & PROCEDURES MANUAL AND PETTY CASH TO BE EFFECTIVE JANUARY 18, 2023 AND PROVIDING FOR RELATED MATTERS**

Documents:

[EXSUMMARY - PURCHASING POLICY.PDF](#)
[RESAUTH PURCHASING123.PDF](#)
[PROCUREMENT -PURCHASING POLICY.PDF](#)

X. 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.

XI. RECONVENE

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

XII. ANNOUNCEMENTS

XIII. ADJOURMENT

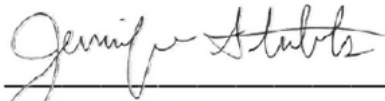
The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; 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, January 13, 2023, in accordance with Chapter 551 of the Texas Government Code.

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

Jennifer Stubbs, City Secretary

**A PROCLAMATION DECLARING MARCH 1, 2023, AS MARY CHRISTIAN BURLESON DAY
IN THE CITY OF ELGIN**

WHEREAS, on March 1, 1795, in Wytheville, Virginia, Mary Randolph Buchanan Christian Burleson was born; and,

WHEREAS, in 1847, Mary Christian Burleson built the home still standing in Elgin; and,

WHEREAS, in the 1860s Mary Christian Burleson and her stepson, Jonathan Burleson, granted a right-of-way to the Houston and Texas Central Railway route through their land for the townsite of Elgin (founded 1872); and,

WHEREAS, from 1832 to her death in 1870, Mary Christian Burleson, her children, and her stepchildren left an indelible mark on Elgin and Texas; and,

WHEREAS, Mary Christian Burleson's story is one of perseverance, dedication, family, and faith; and,

WHEREAS, as Elgin begins its 151st year and recognizes the need to unite and preserve our standing history during this time of rapid growth and change; and,

WHEREAS, in 2023 both construction on the exterior of the Mary Christian Burleson Homestead is slated to begin and the homestead site will be added to the National Register of Historic Places; and,

WHEREAS, the house has stood this long due to the commitment and dedication of community members just like you; and,

WHEREAS, the Mary Christian Burleson Foundation, named in her honor, seeks to tell the story of this land and all its people through the prism of Mary Christian Burleson's life; and,

WHEREAS, the Mary Christian Burleson Foundation is preserving our history while making it accessible to future generations by being a part of the economic engine of Elgin; and,

WHEREAS, the Mary Christian Burleson Foundation invites you to learn more, sign up to volunteer, and donate at mcb.info or on Facebook.

NOW, THEREFORE, I, Theresa Y. McShan, Mayor of the City of Elgin, do hereby proclaim March 1st of each year to be known as

MARY CHRISTIAN BURLESON DAY

in Elgin, Texas, and call upon the people of Elgin to join their friends and neighbors throughout this community in celebrating the past, present, and future of the MCB Homestead and Elgin, Texas.

IN WITNESS WHEREOF, I have set my hand and caused the seal of the City of Elgin, Texas to be affixed this 17th day of January 2023.

Theresa Y. McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Discussion and possible direction to staff regarding the distribution of Community Non-Profit Support funding as included in the FY2022-23 Annual Operating Budget

DEPARTMENT: City Manager/Finance

PROPOSED ACTION:

This item has been placed on the agenda for general discussion and possible action relating to pending requests for funding and/or donations from various community non-profit groups and/or organizations.

BACKGROUND:

The City has annually considered requests and provided funding to various on-profit groups and organizations serving the Elgin Community. Based on the City's commitment to this effort in prior years, the City Council approved an overall funding set-aside of **\$50,000** for this purpose in the FY22-23 Annual Budget. Also typical of prior years, however, the City has received requests from such organizations that totals more than that amount.

To that end, the Council created an ad hoc committee including the Mayor and Councilmembers who have reviewed and scored the applications; ultimately resulting in a recommendation as to the distribution of the funds budgeted for the current fiscal year.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consideration of and direction to staff regarding the distribution of Community Non-Profit Support funding as included in the FY2022-23 Annual Operating Budget.

ATTACHMENTS:

Various information regarding the proposed distribution of said funds.

{ } 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.

Non Profit Organization Funding Requests 2022-23

Organization	Purpose / Program title	Amount Requested 2022-23	awarded 2021-22	Recommended funding for 2023
Advocacy Outreach	anti poverty, i assistance, homeless transition, housing assistance, and family literacy	\$ 10,000.00	\$ 7,000.00	\$ 7,000.00
Down Home Ranch	working ranch that serves 270+ people with disabilities annually through social, educational, residential, and vocational opportunities	\$20,000	None	\$ 5,000.00
Drive a Senior	free transportation for seniors for doctor appointments, groceries, etc.	\$ 10,700.00	\$ 5,000.00	\$ 5,000.00
Elgin Alley Cats	feral cat spay & neuter program	\$ 10,000.00	\$5,000	\$ 5,000.00
Elgin Arts Association	Elgin Arts Association is an organization dedicated to furthering artistic understanding and encouraging growth by promoting interest, education, knowledge, and skill in the Arts	\$ 2,000.00	None	\$ 4,000.00
Elgin Cares	The Elgin Cares Organization's mission is to end food insecurity and homelessness in Elgin, Bastrop County, Texas	\$ 10,200.00	None	\$ 5,000.00
Elgin Community Cupboard	The Elgin Community Cupboard provides supplemental food for people who live in the 78621 zip code and surrounding area who are unable to purchase enough food to sustain their family in any given month	\$15,000	\$10,000	\$ 15,000.00
Elgin Elementary School PTA	Elgin Elementary School PTA is focused on making every child's potential a reality. We are focused on creating events that bring together families and the community	\$ 1,000.00	None	\$ -
Elgin Historical Association	Our mission is to preserve the history of Elgin and surrounding communities for the general public's knowledge and appreciation of this history.	\$ 12,500.00	None-City funds rent, utilities, ar	\$ -
Mary Christian Burleson Preservation and Development Foundation	We are working to turn the MCB Homestead into an interactive museum telling the story of Elgin and Texas through the prism of Mary Christian Burleson's extraordinary life and an event space and grounds that encourages stay and spend visitors in Elgin and funds the organization.	\$ 4,000.00	\$4,000	\$ 4,000.00
Texas Lost Pines Riding Club	The Texas Lost Pines Riding Club was established in 1969 to provide a safe and healthy environment for families to enjoy their horses and other livestock	\$ 50,000.00	None	\$ -
TOTAL		\$ 145,400.00	\$ 31,000.00	\$ 50,000.00

Does not reflect total amount given, some organizations did not reapply for the 2022-23 budget year

BUDGET AVAILABLE 2022-2023		\$50,000
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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and approval of FY2022-23 Annual Budget Vehicle and Equipment expenditures

DEPARTMENT: City Manager

PROPOSED ACTION:

Approval of Vehicle and Equipment expenditures from funding included in the FY2022-23 Annual Budget in support of city operations; and direction to staff, if any, as appropriate.

BACKGROUND:

The City faced certain challenges this past year in the development of the Annual Budget due primarily to staffing issues. The process for same was adjusted to meet certain mandatory deadlines.

The budget as adopted includes a complete list of operational vehicles and equipment requested by various departments - and funding within the Internal Services budget in support of same. At the time of budget adoption, however, final decisions were not made as to what specific vehicles and equipment expenditures were approved. It was agreed at that time that staff would subsequently return to Council with a detailed recommendation regarding this situation before any such funds were expended.

Staff is now ready to proceed with formally authorized funding as reflected in the attached report.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and approval of Vehicle and Equipment expenditures from funding included in the FY2022-23 Annual Budget; and direction to staff, if any, as appropriate

ATTACHMENTS:

Proposed funding breakdown

{ } 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.

FY2022-23 ANNUAL BUDGET

Page

GENERAL FUND

TRANSFERS OUT

64

ISF Equipment Replacement

\$ 560,109**\$ 560,109**

			<u>Unit Price</u>	<u>Approved Budget</u>		<u>Adjs</u>	<u>Revised Budget</u>
Police	86	Animal Control Truck	35,000	35,000	<i>Animal Control Truck</i>	-	35,000
Police	86	Patrol Vehicles (4)	60,000	240,000	<i>Patrol Vehicles (4)</i>	-	240,000
Public Works/Streets	86	Street Sweeper	209,000	209,000	Street Sweeper	(209,000)	-
Public Works/Parks	86	Chipper & Truck	140,000	140,000	<i>Chipper & Truck</i>	30,160	170,160
Public Works/Parks	86	Diesel Crew Truck	43,000	43,000	<i>Diesel Crew Truck</i>	3,975	46,975
Public Works/Parks	86	Shredder	120,000	120,000	Shredder	(120,000)	-
Public Works/Parks	86	Trailer	6,000	6,000	<i>Trailer</i>	3,200	9,200
Public Works/Parks	86	Mowers (2)	16,000	32,000	<i>Mowers (2)</i>	1,925	33,925
Development Services	86	PU Trucks (3)	29,933	89,800	PU Trucks (3)	(89,800)	-
<i>General Fund Total</i>				<u><u>\$ 914,800</u></u>		<u><u>\$ (379,540)</u></u>	<u><u>\$ 535,260</u></u>

UTILITY FUND

TRANSFERS OUT

76

ISF Equipment Replacement

\$ 429,318**\$ 214,659**

Water	86	Pumps & Motor	23,000	23,000	<i>Pumps & Motor</i>	-	23,000
Wastewater	86	Crew Truck (WWP)	38,000	38,000	<i>Crew Truck (WWP)</i>	8,975	46,975
Utilities	86	Dump Truck	109,000	109,000	<i>Dump Truck</i>	-	109,000
Utilities	86	Water Truck	85,000	85,000	Water Truck	(85,000)	-
Utility Billing	86	PU Truck	35,000	35,000	<i>PU Truck</i>	-	35,000
<i>Utility Fund Total</i>				<u><u>\$ 290,000</u></u>		<u><u>\$ (76,025)</u></u>	<u><u>\$ 213,975</u></u>

Grand Totals**\$ 989,427****\$ 1,204,800****\$ 774,768**

\$ (455,565)

\$ 749,235*Operating Budget Deficit***\$ 215,373****\$ 430,032****\$ (25,533)**



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: 2021 Certificates of Obligation-Capital Investment Program Project Update

DEPARTMENT: City Manager

PROPOSED ACTION:

No Council action proposed or requested; This item is for a brief update and discussion with the City Council as warranted relative to the 2021 Certificates of Obligation - Capital Investment Program.

BACKGROUND:

The 2021 Certificates of Obligation - Capital Investment Program is designed to fund a wide range of capital improvement projects in support of general government – including the Wastewater Treatment Plant Expansion, County Line Road Phase 1 Project, and a new Elgin Police Department Station.

Certificates of Obligation (COs) and debt issuance in general are a necessary component to funding major capital improvement projects for cities where such funds are not available through the annual operating budget. It is also of particular need in rapidly growing cities like Elgin, where demands for improved services and facilities exceed currently available resources.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of the 2021 Certificates of Obligation - Capital Investment Program; and direction to staff, if any, regarding same.

ATTACHMENTS:

None

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

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

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

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



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 – January 3, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes- January 3, 2023

BACKGROUND: N/A

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Approval of the City Council Regular Meeting Minutes- January 3, 2023

ATTACHMENTS: Minutes

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

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

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

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

MINUTES
ELGIN CITY COUNCIL REGULAR MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
JANUARY 3, 2023

CALL TO ORDER

Mayor McShan called the meeting to order at 6:34 p.m.

Roll Call

Present:

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

Absent:

Skyler Maldonado, Council Member

Mayor McShan stated that all members were present except for Mr. Maldonado. Mayor Pro Tem Brashar made a motion to excuse Mr. Maldonado, Mr. Gibson seconded the motion. All voted in favor. The motion carried.

Staff:

Thomas L. Mattis, City Manager
Amy Miller, Community Services Director
Michael Gonzalez, Public Works Director
David Harrell, Development Services Director
Belen Pena, Finance Director
Chris Noble, Chief of Police
Kaley Frye, Assistant Director EDC

INVOCATION

Mayor McShan provided the invocation.

PLEDGE OF ALLEGIANCE

Mayor McShan led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America and Pledge of Allegiance to the Texas Flag.

PUBLIC HEARING

1. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone From R-2 Single Family And Garage Apartment District To C-2 General Commercial District, Located On A Parcel Of Land Known By The Bastrop Co. Appraisal District As Parcel 12934 (SMITH, J.S., LOT 86, ACRES 0.602) Being Described In Exhibit "A", Attached Hereto And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Jaasiel De Roso translated for his mother-in-law, Maria Albarran, located at 510 Avenue D. He stated that she was not in favor of the zoning change due to his parents being senior citizens and they were concerned about higher taxes.

2. Public Hearing On An Ordinance Amending Chapter 36 Subdivisions, Article I. In General; Article II. Processing Procedures; Article III. General Requirements And Standards, Division 1 Generally & Division 13 Parkland Standards; And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

There was no one who wished to speak under the Public Hearing Item.

3. Public Hearing On An Ordinance Amending Chapter 48 Site Developments, Article IV. Processing Procedure & Article V. General Development Requirements And Standards, Division 3 Parkland Standards; And Providing A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

There was no one who wished to speak under the Public Hearing Item

PUBLIC COMMENT

No one wished to speak under the public comment item.

PRESENTATION

1. A Proclamation Declaring January 14, 2022, As Elgin Black Icons Mural Dedication Day in The City Of Elgin.

Mayor McShan read the proclamation. Ms. Casnovsky asked if there would be a plaque with information on the icons next to the mural.

2. A Proclamation Declaring January 16, 2023, as Dr. Martin Luther King, Jr. Day in the City of Elgin.

Mayor McShan read the proclamation and presented it to Dr. Jones a representative of the MLK Day Walk Committee.

CITY MANAGER'S REPORT

1. SESQUICENTENNIAL YEAR END REPORT AND THANK YOU TO THE ETX150 COMMITTEE

Mr. Mattis invited Sarah O'Brien up to present a recap of the Sesquicentennial. Ms. O'Brien shared a brief review of the events, public art installations, historic projects, and pictures commemorating the year. She presented plaques to the Committee Co-Chairs. Ms. O'Brien thanked the City Council, Volunteers, Staff, and committee members for their hard work and dedication. Ms. O'Brien presented the committee and City Council with commemorative sesquicentennial coins.

2. FY22-23 Capital Equipment Budget Report

Mr. Mattis stated that this item was not ready for consideration and tabled the item for a future meeting.

3. Quarterly Investment Reports- 3rd And 4th Quarters

Mr. Mattis provided background information on the quarterly reports required by the State of Texas and invited Belen Pena, Director of Finance, to present the reports. Ms. Pena reported on the operating account activity for the third and fourth quarters. Ms. Casnovsky asked for clarification on account names to better understand the report.

4. General Activity Report and/or Project Update

Mr. Mattis stated that the City of Elgin received a bond rating upgrade. He stated that the bond rating is assessed by an independent entity which is more evidence of the overall financial stability of the City of Elgin is achieving. Mr. Mattis discussed the increase in sales tax revenue which demonstrates the success of our retail businesses.

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 – December 6, 2022

The minutes passed on the consent agenda.

2. City Council Special Meeting Minutes – December 6, 2022

The minutes passed on the consent agenda.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CONVERSION OF TWO (2) PART TIME LIBRARY CIRCULATION CLERKS TO ONE (1) FULL TIME CIRCULATION CLERK POSITION; AND TWO (2) PART TIME FRONT DESK REC CENTER STAFF TO ONE (1) ONE FULL TIME FRONT DESK REC CENTER STAFF.

The resolution passed on the consent agenda.

Ms. Casnovsky made a motion to approve the consent agenda. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

NEW BUSINESS

1. AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE FROM “R-2” SINGLE FAMILY AND GARAGE APARTMENT DISTRICT TO “C-2” GENERAL COMMERCIAL DISTRICT LOCATED ON A PARCEL OF LAND KNOWN BY THE BASTROP COUNTY APPRAISAL DISTRICT AS PARCEL 12934 (SMITH, J.S., LOT 86, ACRES 0.602) BEING DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Mr. Mattis provided information on the scope of the project. Mr. Swain asked if it would have an effect on the property taxes to address the comments in the public hearing. Mr. Mattis stated that a zoning change itself will not have direct impact on the property, but the city does not control the property valuation. He stated the appraisal district values property as it is today not on what it could be worth if it were next door to commercial in the future. Ms. Casnovsky asked if there are code requirements for commercial lighting. Mr. Harrell stated that the code addresses the lighting on commercial property close to residential. The owner of the property stated that his only intention for the lot is to extend the parking lot to make it safer for the community. Mayor Pro Tem Brashar made a motion to approve the ordinance. Mr. Swain seconded the motion. The vote was: Mayor Pro Tem Brashar-yes, Mayor McShan-yes, Ms. Casnovsky-yes, Mr. Gibson-abstain, Mr. Swain-yes, Mr. Callahan-yes, Mr. Rodriguez- yes, Mr. Dennis-yes. The motion was carried.

2. AN ORDINANCE AMENDING CHAPTER 36 SUBDIVISIONS, ARTICLE I. IN GENERAL; ARTICLE II. PROCESSING PROCEDURES; ARTICLE III. GENERAL REQUIREMENTS AND STANDARDS, DIVISION 1 GENERALLY & DIVISION 13

PARKLAND STANDARDS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Mr. Mattis stated that this is a routine update to the code, and it will not affect any existing projects. Mr. Harrell stated that the vast majority of this is matching state law and site development code. Mayor Pro Tem Brashar made a motion to approve the ordinance. Ms. Casnovsky seconded the motion. All voted in favor. The motion carried.

3. AN ORDINANCE AMENDING CHAPTER 48 SITE DEVELOPMENTS, ARTICLE IV. PROCESSING PROCEDURE & ARTICLE V. GENERAL DEVELOPMENT REQUIREMENTS AND STANDARDS, DIVISION 3 PARKLAND STANDARDS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Mr. Swain made a motion to approve the ordinance. Mr. Callahan seconded the motion. All voted in favor. The motion carried.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR EXECUTE A LETTER OF AGREEMENT WITH MARK J. SCHROEDER OF TAYLOR, TEXAS APPOINTING HIM INTERIM CITY ATTORNEY OF THE CITY OF ELGIN IN ACCORDANCE WITH THE CITY CHARTER; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS

Mr. Mattis stated that this is a formality that was agreed to by both parties. Mayor Pro Tem Brashar made a motion to approve the resolution. Seconded by Mr. Dennis. All voted in favor.

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 City Council did not retire into Executive Session.

ANNOUNCEMENTS

Amy Miller announced that Sip Shop & Stroll will continue for 2023. Mayor McShan reminded everyone that the Black Icon Mural Dedication is on Saturday, January 14th.

ADJOURNMENT

Mayor McShan adjourned the meeting at 7:47PM

Theresa Y. McShan, Mayor

ATTEST:

Kaley Frye, EDC Assistant Director



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 CSA CONSTRUCTION, INC FOR REPAIRS TO THE ELM CREEK LIFT STATION FORCE MAIN AND MAKING CERTAIN FINDINGS RELATED THERETO.

DEPARTMENT: City Manager/Public Works/ Utilities

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with *CSA Construction INC*, of Flower Mound, Texas, in the amount of \$49,200.86 for force main repairs related to the Elm Creek Lift Station.

BACKGROUND:

Designed and built by the LCRA the Elm Creek lift station has been in continuous service for nearly 20 years. Approximately two years ago, the City of Elgin Made a substantial investment to repair and upgrade pumps to this facility to ensure proper working order of the facility. During routine inspections staff recently found cracks in the ageing force main inside the wet well sending wastewater back through the pumps again most inefficiently. The Utilities Division Manager has requested a formal proposal and received a reasonable proposal from a reputable vendor to provide these repairs in a timely manner.

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 *CSA Construction, INC* of Flower Mound, Texas, in the amount of \$49,200.86 for repair services related to the Elm Creek Lift Station Force Main and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) CSA Proposal

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT WITH CSA CONSTRUCTION, INC
FOR REPAIRS TO THE ELM CREEK LIFT STATION
FORCE MAIN AND MAKING CERTAIN FINDINGS
RELATED THERETO.**

WHEREAS, the City of Elgin is a retail provider of wastewater treatment services to both City residents and whole sale customers outside the City; and,

WHEREAS, over time while in service, force main components of the Elm Creek lift station have failed and are in need of repair, and;

WHEREAS, to ensure compliance and public safety and to keep the lift station in good working order the City of Elgin Public Works Department, Utility Division is compelled to act quickly to address these repair issues, and;

WHEREAS, The Utility Division Manager has requested and received a reasonable proposal for repair services to the Elm Creek Lift Station force main lines in a timely manner.

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 *CSA CONSTRUCTION, INC* of Flower Mound, Texas, in the amount of \$49,200.89 for repair services associated with the Elm Creek Lift Station Force Main. **Note:** These repairs are considered to be emergency by the department to ensure proper working order for the lift station and the City Manager and Public Works Director have already given direction to commence work and are here now providing this item for the official record.

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 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 17th day of January, 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

12" Line replacement

Remove existing 12" pump discharge pipes from 90 bend in the wet well to the coupling between the wet well and valve vault. City of Elgin will be responsible for the required excavation and back fill.

Description	Qty	Unit	Unit Cost	LABOR	MATERIAL TAXABLE	MATERIAL EXEMPT	TOTAL COST
CSA LABOR COST							
Regular Time							
Eric	80 hr	\$	72.00	\$ 5,760.00		\$	5,760.00
Roy	80 hr	\$	30.00	\$ 2,400.00		\$	2,400.00
Domingo	80 hr	\$	30.00	\$ 2,400.00		\$	2,400.00
Robert	80 hr	\$	30.00	\$ 2,400.00		\$	2,400.00
Overtime							
Eric	16 hr	\$	108.00	\$ 1,728.00		\$	1,728.00
Roy	16 hr	\$	45.00	\$ 720.00		\$	720.00
Domingo	16 hr	\$	45.00	\$ 720.00		\$	720.00
Robert	16 hr	\$	45.00	\$ 720.00		\$	720.00
Materials							
12' flg x pe	3 ea	\$	2,600.00			\$ 7,800.00	\$ 7,800.00
12" Couplings	3 ea	\$	300.00			\$ 900.00	\$ 900.00
12" BNG SS	3 ea	\$	200.00			\$ 600.00	\$ 600.00
Hot Shot Pipe Delivery	1 ls	\$	725.00			\$ 725.00	\$ 725.00
Sack crete	44 bgs	\$	8.00			\$ 352.00	\$ 352.00
Form Work	1 ls	\$	750.00		\$ 750.00		\$ 750.00
EQUIPMENT							
Air Compressor	10 days	\$	50.00		\$ 500.00		\$ 500.00
Jack hammer	10 days	\$	15.00		\$ 150.00		\$ 150.00
Fuel	10 days	\$	50.00		\$ 500.00		\$ 500.00
Misc Tools	1 ls	\$	1,000.00		\$ 1,000.00		\$ 1,000.00
				\$ 16,848.00	\$ 2,900.00	\$ 10,377.00	\$ 30,125.00
Burden @ 48%				\$ 8,087.04	\$ -	\$ -	\$ 8,087.04
Tax @ 8.25%				\$ -	\$ 239.25	\$ -	\$ 239.25
Sub-Total				\$ 24,935.04	\$ 3,139.25	\$ 10,377.00	\$ 38,451.29
O&P @ 25%				\$ 6,233.76	\$ 784.81	\$ 2,594.25	\$ 9,612.82
				\$ 31,168.80	\$ 3,924.06	\$ 12,971.25	\$ 48,064.11
Bond @ 2.5%				\$ 779.22	\$ 98.10	\$ 259.43	\$ 1,136.75
TOTAL				\$ 31,948.02	\$ 4,022.16	\$ 13,230.68	\$ 49,200.86



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Discussion and possible direction to staff regarding the distribution of Community Non-Profit Support funding as included in the FY2022-23 Annual Operating Budget

DEPARTMENT: Administration

PROPOSED ACTION: This item has been placed on the agenda for general discussion and possible action relating to pending requests for funding and/or donations from various community non-profit groups and/or organizations

BACKGROUND:

The City has annually considered requests and provided funding to various on-profit groups and organizations serving the Elgin Community. Based on the City's commitment to this effort in prior years, the City Council approved an overall funding set-aside of \$50,000 for this purpose in the FY2022-23 Annual Budget. The staff enlisted the help of four City Councilmembers who have reviewed and scored the applications; ultimately resulting in a recommendation as to the distribution of the funds budgeted for the current fiscal year.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: Belen Perin Date: 1/10/2023

RECOMMENDATION: Consideration of and direction to staff regarding the distribution of Community Non-Profit Support funding as included in the FY2022-23 Annual Operating Budget.

ATTACHMENTS: Council Recommendations

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO 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 \$45,606.73 from October 1, 2022 to October 28, 2022 and \$40,545.13 from October 29, 2022, to November 25, 2022 for professional services fees 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 17th day of January 2023

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

FGMARCHITECTS

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

November 16, 2022
Invoice No: 22-3415.01 - 6

Project 22-3415.01 Elgin TX New Police Station
Professional Services from October 1, 2022 to October 28, 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	100.00	40,522.00	40,522.00	0.00
Design Development	101,270.00	60.00	60,762.00	15,190.50	45,571.50
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		136,714.00	91,142.50	45,571.50
Total Fee					45,571.50

Reimbursable Expenses

Reproduction		35.23	
Total Reimbursables		35.23	35.23

TOTAL CURRENT INVOICE \$45,606.73

Billings to Date

	Current	Prior	Total	Received	A/R Balance
Basic Services	45,571.50	91,142.50	136,714.00		
Expense	35.23	1,422.61	1,457.84		
Totals	45,606.73	92,565.11	138,171.84	92,565.11	45,606.73

Please remit to:

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

630.574.8300

Billing Backup

Wednesday, November 16, 2022

FGM Architects Inc.

Invoice 6 Dated 11/16/2022

4:03:09 PM

Project	22-3415.01	Elgin TX New Police Station
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Reimbursable Expenses

Reproduction

EX	0018984	10/21/2022	Palomo, Jaime / Presentation Board	35.23	
			Total Reimbursables	35.23	35.23

Total this Project	\$35.23
---------------------------	----------------

Total this Report	\$35.23
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Please remit to:

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

630.574.8300

FGMA_{ARCHITECTS}

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

December 8, 2022

Invoice No: 22-3415.01 - 7

Project 22-3415.01 Elgin TX New Police Station
Professional Services from October 29, 2022 to November 25, 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	100.00	40,522.00	40,522.00	0.00
Design Development	101,270.00	100.00	101,270.00	60,762.00	40,508.00
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		177,222.00	136,714.00	40,508.00
Total Fee					40,508.00

Reimbursable Expenses

Mileage, tolls and misc.	37.13	
Total Reimbursables	37.13	37.13

TOTAL CURRENT INVOICE \$40,545.13

Outstanding Invoices

Number	Date	Balance
6	11/16/2022	45,606.73
Total		45,606.73

Total Now Due \$86,151.86

Billings to Date

	Current	Prior	Total	Received	A/R Balance
Basic Services	40,508.00	136,714.00	177,222.00		
Expense	37.13	1,457.84	1,494.97		
Totals	40,545.13	138,171.84	178,716.97	92,565.11	86,151.86

Please remit to:

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

630.574.8300

Billing Backup

Thursday, December 8, 2022

FGM Architects Inc.

Invoice 7 Dated 12/8/2022

10:10:27 AM

Project	22-3415.01	Elgin TX New Police Station
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Reimbursable Expenses

Mileage, tolls and misc.

EX	0019114	11/30/2022	Galloway, Jr., Bob / HRB Meeting / 54.00 miles @ 0.625	37.13
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Total Reimbursables	37.13	37.13
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Total this Project	\$37.13
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Total this Report	\$37.13
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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, ADOPTING A PROCUREMENT/PURCHASING POLICY & PROCEDURES MANUAL AND PETTY CASH TO BE EFFECTIVE JANUARY 18, 2023 AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: Finance

PROPOSED ACTION: Approval of a Resolution adopting and approving the *City of Elgin Procurement/ Purchasing Policy & Procedures Manual and Petty Cash*.

BACKGROUND:

The City Charter stipulates that “all purchases made, and contracts executed by the city shall be made in accordance with the requirements of the Constitution and Statutes of the State of Texas”. While the City has complied with this general requirement in the past, the City has lacked a detailed/written purchasing and procurement policy.

In 2010, the Texas Comptroller issued a Model Purchasing Manual for Texas Cities and Counties stipulating goals and objectives for public purchasing.

Using that as a guide, staff has now developed the *City of Elgin Procurement/ Purchasing Policy & Procedures Manual and Petty Cash* that ensures fair, competitive access to governmental procurement by responsible vendors/contractors and business activities in such a manner to foster public confidence in the integrity of the City of Elgin financial operations.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adopt a Resolution approving and authorizing the *City of Elgin Procurement/ Purchasing Policy & Procedures Manual and Petty Cash*; and direction to staff, if any, regarding same.

ATTACHMENTS: (1) Resolution (2) *Procurement/Purchasing Policy Manual and Petty Cash*

{ } 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 PROCUREMENT/PURCHASING
POLICY & PROCEDURES MANUAL AND PETTY
CASH TO BE EFFECTIVE JANUARY 18, 2023 AND
PROVIDING FOR RELATED MATTERS**

WHEREAS, the Elgin City Charter Article 7, Section 4 states that all purchases made, and contracts executed by the city shall be made in accordance with the requirements of the Constitution and Statutes of the State of Texas; and,

WHEREAS, the Texas Comptroller of Public Accounts has issued a Model Purchasing Manual for Texas Cities and Counties stipulating goals and objectives for public purchasing; and,

WHEREAS, the Mayor and City Council have reviewed the *City of Elgin Procurement/ Purchasing Policy & Procedures Manual and Petty Cash* that ensures fair, competitive access to governmental procurement by responsible vendors/contractors and business activities in such a manner to foster public confidence in the integrity of the City of Elgin financial operations.

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 Procurement/ Purchasing Policy & Procedures Manual and Petty Cash. The Mayor and City Council do hereby approve the *City of Elgin Procurement/ Purchasing Policy & Procedures Manual and Petty Cash*; 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 17th day of January 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



City of Elgin, Texas Procurement / Purchasing Policy & Procedures Manual And Petty Cash

Adopted on January 17, 2023



City of Elgin, Texas MANAGEMENT LETTER

FROM: Thomas Mattis, City Manager
TO: All City Departments
SUBJECT: Procurement / Purchasing Policy & Procedures Manual and Petty Cash
DATE: January 17, 2023

The Finance Department provides assistance to all departments in the City Organization by securing for them the best material or service of the right quality at the best price. This objective can be accomplished if all departments are familiar with a set Procurement / Purchasing Policy & Procedures Manual and Petty Cash observing Texas statutes and set forth by the City of Elgin Council.

Each Department Director will be held accountable for the proper administration of the Procurement / Purchasing Policy & Procedures Manual and Petty Cash Policy within his/her department. Internal controls must be established within each department to avoid abuse of the policy.

Adhering to the Procurement / Purchasing Policy & Procedures Manual and Petty Cash can save the City both time and money. With adequate planning by all departments in compliance with all the rules and regulations, exceptions to the Procurement / Purchasing Policy & Procedures Manual and Petty Cash as outlined in this manual should be infrequent.

The Procurement / Purchasing Policy & Procedures Manual and Petty Cash must serve as a reference and guide so that the purchasing operations of the City will be consistent.

The City Manager has the responsibility and the authority to reject purchase order requests that violate the Procurement / Purchasing Policy & Procedures Manual and Petty Cash or State Law. In addition, the Finance Department has the responsibility to question purchases which appear to violate the law or create an appearance of conflict.

The Finance Department serves as a final check on the availability of funds and the appropriate funding source on all purchases. Interpretation of the Procurement / Purchasing Policy & Procedures Manual and Petty Cash will be brought to the attention of the Finance Department for resolution. The City Manager reserves the right to make any final determination of Procurement / Purchasing Policy & Procedures Manual and Petty Cash conflicts inconsistent with State Law.

Thomas Mattis
City Manager

Belen Peña
Finance Director

CITY OF ELGIN, TEXAS
PROCUREMENT / PURCHASING POLICY
PROCEDURES AND PETTY CASH

EFFECTIVE January 17, 2023

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1.0 PROCUREMENT / PURCHASING POLICY AND OBJECTIVES

1.1 INTRODUCTION

The City of Elgin Procurement / Purchasing Policy & Procedures Manual and Petty Cash is to ensure fair, competitive access to governmental procurement by responsible vendors/contractors and to conduct business activities in such a manner to foster public confidence in the integrity of the City of Elgin.

The Texas Comptroller of Public Accounts issued a Model Purchasing Manual for Texas Cities and Counties in 2010 with the following goals of public purchasing:

“**Purchasing** is the process of acquiring all the goods and services necessary for a government entity to provide the public with certain services.

Private sector purchasing’s goals are to:

- Purchase the proper good or service to suit the business’ need;
- Get the best possible price for the good or service;
- Have the good or service available where and when it is needed;
- Ensure a continuing supply of needed goods and services; and
- Guard against any misappropriation of the business’ assets procured by purchasing.

Public Purchasing has the same goals and some additional goals, including:

- Responsible bidders are given a fair opportunity to compete for the government’s business. This is done partially by the statutory requirements for competitive bids and proposals, and partially by the government’s own purchasing procedures.
- Public funds are safeguarded. Although the purchasing office does not usually designate the types of purchases to be made, it should see that the best value is received for the public dollar.
- Public spending is not used to enrich elected officials or government employees, or to confer favors on favored constituents.
- Historically underutilized businesses (HUBs) have an equal opportunity in the contract awards process.”

1.2 PURCHASING OBJECTIVES

The primary objective of the Finance Department is to support the Department Directors in accomplishing the goals established by the City Council and the City Manager. The Finance Department will comply with legal and ethical standards to obtain the specified quality and quantity of merchandise at the lowest cost to the City.

1.3 PURCHASING AUTHORITY

Purchasing Authority is defined as the ability to initiate purchases with approval from another person and is displayed in the chart below. Proper authorization and/or Purchase Order approval is needed before an actual order is placed with a vendor.

Tier	Type	Lower limit	Upper limit	Quotes/Bids	Approval
1	Informal	\$0	\$5,000	1 written	Dept. Director
2	Formal/ Informal	\$5,001	\$25,000	3 Written OR 1 written from State or Federal Co-Op	Dept. Director Finance Director
3	Formal	\$25,001	\$49,999	3 Written OR 1 written from State or Federal Co-Op	Dept. Director Finance Director City manager
4	Competitive	\$50,000	and up	Advertised 2 weeks, sealed bids/proposals or comply with LGC Sec. 252.022	City Council

*Note: As per State law, any purchase of more than \$3,000 but less than \$ 50,000 – must check HUB list.

Utilities/Insurances Expenses: Due to the nature of the expenses for the payment of utilities, insurances or related recurrent services, a Purchase Order is not required, but must be monitored in case of extra charge.

City Manager Approval: The City Manager reserves the right to approve or reject any Purchase Requisition. As per City Charter, City Manager oversees the Budget.

Department Director Approval: Department Director must approve all purchases. H is/her designees will only approve on behalf of Department Director when the Department Director is absent from the office, yet it is strongly encouraged that the Department Director accept the responsibility on all purchases made within his/her department. The Department Director by approving such purchases assures the City that such items or service is needed to promote City operations and assumes the responsibility of such purchase being inventoried.

City Manager Approval: The City Manager reserves the right to approve any and all professional services contracts not exceeding \$ 50,000.00.

Minority Business: The City of Elgin will strive to meet federal agency requirements for procurements with women and minority-owned businesses.

2.0 SMALL PURCHASES - \$5,000 AND UNDER – INFORMAL REQUIRED

2.1 SMALL PURCHASE DEFINITION

A small purchase totals \$5,000 or less. Although informal quotations are required for small purchases, purchasers should ensure that a variety of vendors have an opportunity to participate in the business conducted by the department. Alternating awards to qualified vendors should be a policy of each department.

2.2 SPLITTING PURCHASES PROHIBITED : Splitting purchases in order to avoid the \$5,000 small purchase threshold is prohibited.

3.0 PURCHASES BETWEEN \$5,001 AND \$25,000 – REQUIRE THREE FORMAL / INFORMAL QUOTES

3.1 Formal/informal formal quotes are letterhead, or business printed forms of the vendor, informal quotes are emails, website pricing on goods or services, which can be presented on a City quote form or tabulation.

3.2 HUB Vendor Search and Solicitation Section 252.0215 of the Texas Local Government Code mandates that a municipality in making an expenditure of more than \$3,000.00 but less than \$50,000.00 shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the Comptroller pursuant to Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the city is situated, the municipality is exempt from this section.” The listing for HUB vendors is found on the Texas Comptroller of Public Accounts website.

3.3 SPLITTING PURCHASES PROHIBITED : Splitting purchases in order to avoid the \$25,000 purchase threshold is prohibited.

4.0 PURCHASES BETWEEN \$25,001 AND \$49,999 – REQUIRE THREE FORMAL QUOTES

4.1 Formal quotes are actual letterhead, or business printed forms. Formal quotes must be provided as back up to the City quote form or tabulation.

4.2 HUB Vendor Search and Solicitation

Section 252.0215 of the Texas Local Government Code mandates that “a municipality in making an expenditure of more than \$3,000.00 but less than \$50,000.00 shall contact at least two historically underutilized businesses on a rotating basis, based on information provided by the comptroller pursuant to

Chapter 2161, Government Code. If the list fails to identify a historically underutilized business in the county in which the city is situated, the municipality is exempt from this section.” The listing for HUB vendors is found on the Texas Comptroller of Public Accounts website.

- 4.3 **SPLITTING PURCHASES PROHIBITED:** Splitting purchases in order to avoid the \$ 49,999 purchase threshold is prohibited.

5.0 PURCHASES OVER \$50,000 – REQUIRE CITY COUNCIL APPROVAL AND COMPETITIVE SEALED BIDS OR PROPOSALS

- 5.1 Purchases that total \$ 50,000.00 and over are governed by state law (Chapter 252, Texas Local Government Code). The City reserves the right to seek competitive bidding below the State’s threshold. Therefore, any purchase over \$50,000 must be presented to the City Council for approval and must advertise for competitive bidding in accordance with state requirements.

Once the need for competitive bidding has been identified and the City Council has approved going out for bids, there shall be no contact by any potential vendor with any City Council member, or City staff, other than with the City Secretary

5.2 General Overview of Competitive Bidding and Solicitation of Proposals

- Written Specifications: Written specifications indicating a clear and concise description of the Item(s) or Service(s) to be purchased must be presented to the Office of the City Manager or his/her designee. The City Manager must approve all specifications prior to advertising.
- Bid Preparation: Based on the specifications, the Department Director with the assistance of the Finance Director or his/her designee will prepare a bid specification to be sent to at least three vendors on the City of Elgin bid form.
- Bid Advertisement: The Department Director and the Finance Director or his/her designee will schedule a bid/proposal opening date and will advertise the solicitation in a local newspaper and City website at least fourteen (14) days before the scheduled bid opening date. The prepared solicitation will include the bid/proposal opening date, and the time and place will be clearly stated on the front page of the advertisement.
- Bid/Proposal Record: The Finance Director or his/her designee will prepare a bid/proposal file to be maintained in the Finance Department.
- Bid/Proposal Opening: On the bid/proposal opening date at the time and place designated in the advertisement, the Finance Director or his/her designee will publicly open and read aloud all responses to the solicitation that have been

received. The bid/proposal opening will be open to the public, and all respondents are invited to attend. Bids/Proposals received after the deadline imposed will not be accepted, and any late bids/proposals received via any mail courier will be returned to the vendor. Bid/Proposals are not accepted via e mail.

- Bid Tabulation: The Finance Director or his/her designee will prepare a bid tabulation sheet listing all responses received from each vendor along with other information such as vendor terms, lead times, and warranties.
- Bid Review: The Department Director and Finance Director or his/her designee will review the responses and agree on which bid/proposal to deem most advantageous to the City.
- Bid Approval: The Department Director will prepare a memo to the City Manager describing the bid/proposal and state a recommendation for action. The memo and bid tabulation will be submitted to the City Manager for approval and inclusion on the next possible City Council agenda.
- CITY COUNCIL APPROVAL: ONLY THE CITY COUNCIL HAS THE AUTHORITY TO AUTHORIZE A CONTRACT OR ORDER OVER \$10,000.00 WORTH OF GOODS / SERVICES TO A VENDOR.

6.0 PREPARING BID SPECIFICATIONS IN DETAIL

Written specifications giving a clear and concise description of the item(s) to be purchased must accompany all purchase requisitions totaling \$50,000.00 or over. Product specifications are the responsibility of the requesting department, but, when requested, the Finance Director or his/her designee will participate with each department in establishing specifications. Departments are encouraged to include the Finance Department from the beginning of a project and to seek upon any expertise that Finance Director or his/her designee might have in the formulation of product specifications. If required, the Finance Director or his/her designee will schedule a pre-bid/proposal meeting for the purpose of developing or reviewing specifications and answering questions.

Department Directors will establish and approve specifications for construction and repair contracts, vehicles and equipment. All specifications that include tractors and vehicular equipment, including trailers that attach to such vehicular equipment, shall be jointly approved by the Department Director responsible for overseeing the City's Department vehicle fleet, and the City Manager. All vehicle specifications shall be generic and should not be written around a particular type or make of equipment.

- 6.1 Brand Names - In order to provide a fair and equal opportunity for all vendors, City policy prohibits brand names from being specified as the only brand that will be accepted. Brand names can only be used as an example of the type of material required. When a brand name is used in a specification, the statement "Brand name

- 6.2 or equal” should always be used. The only exception to this policy should be when the item to be purchased can only be used with existing equipment and the brand specified is the only brand that would work with the existing equipment.
- 6.3 Sole Source Purchases - A purchase might be necessary or practical from only one vendor. Some of these are defined by state statute: [Texas Local Government Code Section 252.022]
- There is no competitive product. The good/service is a one-of-a-kind or patented product, a copyrighted publication available from only one source, or a unique item such as an artwork. An item that is manufactured by a company and sold through several distributors is not considered a sole source since quotes can be obtained through several distributors.
 - The product is only available from a regulated or natural monopoly. For example, utilities, gravel from the only pit in the area, or some similar situation.
 - The product is a component of an existing system that is only available from one supplier. The replacement of a component or a repair part may only be available from the original supplier.
- 6.4 Sole Source Purchasing Form – Departments must document any Sole Source Purchases by including a detailed memo, and/or a letter authenticating the nature of sole distribution rights from vendor, and the City Letterhead Sole Source Purchasing Form.

7.0 EMERGENCY PURCHASES / OTHER EXEMPT PURCHASES

Texas statute (Texas Local Government Code 252.022) allows local governments to make emergency or exempted purchases without competitive bidding. Although there is not a precise definition of what constitutes an emergency purchase, a municipality is generally exempted from competitive bidding if:

- a. In case of a public calamity, the prompt purchase of items or service is required to provide for the needs of the public or to preserve the property of the City of Elgin, or
 - b. The item is necessary to preserve or protect the public health or safety of residents of the City of Elgin, or
 - c. The item is made necessary by unforeseen damage to public machinery, equipment, or other property.
- 7.1 For purposes of this policy, the emergency purchase as outlined above shall be defined as a Local Emergency, as distinguished from a Disaster Declaration.
- 7.2 A Disaster Declaration is an emergency that entails the formal declaration by the Mayor, and in which the Emergency Operations Center is deployed.

7.3 In cases of a Local Emergency, Tier 5 approvals are amended as follows:

Tier	Type	Lower limit	Upper limit	Quotes/Bids	Approval
5	Informal	\$ 5,000.01	and up	3 written, if possible, if not, telephone	Dept. Director Finance Director City Manager

If purchase is over \$10,000 then item must be placed on next agenda for payment ratification by City Council

7.4 In the case of a Disaster Declaration, the same process is followed for a Local Emergency, except that an additional approval by the Emergency Management Command is required for all such purchases.

7.5 Emergency Purchase Form – Departments must document any Emergency Purchases by including a detailed memo stating the nature of emergency, and/or a letter from Emergency Management Command authenticating the nature of emergency, and the City Letterhead Emergency Purchasing Form.

7.6 In addition to emergency exemptions there are other types of exemptions from the bidding procedures as established by Texas Local Government Code 252.022, including:

- Personal, professional, or planning services defined only as those performed by a certified public accountant, licensed architect, physician, optometrist, surgeon, registered surveyor, engineer or any group or association thereof. If the service, you are procuring is not listed above; it is NOT A PROFESSIONAL SERVICE.
- In cases where equipment must be dismantled in order for a vendor to provide an estimate.

8.0 CHANGE ORDERS TO PURCHASES ORDERS OR CONTRACTS

All change order or modification requests to purchase orders or contracts must be submitted to the Office of the City Manager. The City Manager has the authority to approve changes in the plans or specifications of a contract award over \$50,000.00 after performance of the contract has commenced, or to decrease or increase the quantity of work to be performed, or materials, equipment, or supplies to be furnished.

The City Manager is authorized to approve change orders, subject to the following conditions:

- a. The original contract price may not be increased more than 25%;
- b. The original contract price may not be decreased more than 25% without the consent of the contractor;
- c. The change order involves a decrease or an increase of \$25,000 or less;
- d. All change orders must be reviewed and approved by the City Council prior to final payment to the contractor, even if previously approved by the City Manager and fully executed; (Texas Local Government Code, Sec. 252.048).

Copies of invoices, and all correspondence related to the change order, including a memo from Department Director, will be sent to the Finance Department and will become part of the permanent file of the purchase order or contract/project.

9.0 STATE CONTRACTS & OTHER PURCHASING COOPERATIVES AND ANNUAL CONTRACTS

- 9.1 State Contracts - The City of Elgin participates in the State of Texas Cooperative Purchasing Program (CO-OP). The program allows the City to make procurements through contracts established by the state with various vendors for a wide variety of products and services. Since advertising and bid procedures have already been satisfied by the State through these contracts, the City does not have to go through the advertising and bidding process when making purchases through the state program. A listing of products and services available through state contract is available from Finance Department or on the Texas Comptroller of Public Accounts website.
- 9.2 Other Purchasing Cooperatives - The City of Elgin participates with several other cooperative purchasing programs. In each case, all advertising and bidding requirements have been satisfied. The City is a participating member of the following cooperatives (including but not limited to):
 - Buy Board
 - Texas SmartBuy

10.0 ANNUAL CONTRACT

Repetitive purchases of the same item from the same vendor may not individually exceed the approval levels, but when taken in the aggregate, may exceed the minimum level to warrant the bidding process. In such cases, the City Council or Office of the City Manager may establish an annual contract with a vendor or use state or local cooperative purchasing contracts for specific repetitively-used items such as fuel, street material, or other services. After the City Council has approved an agreement, if needed, authorized department representatives may make purchases of the materials or services specified under the contract directly from the successful vendor through the annual contract with regards to approved annual amounts set forth by the City Council.

11.0 PURCHASING ETHICS

Anyone engaged in procurement for the City of Elgin shall comply with the following ethical standards: (24 CFR 85.36 (b) (3)).

11.1 PERSONAL GAIN

It shall be a breach of ethics to attempt to realize personal gain through public employment with the City of Elgin by any conduct inconsistent with the proper discharge of the employee's duties.

11.2 INFLUENCE OF A PUBLIC EMPLOYEE

(Note: For additional important provisions see Section 19 of the ACC)

It shall be a breach of ethics to attempt to influence any public employee of the City of Elgin to breach the standards of ethical conduct set forth by the City.

11.3 PARTICIPATING IN PROCUREMENTS WITH FAMILY OR FRIENDS (24 CFR 85.36(b) (3) and Section 19 of the ACC)

It shall be a breach of ethics for any employee of the City of Elgin to participate directly or indirectly in procurement when the employee knows that:

- a. The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- b. A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- c. Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

11.4 GRATUITIES (24 CFR 85.36(b) (3) and Section 19 of the ACC)

It shall be a breach of ethics for any employee of the City of Elgin to solicit or accept any gratuity or offer of employment in connection with a City purchase.

11.5 KICKBACKS (24 CFR 85.36(i) (4)).

It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a vendor/subcontractor under a contract to the prime vendor/contractor or higher tier subcontractor for any contract for the City of Elgin or any person associated therewith, as an inducement for the award of a subcontract or order.

11.6 CONTRACT CLAUSE

The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation therefore.

11.7 CONFIDENTIAL INFORMATION

It shall be a breach of ethics for any employee or former employee of the City of Elgin knowingly to use confidential information for actual or anticipated gain of any person.

11.8 PURCHASE OF MATERIALS, EQUIPMENT, & SUPPLIES FOR PERSONAL USE

No employee may purchase City property for his/her own personal use including City Auctions. This includes both new and used equipment, materials, or supplies.

11.9 PRIVATE PURCHASES THROUGH CITY FACILITIES

No employee may use the purchasing power of the City of Elgin to make private purchases. In addition, employees should not have private purchases sent to the City.

11.10 DISCLOSURE OF INTERESTED PARTIES

In accordance with section 2252.908 of the Texas Government Code, The City of Elgin may not enter into a contract with a business entity that requires the approval of the City Council until that business entity files a Form 1295 with the Texas Ethics Commission through the Texas Ethic Commission online reporting, and then files the completed, signed, and notarized Form 1295 with the City Secretary Office of the City of Elgin.

11.11 PROHIBITED CONTACT

Once the City Council has approved going out for bids on a procurement, there shall be no contact by any potential vendor/bidder with any member of the City Council or with any City staff, other than with the City Secretary's Office in the normal course of the bidding process.

12.0 MISCELLANEOUS

12.1 TAX EXEMPT STATUS

The City of Elgin is exempt from federal, state, and municipal taxes except in certain prescribed cases such as hotel/motel taxes. A Texas Sales and Use Tax Exemption Certificate may be provided to vendor as proof of exemption status. The City of Elgin Taxpayer identification number is: 74-6000822

12.2 CONSIDERATION OF LOCATION OF BIDDER'S PRINCIPAL PLACE OF BUSINESS – City of Elgin reserves the right to award a higher bid if the higher bid is from a local business located in the City of Elgin and is within 3% of the lower bid for real property and 5% for construction projects. The City Manager has full discretion when considering the Principal Place of Business statute.

13.0 PROCEDURES

13.1 City of Elgin Vendor's List

- a. It is required that all vendors wishing to do business with the City of Elgin must properly complete and submit the Vendor's application (Exhibit # 1) including the most recent version of the W9 form. (Exhibit # 2)
- b. Effective at the date of adoption of this policy any vendor who is awarded a contract through the Elgin City Council will be required by state law to complete online and notarize the Certificate of Interested Parties Form 1295. The form must be submitted within 10 days after award date to the Finance Department to accountspayable@elgintexas.gov.

<https://www.ethics.state.tx.us/filinginfo/1295/>

13.2 Preparation of Requisitions for Routine Goods and Services

- a. Purchase Requisitions for routine goods and services will be prepared by the departments and entered into the City's Purchase Order Module. The Finance Director will review for completeness, accuracy, budgetary authorization, allowability, and reasonableness.
- b. Purchase Requisitions will contain all of the following information:
 1. Vendor name and address.
 2. Type of Request. Specify whether the request is for goods, services, a blanket purchase order, or are amending an existing purchase order.
 3. Ship-to address. If there is a legitimate reason to have the goods shipped directly to a specific location, specify that location here. Note that if you choose to be the receiver of the goods, you are responsible for verifying the items received and their condition and forwarding the necessary signed paperwork to the Finance Department.
 4. Date required and special instructions (if any). Specify the date the items requested are needed. Be sure to provide as much lead-time as is practical by determining needs as far as possible in advance. The Department Director, or their designee, is responsible for requisitioning materials or services in sufficient time to allow purchasing to transact and arrange delivery in the most effective and cost-efficient manner.
 5. Provide all of the following information where applicable: description of items or service being requested, catalog number, quantity, units, unit cost, and total amount for each item ordered.

6. In the purchase requisition specify the City of Elgin line item(s) to be charged. The line item must have an authorized budget, with funds available.
7. Signatures of the Requestor and Approval of the Department Director required in the Purchase Requisition
8. Issued Date, this is the date of the purchase order that the requisition was prepared.
9. Only after approval of the Finance Director is the Purchase Requisition considered to be properly approved and the purchase requisition will change to Purchase Order.

13.3 Initiation of Requisitions for Specialized Services

- a. Requisitions for specialized services will be initiated by the Department Director.
- b. If the goods or services are complex, highly technical, or require a formal request for proposal, an appropriate contract will be prepared. The contract will be considered executed when the City Mayor and the contractor have provided original signatures on the contract documents. The City Mayor is the only person authorized to enter into contracts on behalf of the City of Elgin and must be approved in advance by the City Council. One copy of the contract with original signatures will remain with the Finance Department, and one copy will be provided to the contractor.
- c. Contracts of \$0.01 or higher must be approved in advance by the City Council.
- d. Upon execution of the contract, a Purchase Requisition will be prepared according to the specifications in Section 13.2 (a) and submitted to the Finance Department along with the original contract.
- e. A Purchase Requisition with the approval of the Department Director shall be sent to the Finance Department. The Requisition should also contain suggested vendors with bids/quotes for the Product/Service. Requisitions must be complete. Finance Department will then issue Purchase Order in a timely fashion to the respective Department Director.
- f. Requisitions for purchases will be reviewed to ascertain that the amount of the requisition is within budgetary parameters. Purchase orders will be made on approved purchase order forms and reviewed for correctness and completeness. Approval of the Purchase Requisition and generation of a Purchase Order will occur prior to establishment of a firm order. Copies of the Purchase Order and all supporting documentation will be filed to allow for timely follow-up on incomplete orders.
- g. Wherever feasible, the City of Elgin will purchase goods and services from businesses located within city limits.

- h. Any Purchase order awarded to any State or Federal CO-OP, will be submitted to the awarded CO-OP, by the Department Director in order to receive the correct price or discount mentioned in the submitted quote by the vendor.

13.4 Check Requisition.

- a. This document will only be used in extreme situations when the nature of the operation requires immediate attention and must have the authorization of the Department Director, the Finance Director and the City Manager, (Exhibit # 3), this document must be accompanied by the invoice, quotes, packing lists and the reason why a purchase order was not used.

13.5 Travel Request Form.

- a. This document will only be used for travel reasons, which include lodging, meals, registration for attendance at conferences, trainings (face-to-face or virtual) employee license renewal and any other related expenses. Must have the authorization of the Department Director, the Human Resources Director, the Finance Director, and the City Manager (Exhibit # 4).

13.6 Credit Card Usage.

- a. The City of Elgin encourages making payments with City-Owned credit cards.
- b. The Credit Cards are managed by the Finance Department.
- c. Use of Credit Cards. Any City Department that requires making emergency purchases, payments where the City of Elgin does not maintain a credit account, or online payments. The Department Director must use the credit card assigned or must request the use of credit cards to the Finance Department, it is the responsibility of the Department Director the use of any Credit Cards owned by the City of Elgin and it will only be issued to him/her or his/hers designees. The requirements for credit cards issuance are: an Approved Purchase Order, Approved Check Requisition or Approved Travel Request Form.
- d. Due to the constant use of the Credit Cards, the Credit Card must remain in custody of the City employee who requested it, and must be returned to the Finance Department as soon as possible. No Credit Card should be kept until the next day unless prior approval by City Manager or Finance Director

13.7 Uniform Guidance 2 CFR 200.

The purpose of 2 CFR part 200 is to streamline the Federal government's guidance on administrative requirements, cost principles, and audit requirements to more effectively focus Federal resources on improving performance and outcomes, while ensuring the financial integrity of taxpayer dollars in partnership with non-Federal stakeholders.

13.8 Uniform Guidance 2 CFR 200.320

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

14.0 PETTY CASH

14.1 Petty Cash Usage

- a. Petty Cash usage must be approved by the Finance Director.
- b. Finance Department must determine the amount and which departments should have Petty Cash. The Petty Cash will be the responsibility of the Department Director.
- c. The department director must appoint an individual to be custodian of the department's petty cash fund. Petty cash custodians must be permanent employees. Only the Utilities Department will allow employees in probation the use of the petty cash. The custodian remains accountable for the petty cash fund until another person is officially designated as the new custodian, or the fund is closed.
- d. Petty Cash Funds are established for departmental use for incidental and emergency small-dollar purchases not to exceed \$50.00 per transaction, where the use of alternative means (e.g., Purchasing Card) is not feasible. Reimbursement for properly approved expenses may be obtained directly from this fund. The size of a Petty Cash Fund will be determined by the business needs of the requesting department but will typically not exceed \$500 in cash on hand.
- e. Petty Cash Custodian will request a Petty Cash Replenishment when the funds reach the minimum amount of \$ 50.00. (Exhibit # 5) Replenishment for petty cash must be for the exact amount of the expense. Splitting one transaction in excess of \$100 into several parts or requesting reimbursement of less than the full amount of the expense is specifically not allowed.
- f. Petty Cash may NOT be used for:
 1. Payment for services performed by employees or non-employees.
 2. Advances.
 3. Gifts.
 4. Personal loans or expenses.
 5. Expenses incurred more the 15 days prior to the cash reimbursement request.

- g. The Finance Department may conduct on-site audits of selected department Petty Cash Funds. The funds will be selected randomly at any given time as necessary by Finance Department. For an audit, the custodian will need to provide the auditor with evidence of reconciliations, reimbursement receipts showing the types of reimbursements being made with the fund and provide evidence that the fund is being stored securely when not in use.
- h. Failure to properly safeguard, reconcile and administer petty cash funds may lead to revocation of the petty cash fund from the department and/or disciplinary action up to and including termination.

15.0 LOCAL PREFERENCE PROGRAM

15.01 Declaration of program policy.

- (a) It is the policy of the City of Elgin to use its spending powers to promote fiscal responsibility and maximize the amount of resident tax dollars that remain in the local economy for the benefit of its citizens by utilizing all available legal opportunities to contract with city businesses.
- (b) It is the policy of the City of Elgin to place an affirmative duty on city departments to grant a preference to city businesses unless doing so would be contrary to the best interests of the City of Elgin.
- (c) It is the policy of the City of Elgin to achieve the policy goal in subsection (a) above by utilizing all permissible tools.
- (d) Nothing in the article prohibits the city from rejecting any and all bids.

15.2 Definitions.

The words and phrases defined in this section and used in this article have the following meanings:

Bid means a response to a procurement for goods or non-professional services awarded solely in the basis of price.

Bidder means a responsible person or business entity that submits a responsive bid.

City business means a for-profit business with a principal place of business within the city limits.

Headquartered means the place where a business entity's officers direct, control and coordinate the entity's activities.

Joint venture means a collaboration of for-profit business entities, in response to a solicitation, which is manifested by a written agreement between two (2) or more independently owned and controlled business firms to form a third business entity solely for purposes of undertaking distinct roles and responsibilities in the completion of a given contract. Under this business arrangement, each joint venture partner shares in the management of the joint venture and also shares in the profits or losses of the joint venture enterprise commensurately with its contribution to the venture.

Place of business means a business headquartered for one year or more or having an established place of business for one year or more in the incorporated limits of the city and from which at least one hundred (100) of its employees or at least twenty (20) percent of its total number of full-time, part-time and contract employees are regularly-based and from which a substantial role in the business's performance of a commercially useful function or a substantial part of its operations is conducted by those employees. A location utilized solely as a post office box, mail drop or telephone message center or any similar combination, with no other substantial work function, is not a principal place of business.

15.3 Purchases of personal property.

- (a) Contracts of one thousand dollars (\$1,000.00) or more. In purchasing any personal property that is not affixed to real property, if the city receives one or more bids from a bidder that is a city business and whose bid is within three (3) percent of the lowest bid price received by the city from a bidder who is not a city business, the city shall enter into a contract that requires an expenditure of one thousand dollars (\$1,000.00) or more with the bidder that is a city business.
- (b) When a bidder is a joint venture, each joint venture partner must meet the definition of a city business to be eligible for the preference described in this section.

15.4 Purchases of non-professional services.

- (a) Non-professional services contracts of ten thousand dollars (\$10,000.00) to under fifty thousand dollars (\$50,000.00). In procuring non-professional services, excluding construction services, if the city receives one or more bids from a bidder that is a city business and whose bid is within three (3) percent of the lowest bid price received by the city from a bidder who is not a city business, the city shall enter into a contract that requires an expenditure of ten thousand dollars (\$10,000.00) to under fifty thousand dollars (\$50,000.00) with the bidder that is a city business.
- (b) Construction services contracts of fifty thousand dollars (\$50,000.00) to under three hundred thousand dollars (\$300,000.00). In procuring non-professional construction services, if the city receives one or more bids from a bidder that is a city business and whose bid is within three (3) percent of the lowest bid price received by the city from a bidder who is not a city business, the city shall enter into a contract that requires an expenditure of fifty thousand dollars (\$50,000.00) to under three hundred thousand dollars (\$300,000.00) with the bidder that is a city business.
- (c) When a bidder is a joint venture, each joint venture partner must meet the definition of a city business to be eligible for the preferences described in this section.

15.5 Purchases of professional services; revenue and concession contracts.

- (a) In procuring professional services under the Professional Services Procurement Act, V.T.C.A., Government Code § 2254.004, the Finance Department may, when appropriate, award up to twenty (20) points to a respondent based upon knowledge of, and experience regarding, local conditions as part of the qualification's determination.

In procuring other professional services not governed by statute, revenue and concession contracts, the managing department may, when appropriate, award ten (10) points to a respondent that is a city business headquartered within the incorporated limits of the city, or five (5) points to a respondent that is a city business not headquartered within the incorporated limits of the city.

- (b) For respondents submitting responses as a joint venture to solicitations for professional services not governed by statute, revenue and concession contracts, the following is applicable:
 - (1) For joint ventures, ownership and location of the individual entities entering into the joint venture relationship may be considered in the award of points. To be considered for points, at least one of the entities must be a city business; and Allocation of points for joint ventures may be determined by the percentage of ownership by a city business (es). If the city business entity (ies) is (are) headquartered within the incorporated limits of the city for one year or more, the managing department may, when appropriate, allocate a percentage of ten (10) points based upon the percentage of city business ownership in the joint venture. If the city business entity(ies) is (are) not headquartered within the incorporated limits of the city for one year or more, the Finance Department may, when appropriate, allocate a percentage of five (5) points based on the percentage of city business ownership in the joint venture.

15.6 Responsibilities and enforcement.

- (a) Finance Department shall determine the feasibility of establishing functionality necessary for a bidder to establish that it has a principal place of business in the city.
- (b) The director of the Finance Department shall maintain written records of all departmental actions under this program.
- (c) The Finance Department is directed to provide written guidance to departments upon implementation of this article and shall work with the Directors of all Departments to provide interpretive guidance and criteria related to joint ventures seeking preferences under this and other city programs to ensure uniform application that meets the intent of this article.
- (d) The submission of documentation by a business entity that is required to establish a principal place of business, or to demonstrate the existence of and participation in a joint venture, that is found to contain false information is grounds for debarment.
- (e) The Finance Department shall produce quarterly reports, summarizing the dollar amount of procurements awarded to city businesses under this program.
- (f) Successor authority. The departmental roles and responsibilities established by this article are extended to any successor department or division that performs comparable duties, in the event of an organizational restructuring or the creation of new or changed departments or divisions, or as otherwise provided by the City Manager.

15.7 Exceptions.

- (a) This program does not apply to any contract funded in whole or in part by the federal government or where the city acts as a conduit for federal money.
- (b) This program does not apply to contracts where the managing department or city council has determined that it would not be in the best interest of the city.
- (c) In accordance with V.T.C.A., Local Government Code § 271.9051, this program does not apply to the purchase of telecommunications services or information services, as those terms are defined by 47 U.S.C.A. § 153.

16.0 NON-DISCRIMINATION CLAUSE

The city of Elgin does not discriminate based on race, color national origin, sex, religion, age, and disability status in employment or provision of service.

EXHIBITS

(The City reserves the right to update the following form
exhibits as needed)



CITY OF ELGIN

Finance Department

Vendor Application

Company Name:			Telephone No.								
Db:			Physical Address:								
Mailing Address:	City:	State:	ZIP								
e-mail:	Representative Name:				Title						
Type of Business											
Manufacturer :	Distributor :	Wholesaler:	Serv ices:	Retailer:	Distri butor:						
Type of product(s) that the company offers:			Can you provide written Quotes?								
ONLY for Builders Contractors: The City Elgin requires that you furnish a certificate of Insurance as Required by Texas labor Code 406.096 prior to commencement of any work/service. Coverage must be as follows (minimum amounts) <table style="width: 100%;"> <tr> <td>Worker's Compensation</td> <td style="text-align: right;">Statutory</td> </tr> <tr> <td>Comprehensive General Liability</td> <td style="text-align: right;">\$ 1,000,000.00</td> </tr> <tr> <td>Bodily Injure Property Damage (Per Occurrence)</td> <td style="text-align: right;">\$ 1,000,000.00</td> </tr> </table> NOTE: <u>These Values and Coverages may change depending on the need of the project in question.</u> Please return this form by e-mail to: accountspayable@elgintexas.gov City of Elgin Texas Finance Department 310 N Main Street Elgin, TX. 78621 Telephone (512) 281-5724						Worker's Compensation	Statutory	Comprehensive General Liability	\$ 1,000,000.00	Bodily Injure Property Damage (Per Occurrence)	\$ 1,000,000.00
Worker's Compensation	Statutory										
Comprehensive General Liability	\$ 1,000,000.00										
Bodily Injure Property Damage (Per Occurrence)	\$ 1,000,000.00										
Please attach picture of the Company Building											
For Office Use Only											
Vendor #		Processed By:		Date:							

Form W-9 (Rev. October 2018) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification ▶ Go to www.irs.gov/FormW9 for instructions and the latest information.	Give Form to the requester. Do not send to the IRS.
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Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
2 Business name/disregarded entity name, if different from above
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____ ☐ Other (see instructions) ▶ _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. 4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)
5 Address (number, street, and apt. or suite no.) See instructions. 6 City, state, and ZIP code 7 List account number(s) here (optional) Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)
 Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
[]	[]	[]	[]	[]	[]	-			
or									
Employer identification number									
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

Employer identification number									
[]	[]	[]	[]	[]	[]	[]	[]	[]	[]

Part II Certification
 Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here
 Signature of U.S. person ▶ _____

Date ▶ _____

General Instructions

 Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

 An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



CITY OF ELGIN-CHECK REQUEST

Date: _____

Vendor Number: _____

Vendor Name: _____

Vendor Mailing Address _____

☐ New Vendor: *include new vendor packet filled out with this form.*

☐ Emergency Request

GL Account Number	Invoice #	Description	Amount
		Total Amount	

- Fill out completely with correct GL Account numbers and description or it will be returned for correction.
- Emergency check requests will need *finance approval* and a valid explanation prior to processing.

Department Head Approval: _____

Finance Approval: _____



Exhibit #4

REQUEST FOR TRAINING & TRAVEL FORM

IMPORTANT: Please submit all necessary paperwork at least 10 business days prior to the Early Bird Registration cut off date. If there is not travel associated with training request, complete only the top 2 sections and submit for approvals.

Employee/Department Information:

Employee Name		Date of Request	
Position		Dept/Division	
Training Budgeted?	☐ Yes ☐ No	Fund	

Training Registration Information:

Course Title(s):		Training Hours	
Training Dates:	-	Early Bird Rate Due by:	
Registration Website:		Registration Cost	\$
Destination (note if virtual)		<i>Attach receipt if paid in advance</i>	

Attendance at this training will benefit the City by: (Attach brochure or registration form—if website is not provided)

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Travel Information:

Departure Date/Time		Return Date/Time:	
Mode of Travel:	☐ City Vehicle ☐ Personal Vehicle ☐ Rental ☐ Air		
Payment:	☐ Request Travel Advance ☐ City Travel Card ☐ Reimbursement <i>(Receipts required upon return)</i>		

Signatures:

Submitted by:		Date:		
	Employee Signature			
Recommended by:		Date:		☐ Authorized ☐ Denied:
	Dept Head/Supervisor Signature			☐ Authorized ☐ Denied:
Reviewed by:		Date:		
	Human Resources Director Signature			☐ Authorized ☐ Denied:
Reviewed by:		Date:		
	Finance Director Signature			☐ Approved ☐ Denied:
Approved by:		Date:		
	City Manager Signature			



TRAVEL WORKSHEET

This form must be submitted to the Finance Department upon completion of travel, with required signatures, copies of course schedules, maps and detailed receipts. If requesting a travel advance payment, this form must be submitted to Finance at least 10 days prior to travel. Any payment(s) for travel will be processed by the Finance Department.

Employee Name		Dept/Division	
Payment:	☐ Request Travel Advance ☐ City Travel Card ☐ Reimbursement (<i>Receipts required upon return</i>)		

Itinerary:

Travel Destination		Nature of Business:	
Total Mileage		<i>Include Map showing points of travel</i>	
Departure Date/Time (Actual)		Return Date/Time (Actual)	

Calculation: GL CODE: - -

	Estimated (Department)	Actual (Employee)	Audit (Finance)
Airfare			
Personal Vehicle Mileage Rate:			
Fuel for City Vehicle <i>(Attach Receipts)</i>			
Lodging			
Meals			
<i>Note: \$10 Breakfast/ \$20 Lunch/ \$30 Dinner – Departure before 7AM for Breakfast and Return after 6PM for Dinner Per Diem is not permitted without approved overnight lodging</i>			
Taxi/Parking/Rideshare/ Rental Vehicle/Toll Fees			
Registration/Conference Fees			
Miscellaneous (Books, Training Products)			
TOTAL EXPENSES			
TRAVEL ADVANCE PAY			
TOTAL DUE TO: ☐ CITY ☐ EMPLOYEE			

The expenses were incurred when and as indicated above, in compliance with the City's travel and procurement policies.

Employee Signature:		Date:	
Finance Signature:		Date:	

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Last 6 Digits of Card Number: _____ **Date Issued:** _____ **Date Returned:** _____

Travel Advance Issued: _____ **Check #:** _____

Exhibit # 5



PETTY CASH REQUEST

DATE: _____

PURPOSE FOR DISBURSMENT/ADVANCE : _____

RECEIPT RECEIVED: _____ GL ACCOUNT: _____

RECEIVED BY: _____

REQUESTED BY: _____

PETTY CASH CUSTODIAN: _____

AMOUNT RETURNED: _____ DATE: _____

ALL PETTY CASH FORMS MUST BE ACCOMPANIED BY A RECEIPT