



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 4, 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. City Of Elgin 101 Graduation Ceremony

VII. CITY MANAGERS REPORT

1. Public Safety Advisory Committee Quarterly Report

Documents:

[PUBLIC SAFETY ADVISORY COMMITTEE REPORT FEB 2023.PDF](#)

2. Historic Review Board Quarterly Report

Documents:

[HRBQUARTERLYREPORT32023.PDF](#)

3. Parks & Recreation Advisory Board Quarterly Report

Documents:

[PARKS ADVISORY BOARD REPORT TO CITY COUNCIL APRIL 2023.PDF](#)

4. Library Advisory Board Quarterly Report

Documents:

[ELGIN PUBLIC LIBRARY LAB REPORT MARCH 2023.PDF](#)

5. 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 - March 21, 2023

Documents:

[EX SUMMARY- MARCH 21, 2023 REGULAR MEETING MINUTES.PDF](#)
[3-21-2023 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. City Council Worksession Meeting Minutes - March 29, 2023

Documents:

[EX SUMMARY- MARCH 29, 2023 WORKSESSION MEETING MINUTES.PDF](#)
[3-29-2023 CITY COUNCIL WORKSESSION MEETING MINUTES.PDF](#)

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO APPROVE PROFESSIONAL SERVICES FEES WITH FGM ARCHITECTS INC. RELATED TO THE ELGIN POLICE DEPARTMENT STATION

PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO.

Documents:

[EXSUMMARY - AUTH EPD FGMA.PDF](#)
[EPD STATION RESOLUTION.PDF](#)
[INVOICE 10 - CITY OF ELGIN NEW POLICE STATION.PDF](#)

IX. NEW BUSINESS

- 1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH BAIRD/WILLIAMS CONSTRUCTION FOR AN AMENDMENT TO BID PACKAGE 1 GUARANTEED MAXIMUM PRICE FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - BWC BID1AMEND_423.PDF](#)
[RESAUTH BWC BID1AMEND423.PDF](#)
[COELGIN BWC - BP1 AMEND - G701-2017.PDF](#)
[ELGIN POLICE STATION RENDER_030923 \(002\).JPG](#)

- 2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BAIRD/WILLIAMS CONSTRUCTION FOR BID PACKAGE 2 GUARANTEED MAXIMUM PRICE FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - BWC BID2_423.PDF](#)
[RESAUTH BWC BID2_423.PDF](#)
[COELGIN BWC - FINAL CONTRACT - BP2.PDF](#)
[EPDBIDSFINAL423.PDF](#)
[ELGIN POLICE STATION RENDER_030923 \(002\).JPG](#)

- 3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WATER TREATMENT PLANT EMERGENCY GENERATOR PROJECT TO ALTERRA POWER SYSTEMS OF SUN PRAIRIE, WISCONSIN; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - 21COS WTP GENERATOR.PDF](#)
[RESAUTH WTPGENERATOR423.PDF](#)
[CITY OF ELGIN 1600KW WATER PLANT.PDF](#)

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

Documents:

[EX SUMMARY - TAX FREEZE2.PDF](#)
[ORDTAXFREEZE323.PDF](#)
[MAYTAXFREEZE323.PDF](#)

5. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 12.04 ACRES OF LAND OUT OF A373 YOUNG, RICHARD TRACT 1, ACRES 12.04 IN BASTROP COUNTY, TEXAS, INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

NEW COUNCIL COVERSHEET.PDF
ANNEXATION ORDINANCE FOR BCAD PARCEL 14461 AND EXHIBITS.PDF

6. AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Documents:

NEW COUNCIL COVERSHEET.PDF
WARD ASSIGNMENT ORDINANCE AND EXHIBIT.PDF

7. AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 4.00 ACRES OF LAND OUT OF A373 YOUNG, RICHARD TRACT 2, ACRES 4.00 IN BASTROP COUNTY, TEXAS, AND BEING FULLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

NEW COUNCIL COVERSHEET.PDF
ANNEXATION ORDINANCE FOR BCAD PARCEL 8728395 AND EXHIBITS.PDF

8. AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

Documents:

NEW COUNCIL COVERSHEET.PDF
WARD ASSIGNMENT ORDINANCE AND EXHIBIT.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

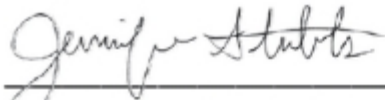
XIII. ADJOURNMENT

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

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

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

I, Jennifer Stubbs, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Saturday, April 1, 2023, in accordance with Chapter 551 of the Texas Government Code.



Jennifer Stubbs, City Secretary

Public Safety Advisory Committee Report

To City Council

February 2023

The newly reconstituted PSAC met in October, 2022 with all members present except Byron Green, who had an excused medical absence. The first order of business was to elect a chairman. Mike Walterscheidt was elected as Chairman of PSAC. It was decided that PSAC will meet quarterly unless an issue arises that they need to address.

Chief Noble discussed the staffing of the Police Department and the new Police Headquarters plans.

Time was spent allowing the committee members to become acquainted with one another.

The second meeting was held on January 19. Prior to the meeting committee member Timothy Brooks submitted his resignation due to health reasons. All committee members were present for this meeting.

Byron Green was elected vice-chair of PSAC.

The final plans for the new Police Station were presented.

The primary topic on the agenda was a discussion of the intersection of Loop 109 and FM 1704. It was felt that it is becoming more dangerous as we have increasingly more new people in the community, many of whom do not realize the need to yield.

PSAC proposes that the City Council discusses this intersection and take action to make it safer possibly by making it a three way stop and a “T” intersection.

Respectfully submitted by Mike Walterscheidt, Chairman PSAC



March 30, 2023

Historic Review Board Quarterly Report to City Council

HRB meets monthly, typically on the 4th Wednesday of the month at 7:30am in the City Council chamber. Board members: Molly Alexander, Chair, Ed Rivers, Robert Ryland, Skie O'Mahoney, Micah Erwin, Jake Carter, Cynthia Burchfield, Barry Barker and Sherri Richardson

HRB reviews an alteration visible from the public right of way in the historic district. The area within the red dotted line in the attached map shows the district.

The board reviewed and approved zoning updates recommended by Development Services. The board reviewed and approved the following applications since October 1, 2022

New construction –

- Elgin Police Department

- Veterans Memorial Park Expansion Block A

Facades

- 14 N Main Street canopy

- 31 N Main Street, cleaning brick, window replacement in rear addition

Signs

- 26 N Main Street off the Rails Sweets & Treats

- 109 Central Avenue Lightnin Bar

- 32 N Main Elgin Dance Studio

- 102 S. Main Downtown Elgin Café & BBQ

- 114 N Main Street Newbo Vintage (staff review)

Downtown Elgin

Historic District – red dotted line

Zoning overlay – yellow and blue



Parks Advisory Board Report to City Council March 29, 2023

The Parks Advisory Board includes Chair Anthony Bullara, Vice-Chair Valerie Tamburri, Secretary Stacey Vanlandingham, Tiffany Finley, Corinne Shigemoto, Jennifer Johnson, and Charles Brown.

Board members are appointed to assist with the prioritization of parks and recreation improvements and repairs through the Parks, Recreation and Open Space Master Plan, review procedures, guidelines and fees to make recommendations, gather community input for programming and physical improvements and provide feedback for parkland fees or adoption.

The City of Elgin, TX Parks & Recreation Department is a regional and state award winning department, supported by the work of staff, the board, volunteers and community organizations.

1.) Summary of Board Activities for the Past 4 Months.

Unfortunately, the Parks Advisory Board did not have a quorum in January or February, however in March the entire board met to recommit themselves to working as a team to support the Parks & Recreation Department. The Parks Advisory Board created a list of goals and objectives to meet in the coming year, including:

- Increase public awareness of Parks & Recreation events, upcoming projects and current facilities and amenities.
- Review current and future Parks & Recreation programming.
- Pursue grant funding for park improvements.
- Increase Public Art in Parks.
- Update the Parks, Recreation and Open Space Master Plan.

Since the beginning of 2023 (from January 1st, 2023 – March 30th, 2023), the Parks & Recreation Department has hosted 10 free community events and supported an additional 5 free community events.

Staff worked with the community at events and with Elgin ISD to collect community input for the replacement of Morris Memorial Park's playground that was damaged in Fall 2022. This input showed a preference for nature styled playgrounds with tall tower elements.

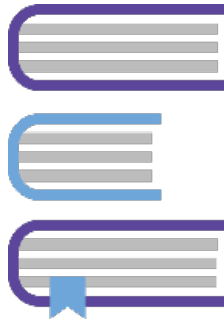
2.) Summary of Proposed Activities for the Next 4 Months

The Parks Advisory Board is currently working on a Public Art Plan for the Parks System that will guide the acquisition of additional art in the parks over the coming years. They have also started gathering a list of completed projects and updates to projects in the Parks, Recreation and Open Space Master Plan to update the City Council later in the year.

The Morris Memorial Playground design will be reviewed in April or May for presentation to City Council.

Upcoming Events Sponsored or Support by Parks & Recreation Include:

- Music in the Park every Friday in April and May
- Yarn Bomb the Park – April and May.
- Community Easter Egg Hunt – April 8th.
- Wellness Waggin & Dog Day Out – April 15th.
- Catch & Release Fishing – April 22nd.
- Explore Elgin Art & Culture – May 6th.
- Space Night – May 20th.



Elgin Public Library
Library Advisory Board

The Elgin Library Advisory Board held 3 meetings so far for FY2022-2023: November, December, and February.

During this period, the Board updated and made a motion to approve the new Elgin Public Library Mission Statement and Objectives. The mission statement and the objectives have been added to the library's website at: <https://www.elgintexas.gov/1225/About-Library>.

In addition, the Board discussed the meeting room #114 and made a motion to change the name of the room to the Al Guerrero Memorial Board Room in memory of the former Friends of the Elgin Library President who had an important role in the existence of the library's current facility. This motion was then moved to City Council where it was approved in March 2023.

The Library Advisory Board has plans to also update the library's strategic plan later this year using the results from the library's recent Teen Needs Assessment as well as additional comments and suggestions made by the community.



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 – March 21, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes- March 21, 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- March 21, 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
MARCH 21, 2023

CALL TO ORDER

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

Roll Call

Present:

Theresa McShan, Mayor
Sue Brashar, Mayor Pro Tem
Joy Casnovsky, Council Member
Arthur Gibson III, Council Member
Chuck Swain, Council Member
Forest Dennis, Council Member
Skyler Maldonado, Council Member

Absent:

Al Rodriguez, Council Member
Matthew Callahan, Council Member

Mayor McShan called roll call and stated that Mr. Callahan was out due to a death in the family and Mr. Rodriguez was out of town. Mayor Pro Tem Brashar made a motion to approve the absences of Mr. Rodriguez and Mr. Callahan. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

Staff:

Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Amy Miller, Community Services Director
Michael Gonzalez, Public Works Director
Belen Pena, Finance Director
Kaley Frye, Assistant Director EDC
Pam Sanders, HR Director
Sonia Browder, Media Specialist
Owen Rock, ED Director
Beau Perry, City Engineer
Aaron Crim, Commander
Kristina Alvarez, Main Street Manager
Sonia Browder, Media Specialist

INVOCATION

Mr. Swain 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 COMMENT

There were no public comments.

CITY MANAGER'S REPORT

1. Discussion And Possible Direction To Staff Regarding Proposed Traffic And Safety Improvements For The Intersection Of Main St. And Harris St.

Mr. Mattis provided some background information. He stated that TXDOT would like an endorsement from the City Council on the next steps. Discussion followed. Mr. Perry answered questions of the Council. Mr. Dennis made a motion to endorse Plan B. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

2. General Activity Report and/or Project Update

Mr. Mattis stated that storm debris is still being collected by staff and provided a brief update on the storm cleanup. He stated that the new chipper has arrived. Mr. Mattis stated that the police station's groundbreaking ceremony happened yesterday and that it went well. He stated that the bids came out higher than expected and that the team has been working hard at the overall numbers. Mr. Mattis stated that he discussed with the Mayor about having a worksession to discuss the police station project.

CONSENT AGENDA

1. City Council Regular Meeting Minutes March 7, 2023

The minutes passed on the consent agenda.

2. CONSIDER REQUEST TO WAIVE OPEN CONTAINER FOR LUNA MARKET IN ELGIN MEMORIAL PARK FROM 7:00PM To 10:00PM FRIDAY JUNE 2.

The item passed on the consent agenda.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, REQUESTING THE TEXAS LEGISLATURE TO DIRECT STATE FUNDS TOWARD BROADBAND DEPLOYMENT AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ADVANCED WATER WELL TECHNOLOGIES FOR WELL REPAIRS; AND MAKING CERTAIN FINDINGS RELATED THERETO.

The resolution passed on the consent agenda.

5. A RESOLUTION BY THE CITY OF ELGIN, TEXAS SUSPENDING THE MAY 1, 2023, EFFECTIVE DATE OF THE PROPOSAL BY CENTERPOINT ENERGY RESOURCES CORP., D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS – SOUTH TEXAS DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2023 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY.

The resolution passed on the consent agenda.

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

NEW BUSINESS

1. CONSIDER REQUEST TO NAME THE LIBRARY CONFERENCE ROOM AL GUERRERO MEMORIAL BOARD ROOM.

Mr. Mattis stated that this is a request that came from the Library Board and the Library staff. Ms. Miller provided some information about the contributions of Mr. Al Guerrero. Mr. Swain made a motion to approve the request. Ms. Casnovsky seconded the motion. All voted in favor. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH LONE STAR SITEWORK LLC FOR CONSTRUCTION SERVICES RELATED TO ROY RIVERS ROAD PHASE 3 EXTENSION PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO.

Mr. Mattis stated that this project was partially funded through the 2021A Certificates of Obligation but is paid for by the EDC. He stated that there was a utility's grant awarded by the State. He stated that Carr Lane is relying on this project to come to completion and that the bid is close to the estimate that was projected. Mr. Mattis answered questions of the Council. Mr. Dennis made a motion to approve the ordinance. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

3. AN ORDINANCE OF THE CITY OF ELGIN, TEXAS, ESTABLISHING AN AD VALOREM TAX LIMITATION FOR RESIDENTIAL HOMESTEAD PROPERTY OWNERS OF THE CITY OF ELGIN WHO ARE DISABLED OR 65 YEARS OF AGE

OR OLDER; PROVIDING FOR DEFINITIONS; PROVIDING SAVINGS AND SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

Mr. Mattis stated that this item has been previously discussed with the Council. He stated that last year, the city had already passed the deadline. He stated that a decision to affect this tax year would need a decision by July 1st. Mr. Mattis stated that there is a current tax exemption of \$50,000. He answered questions of the Council. Mayor Pro Tem Brashar stated that this is a long time coming and that she would like to provide some relief to Veterans, those who are disabled, and those who are over 65 years old. Discussion followed. Mr. Mattis stated that we could reach out to the school district and the tax office to check on the number of citizens who are eligible for the exemption. Ms. Casnovsky made a motion to table the ordinance until the next meeting. Mr. Swain seconded the motion. All voted in favor. The motion carried.

EXECUTIVE SESSION

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

The City Council did not retire into Executive Session.

ANNOUNCEMENTS

Mr. Dennis stated that he went to the dedication ceremony for one of the families who lost her home due to the tornados.

ADJOURNMENT

Mayor McShan adjourned the meeting at 7:40 p.m.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Worksession Meeting Minutes – March 29, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Worksession Meeting Minutes- March 29, 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 Worksession Meeting Minutes- March 29, 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 WORKSESSION
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
MARCH 29, 2023

CALL TO ORDER

Mayor McShan called the meeting to order at 6:12 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
Forest Dennis, Council Member
Al Rodriguez, Council Member
Skyler Maldonado, Council Member

Absent:

Matthew Callahan, Council Member

Mayor McShan called roll call and stated that Mr. Callahan was out.

Staff:

Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Michael Gonzalez, Public Works Director
Chris Noble, Chief of Police
Aaron Crim, Commander
Todd Johnson, Sergeant

General Discussion

1. Review And Discussion Of The New Elgin Police Department Station Including But Not Limited To Possible Discussion Of Expenditures, Infrastructure, Operations, And Functions Related Thereto

Mr. Mattis discussed the overall costs of the Elgin Police Department Station project. He stated that the primary funding mechanism is from the Certificates of Obligation. Mr. Mattis stated that the 2021 Certificates of Obligation are to be used for utilities only but the 2021A Issuance is more flexible. He answered questions of the Council. He stated that the staff is trying to gauge the

council's comfort with spending. Mr. Mattis discussed additional items that are wanted for the new police station but not required right away. Staff is confident there are no additional cost savings to be found. He stated that if all three Municipal Utility District projects follow through, the city will receive 8 million dollars which could be a funding opportunity. Discussion followed on which project additions to keep and to remove for the Elgin Police Station Project.

ADJOURNMENT

Mayor McShan adjourned the meeting at 7:45 p.m.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

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

DEPARTMENT: City Manager/EPD

PROPOSED ACTION: Approval of a Resolution authorizing the City Manager to remit payment for professional services fees in the amount of \$33,105.70 for the month of January and February as associated with the City of Elgin Police Station Project.

BACKGROUND:

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

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

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adopt and approve a Resolution authorizing the City Manager to remit payment for professional services fees associated with the City of Elgin Police Station Project.

ATTACHMENTS: (1) Resolution (2) Invoice

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

{ } 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 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 \$33,105.70 for the month of January and February 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 4th day of March 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

March 9, 2023

Invoice No: 22-3415.01 - 10

Project 22-3415.01 Elgin TX New Police Station
Professional Services from January 28, 2023 to February 24, 2023
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	101,270.00	0.00
Construction Documents	202,540.00	100.00	202,540.00	192,413.00	10,127.00
Bidding	25,318.00	90.00	22,786.20	0.00	22,786.20
Construction Administration	101,270.00	0.00	0.00	0.00	0.00
Total Fee	506,350.00		402,548.20	369,635.00	32,913.20
Total Fee					32,913.20
Reimbursable Expenses					
Miscellaneous				192.50	
Total Reimbursables				192.50	192.50
TOTAL CURRENT INVOICE					<u><u>\$33,105.70</u></u>

Billings to Date

	Current	Prior	Total	Received	A/R Balance
Basic Services	32,913.20	369,635.00	402,548.20		
Expense	192.50	1,532.10	1,724.60		
Totals	33,105.70	371,167.10	404,272.80	371,167.10	33,105.70

Please remit to:

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

630.574.8300

Billing Backup

Thursday, March 9, 2023

FGM Architects Inc.

Invoice 10 Dated 3/9/2023

1:03:45 PM

Project	22-3415.01	Elgin TX New Police Station
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Reimbursable Expenses

Miscellaneous

EX	0019396	2/24/2023	Palomo, Jaime / TDLR Project Registration / TDLR registration for Elgin Police Station #22- 3415.01	192.50
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Total Reimbursables	192.50	192.50
----------------------------	---------------	---------------

Total this Project	\$192.50
---------------------------	-----------------

Total this Report	\$192.50
--------------------------	-----------------

Please remit to:

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

630.574.8300



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH BAIRD/WILLIAMS CONSTRUCTION FOR AN AMENDMENT TO BID PACKAGE 1 GUARANTEED MAXIMUM PRICE FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; & MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager/Police Chief

PROPOSED ACTION:

This item is for consideration of a Resolution to authorize the City Manager to execute an amendment to the Guaranteed Maximum Price agreement with Baird/Williams Construction for Bid Package 1 of the City of Elgin Police Department (EPD) Station Project.

BACKGROUND:

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

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

Upon recommendation of the Committee, the Council designated Baird/Williams Construction, Ltd. (BWC) as the most qualified firm to provide the Construction Manager at Risk (CMAR) delivery method for design and construction of the Project, as authorized under state law.

The City Council has previously approved a contract with BWC for a Guaranteed Maximum Price (GMP) relative to Bid Package 1 in support of the Project.

BUDGET/FINANCIAL IMPACT:

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

***Full funding for the Project previously authorized through 2021A CO & ARPA funds*

RECOMMENDATION:

Approval of a Resolution authorizing the City Manager to execute an amendment to the Guaranteed Maximum Price agreement with Baird/Williams Construction for Bid Package 1 of the City of Elgin Police Department Station Project; and direction to staff, if any, regarding same.

ATTACHMENTS: Resolution, Agreement, Project Renderings

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONTRACT AMENDMENT WITH BAIRD/WILLIAMS
CONSTRUCTION FOR AN AMENDMENT TO BID
PACKAGE 1 GUARANTEED MAXIMUM PRICE FOR THE
NEW CITY OF ELGIN POLICE DEPARTMENT STATION;
AND MAKING CERTAIN FINDINGS RELATED
THERE TO**

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 Elgin City Council has authorized utilization of the “Construction Manager at Risk” (“CMAR”) for the Project under Texas Government Code, Chapter 2269 and has designated Baird/Williams Construction, Ltd. as the most qualified firm to provide the CMAR delivery method for the Project; and,

WHEREAS, Baird/Williams Construction, Ltd. has submitted an amendment to the Guaranteed Maximum Price (GMP) for Bid Package as approved by the City Council

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an amendment to the Guaranteed Maximum Price agreement with Baird/Williams Construction, Ltd. of Temple, Texas, for Bid Package 1 of the City of Elgin Police Department Station Project, a copy of said agreement being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. 2021A Certificates of Obligation Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021A Certificates of Obligation debt issuance in support of the project that is the subject matter of this Resolution; and does further acknowledge that an amendment to the *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 4th day of April, 2023

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary



AIA® Document G701® – 2017

Change Order

PROJECT: (Name and address)

New Police Station - BP1
204 Depot Street
Elgin, Texas 78621

CONTRACT INFORMATION:

Contract For: General Construction
Date: February 21, 2023

CHANGE ORDER INFORMATION:

Change Order Number: 001
Date: March 31, 2023

OWNER: (Name and address)

The City of Elgin, Texas
310 North Main Street
Elgin, Texas 78621

ARCHITECT: (Name and address)

FGM Architects, Inc.
3711 South Mopac Expressway, Building
2, Suite 150
Austin, Texas 78746

CONTRACTOR: (Name and address)

Baird/Williams Construction, Ltd.
P.O. Box 917
Temple, Texas 76503

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

This Change Order includes the Project savings from incorporating Post-Bid Addendum #01 into the project as issued by FGM Architects, dated March 10, 2023.

This Change Order includes the elimination of Scheduled Allowance No. 1 - Owner's Contingency, Scheduled Allowance No. 2 - Contractor's Contingency, and Scheduled Allowance No. 3 - Exterior Hollow Metal Door Frames (Material).

This Change Order includes the following Bid Alternates:

Bid Alternate #2.1 - Sally-Port Concrete Piers

Bid Alternate #2.2 - Sally-Port Structural Steel and Erection

Bid Alternate #3A - Eyebrow Canopies Structural Steel and Erection

The original Guaranteed Maximum Price was	\$ 1,601,275.00
The net change by previously authorized Change Orders	\$ 0.00
The Guaranteed Maximum Price prior to this Change Order was	\$ 1,601,275.00
The Guaranteed Maximum Price will be decreased by this Change Order in the amount of	\$ 327,837.00
The new Guaranteed Maximum Price including this Change Order will be	\$ 1,273,438.00

The Contract Time will be unchanged by Zero (0) days.

The new date of Substantial Completion will be unchanged.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

FGM Architects, Inc.

ARCHITECT (Firm name)

Baird/Williams Construction, Ltd.

CONTRACTOR (Firm name)

The City of Elgin, Texas

OWNER (Firm name)

SIGNATURE

SIGNATURE

SIGNATURE

PRINTED NAME AND TITLE

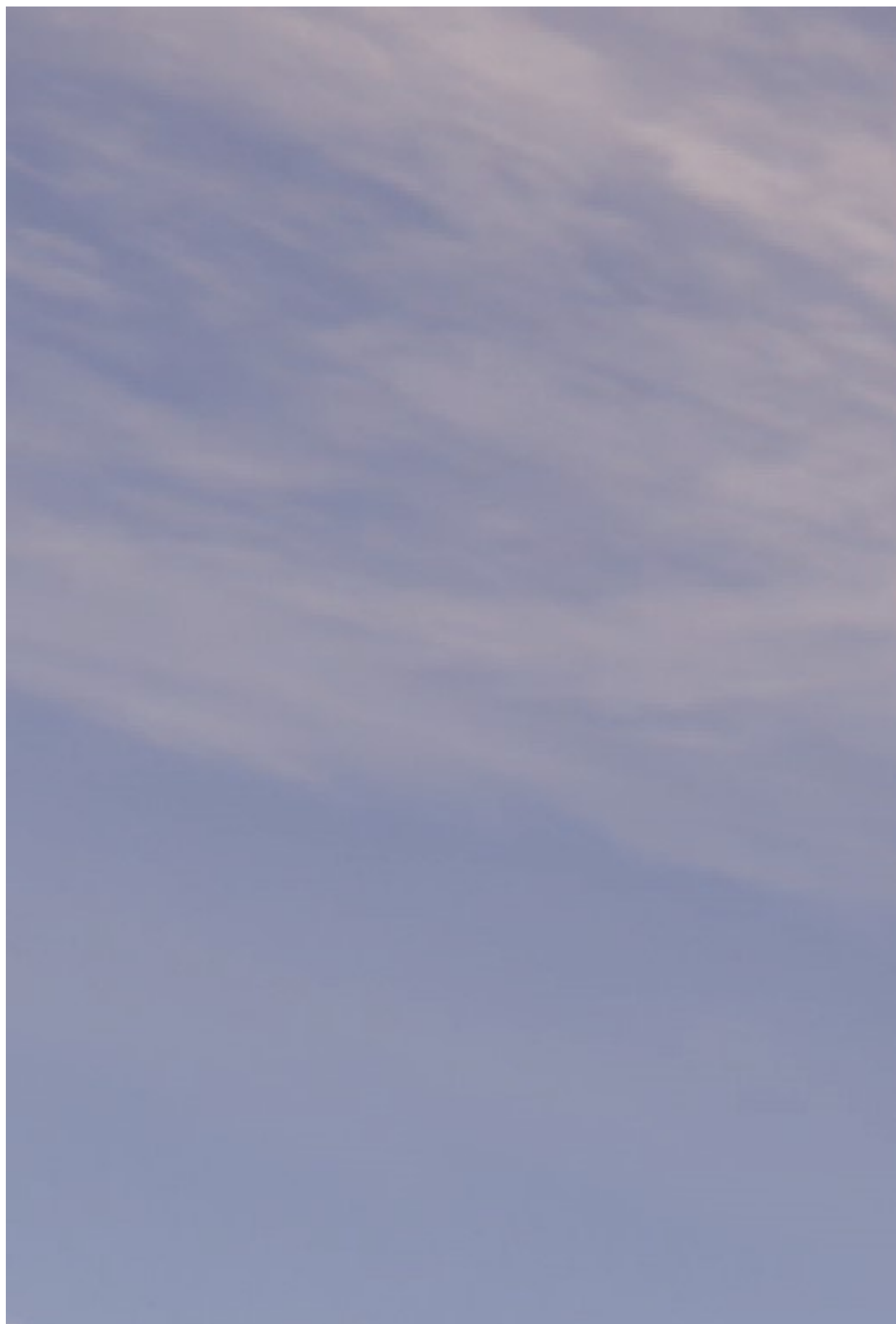
Derek Marshall, Vice President
PRINTED NAME AND TITLE

Tom Mattis, City Manager
PRINTED NAME AND TITLE

DATE

DATE

DATE





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BAIRD/WILLIAMS CONSTRUCTION FOR BID PACKAGE 2 GUARANTEED MAXIMUM PRICE FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT STATION; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Manager/Police Chief

PROPOSED ACTION:

This item is for consideration of a Resolution to authorize the City Manager to execute a Guaranteed Maximum Price agreement with Baird/Williams Construction for Bid Package 2 of the City of Elgin Police Department (EPD) Station Project.

BACKGROUND:

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

To guide this process, a building committee was formed that includes the EPD Police Chief, two EPD Commanders, the Public Works Director, the City Engineer and City Manager. Upon recommendation of the Committee, the Council designated Baird/Williams Construction, Ltd. (BWC) as the most qualified firm to provide the Construction Manager at Risk (CMAR) delivery method for the Project.

The City Council has previously approved a contract with BWC and a related amendment relative to Bid Package 1 in support of the Project. This action will finalize and determine the CMAR Guaranteed Maximum Price (GMP) for the entire project.

BUDGET/FINANCIAL IMPACT:

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

***Full funding for the Project previously authorized through 2021A CO & ARPA funds*

RECOMMENDATION:

Approval of a Resolution to authorize the City Manager to execute a Guaranteed Maximum Price agreement with Baird/Williams Construction for Bid Package 2 of the City of Elgin Police Department Station Project; and direction to staff, if any, regarding same.

ATTACHMENTS: Resolution, Agreement, Cost analysis, Rendering

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

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

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONTRACT WITH BAIRD/WILLIAMS CONSTRUCTION
FOR BID PACKAGE 2 GUARANTEED MAXIMUM PRICE
FOR THE NEW CITY OF ELGIN POLICE DEPARTMENT
STATION; AND MAKING CERTAIN FINDINGS RELATED
THERETO**

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

WHEREAS, the Elgin City Council has authorized utilization of the “Construction Manager at Risk” (“CMAR”) for the Project under Texas Government Code, Chapter 2269 and has designated Baird/Williams Construction, Ltd. (BWC) as the most qualified firm to provide the CMAR delivery method for the Project; and,

WHEREAS, BWC has now submitted and recommended Guaranteed Maximum Price (GMP) proposed contract amendment for Bid Package 2 in support of the 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 finalize negotiations and execute an amendment to the Guaranteed Maximum Price agreement with Baird/Williams Construction, Ltd. of Temple, Texas, for Bid Package 2 of the City of Elgin Police Department Station Project, a copy of said agreement being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. 2021A Certificates of Obligation Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021A Certificates of Obligation debt issuance in support of the project that is the subject matter of this Resolution; and does further acknowledge that an amendment to the *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 4th day of April, 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



AIA®

Document A133® – 2019 Exhibit A

Guaranteed Maximum Price Amendment

This Amendment dated the 31st day of March in the year 2023, is incorporated into the accompanying AIA Document A133™–2009, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price dated the 31st day of March in the year 2023 (the "Agreement")

(In words, indicate day, month, and year.)

for the following **PROJECT:**

(Name and address or location)

New Police Station – Bid Package 2 (BP2)
204 Depot Street, Elgin, Texas 78621

THE OWNER:

(Name, legal status, and address)

The City of Elgin, Texas
310 North Main Street, Elgin, Texas 78621
Phone: 512-281-5724

THE CONSTRUCTION MANAGER:

(Name, legal status, and address)

Baird/Williams Construction, Ltd.
P.O. Box 917, Temple, Texas 76503
Phone: 254-773-3499

TABLE OF ARTICLES

- A.1 GUARANTEED MAXIMUM PRICE**
- A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION**
- A.3 INFORMATION UPON WHICH AMENDMENT IS BASED**
- A.4 CONSTRUCTION MANAGER'S CONSULTANTS, CONTRACTORS, DESIGN PROFESSIONALS, AND SUPPLIERS**

ARTICLE A.1 GUARANTEED MAXIMUM PRICE

§ A.1.1 Guaranteed Maximum Price

Pursuant to Section 3.2.6 of the Agreement, the Owner and Construction Manager hereby amend the Agreement to establish a Guaranteed Maximum Price. As agreed by the Owner and Construction Manager, the Guaranteed Maximum Price is an amount that the Contract Sum shall not exceed. The Contract Sum consists of the Construction Manager's Fee plus the Cost of the Work, as that term is defined in Article 6 of the Agreement.

§ A.1.1.1 The Contract Sum is guaranteed by the Construction Manager not to exceed Four Million Three Hundred Forty Nine Thousand Seven Hundred Sixty & 00/100 (\$ 4,349,760.00), subject to additions and deductions by Change Order as provided in the Contract Documents.

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™–2017, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

§ A.1.1.2 Itemized Statement of the Guaranteed Maximum Price. Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, including allowances; the Construction Manager's contingency; alternates; the Construction Manager's Fee; and other items that comprise the Guaranteed Maximum Price as defined in Section 3.2.1 of the Agreement.
(Provide itemized statement below or reference an attachment.)

Please see Exhibit A attached hereto.

§ A.1.1.3 The Construction Manager's Fee is set forth in Section 6.1.2 of the Agreement.

§ A.1.1.4 The method of adjustment of the Construction Manager's Fee for changes in the Work is set forth in Section 6.1.3 of the Agreement.

§ A.1.1.5 Alternates

§ A.1.1.5.1 Alternates, if any, included in the Guaranteed Maximum Price:

Item	Price
Please see Exhibit B attached hereto.	

§ A.1.1.5.2 Subject to the conditions noted below, the following alternates may be accepted by the Owner following execution of this Exhibit A. Upon acceptance, the Owner shall issue a Modification to the Agreement.
(Insert below each alternate and the conditions that must be met for the Owner to accept the alternate.)

Item	Price	Conditions for Acceptance
Please see Exhibit B attached hereto.		

§ A.1.1.6 Unit prices, if any:

(Identify the item and state the unit price and quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price per Unit (\$0.00)
Please see Exhibit C attached hereto.		

ARTICLE A.2 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ A.2.1 The date of commencement of the Work shall be:

(Check one of the following boxes.)

☐ The date of execution of this Amendment.

☒ Established as follows:

(Insert a date or a means to determine the date of commencement of the Work.)

The Date of Commencement shall be the Monday following the Construction Manager's receipt from the Owner all required project permits (e.g. Site Development Permit, General Building Permit, etc.).

If a date of commencement of the Work is not selected, then the date of commencement shall be the date of execution of this Amendment.

§ A.2.2 Unless otherwise provided, the Contract Time is the period of time, including authorized adjustments, allotted in the Contract Documents for Substantial Completion of the Work. The Contract Time shall be measured from the date of commencement of the Work.

§ A.2.3 Substantial Completion

§ A.2.3.1 Subject to adjustments of the Contract Time as provided in the Contract Documents, the Construction Manager shall achieve Substantial Completion of the entire Work:

(Check one of the following boxes and complete the necessary information.)

[**X**] Not later than Three Hundred Thirty Five (335) calendar days from the date of commencement of the Work.

[] By the following date:

§ **A.2.3.2** Subject to adjustments of the Contract Time as provided in the Contract Documents, if portions of the Work are to be completed prior to Substantial Completion of the entire Work, the Construction Manager shall achieve Substantial Completion of such portions by the following dates:

Portion of Work	Substantial Completion Date
Not Applicable	

§ **A.2.3.3** If the Construction Manager fails to achieve Substantial Completion as provided in this Section A.2.3, liquidated damages, if any, shall be assessed as set forth in Section 6.1.6 of the Agreement.

ARTICLE A.3 INFORMATION UPON WHICH AMENDMENT IS BASED

§ **A.3.1** The Guaranteed Maximum Price and Contract Time set forth in this Amendment are based on the Contract Documents and the following:

§ **A.3.1.1** The following Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
Addendum	No. 1	March 7, 2023	87

§ **A.3.1.2** The following Specifications:
(Either list the Specifications here, or refer to an exhibit attached to this Amendment.)

Please see Exhibit D attached hereto.

Section	Title	Date	Pages
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§ **A.3.1.3** The following Drawings:
(Either list the Drawings here, or refer to an exhibit attached to this Amendment.)

Please see Exhibit E attached hereto.

Number	Title	Date
--------	-------	------

Other identifying information:

(Paragraph deleted)

(Table deleted)

(Paragraphs deleted)

§ **A.3.1.5** Allowances, if any, included in the Guaranteed Maximum Price:
(Identify each allowance.)

Item	Price
Please see Exhibit F attached hereto.	

§ **A.3.1.6** Assumptions and clarifications, if any, upon which the Guaranteed Maximum Price is based:
(Identify each assumption and clarification.)

Please see Exhibit G attached hereto.

§ A.3.1.7 The Guaranteed Maximum Price is based upon the following other documents and information:
(List any other documents or information here, or refer to an exhibit attached to this Amendment.)

Please see Exhibit G attached hereto.

This Amendment to the Agreement entered into as of the day and year first written above.

OWNER (Signature)

Mr. Tom Mattis City Manager
(Printed name and title)



CONSTRUCTION MANAGER (Signature)

Mr. Derek Marshall Vice President, Administration
(Printed name and title)



Baird/Williams Construction, Ltd.

900 West Irvin Avenue | P.O. Box 917
Temple, Texas 76501 | 76503-0917
Phone: (254) 773-3499 | Fax (254) 773-3548
www.bairdwilliams.com

AIA A133-2019, Exhibit A – Guaranteed Maximum Price Amendment

Exhibit Table of Contents

New Police Station – Bid Package 2
The City of Elgin, Texas

March 31, 2023

TABLE OF CONTENTS

Exhibit A – Guaranteed Maximum Price (GMP) Summary

Exhibit B – Alternates

Exhibit C – Unit Prices

Exhibit D – Specification Index

Exhibit E – Drawings Index

Exhibit F – Allowances

Exhibit G – Qualifications & Exclusions

BAIRD/WILLIAMS CONSTRUCTION, LTD.

ESTIMATE NO. : GMP
PROJECT : NEW POLICE STATION - BID PACKAGE 2 (BP2)
LOCATION: ELGIN, TEXAS

OWNER: THE CITY OF ELGIN, TEXAS

BID DAY: 3/9/2023

**CoELGIN - NEW POLICE STATION - BP2
BASE BID + BID ALTS + VACS**

ADDENDA: ONE (1)

CODE NO.	SPEC REF	DESCRIPTION	ACCT. # 112 SUB- CONT	ACCT. # 111 LUMP SUM MATERIAL	ACCT. # 110 MATERIALS	ACCT. # 113 LABOR
2A	32 31 13	CHAIN-LINK FENCES & GATES - VINYL COATED	BID ALT #01	\$0	\$0	\$0
		BID ALTERNATE #1.1	\$65,109	\$15,000	\$0	\$0
2B		LANDSCAPE & IRRIGATION	\$10,000	\$0	\$0	\$0
		IRRIGATION SYSTEM	BID ALT #09	\$0	\$0	\$0
		IRRIGATION SLEEVES	IN 2B	\$0	\$0	\$0
		IMPORTED TOPSOIL	IN 2B	\$0	\$0	\$0
		LANDSCAPE PLANTINGS - TURF / SHRUBS / TREES	BID ALT #09	\$0	\$0	\$0
		HYDRO-MUCH SEEDING	IN 2B	\$0	\$0	\$0
		DECOMPOSED GRANITE	IN 2B	\$0	\$0	\$0
		LIMESTONE BOULDERS	BID ALT #09	\$0	\$0	\$0
		RIVER ROCK	BID ALT #09	\$0	\$0	\$0
		CONCRETE PAVERS	BID ALT #09	\$0	\$0	\$0
2C		SITE FURNISHINGS - BENCH SEATING	\$400	\$3,500	\$0	\$0
3A		CONCRETE	\$18,000	\$0	\$0	\$0
		BID ALTERNATE #1.1	\$4,000	\$0	\$0	\$0
		BID ALTERNATE #2	\$5,000	\$0	\$0	\$0
		BID ALTERNATE #7.2	\$5,000	\$0	\$0	\$0
3B		CONCRETE FINISHING	\$12,203	\$0	\$0	\$0
		BID ALTERNATE #11	(\$1,708)	\$0	\$0	\$0
		SEALED CONCRETE FINISH	IN 3B	\$0	\$0	\$0
		POLISHED CONCRETE FINISH	IN 3B	\$0	\$0	\$0
3C		POLISHED CONCRETE FLOOR PROTECTION	\$2,463	\$0	\$0	\$0
4A	04 00 00	UNIT MASONRY	\$165,545	\$0	\$0	\$0
		BID ALTERNATE #2	\$15,000	\$0	\$0	\$0
		BID ALTERNATE #6.1	\$9,444	\$0	\$0	\$0
		VAC #16	(\$35,000)	\$0	\$0	\$0
		DUMPSTER ENCLOSER	BID ALT #02	\$0	\$0	\$0
4B	07 19 00	WATER REPELLENTS	\$12,500	\$0	\$0	\$0
		BID ALTERNATE #2	\$3,500	\$0	\$0	\$0
		BID ALTERNATE #6.1	\$3,500	\$0	\$0	\$0
5A	05 50 00	METAL FABRICATIONS	\$3,500	\$0	\$0	\$0
		DUMPSTER ENCLOSER	BID ALT #02	\$0	\$0	\$0
		BID ALTERNATE #2	\$5,750	\$1,100	\$0	\$0
5B	05 51 13	METAL PAN STAIRS	\$23,000	\$0	\$0	\$0
	05 52 13	PIPE & TUBE RAILINGS	IN 5B	IN 5B	\$0	\$0
6A	06 10 53	ROUGH CARPENTRY	\$39,215	\$0	\$0	\$0
		BID ALTERNATE #3-C.1A	\$1,400	\$0	\$0	\$0
		BID ALTERNATE #3-C.1B	\$1,400	\$0	\$0	\$0
6B	06 20 23	INTERIOR FINISHED CARPENTRY	\$7,250	\$0	\$0	\$0
6C	06 41 16	PLASTIC-LAMINATE-FACED ARCHITECTURAL CABINETS	\$106,519	\$3,500	\$0	\$0
		BID ALTERNATE #11	\$7,083	\$0	\$0	\$0
6D	06 64 00	PLASTIC PANELING	\$22,000	\$0	\$0	\$0
7A		THERMAL & MOISTURE PROTECTION	\$69,904	\$0	\$0	\$0
		BID ALTERNATE #6.1	\$15,923	\$0	\$0	\$0
		BITUMINOUS DAMPPROOFING	IN 7A	\$0	\$0	\$0
	07 21 00	THERMAL INSULATION - RIGID	IN 7A	\$0	\$0	\$0
	07 27 26	FLUID-APPLIED MEMBRANE AIR BARRIERS	IN 7A	\$0	\$0	\$0
	07 92 00	JOINT SEALANTS - EXTERIOR	IN 7A	\$0	\$0	\$0
7B	07 24 13	POLYMER-BASED EXTERIOR INSULATION & FINISH SYSTEM (EIFS)	\$77,912	\$0	\$0	\$0
		BID ALTERNATE #6.1	(\$5,532)	\$0	\$0	\$0
7C		ROOFING & METAL PANELS	\$204,130	\$0	\$0	\$0
		BID ALTERNATE #3-C.1A	\$20,000	\$0	\$0	\$0
		BID ALTERNATE #3-C.1B	\$33,630	\$0	\$0	\$0
		VAC #01	(\$18,850)	\$0	\$0	\$0
		VAC #02	(\$6,850)	\$0	\$0	\$0
		VAC #03	(\$10,600)	\$0	\$0	\$0
		VAC #04	(\$10,520)	\$0	\$0	\$0
	07 42 13.53	METAL SOFFIT PANELS	IN 7C	\$0	\$0	\$0
	07 54 19	POLYVINYL-CHLORIDE (PVC) ROOFING	IN 7C	\$0	\$0	\$0
	07 62 00	SHEET METAL FLASHING & TRIM	IN 7C	\$0	\$0	\$0
	07 72 00	ROOF ACCESSORIES	IN 7C	\$2,500	\$0	\$0
7D	07 84 13	PENETRATION FIRESTOPPING	B	\$0	\$0	\$0
7E	07 84 46	FIRE-RESISTIVE JOINT SYSTEMS	\$7,500	\$0	\$0	\$0
7F	07 92 00	JOINT SEALANTS - INTERIOR	\$5,250	\$0	\$0	\$0
8A	08 10 00	DOORS, FRAMES, & HARDWARE	\$8,400	\$120,987	\$0	\$0
		VAC #15	IN 8A	(\$1,500)	\$0	\$0
	08 11 13	HOLLOW METAL DOORS & FRAMES	IN 8A	IN 8A	\$0	\$0
	08 14 16	FLUSH WOOD DOORS	IN 8A	IN 8A	\$0	\$0
	08 70 00	DOOR HARDWARE	IN 8A	IN 8A	\$0	\$0
8B	08 31 13	ACCESS DOORS & FRAMES	\$4,750	\$0	\$0	\$0
8C	08 40 00	ALUMINUM-FRAMED OPENINGS	\$147,450	\$0	\$0	\$0
		ALUMINUM-FRAMED ENTRANCES & STOREFRONTS	IN 8C	\$0	\$0	\$0
		SECURITY WINDOWS	BID ALT #10	\$0	\$0	\$0
		GLAZING	IN 8C	\$0	\$0	\$0
		SECURITY GLAZING	IN 8C	\$0	\$0	\$0
8E	08 83 00	MIRRORS - FRAMED MIRRORS IN 10C	EXCLUDED	\$0	\$0	\$0
9A	09 20 00	GYP SUM BOARD ASSEMBLIES	\$424,331	\$0	\$0	\$0
		BID ALTERNATE #11	\$11,000	\$10,000	\$0	\$0
		VAC #12 - REJECTED	N/A	\$0	\$0	\$0
		VAC #13	(\$4,500)	\$0	\$0	\$0
		SUBTOTAL - PAGE 1	\$1,485,401	\$155,087	\$0	\$0

BAIRD/WILLIAMS CONSTRUCTION, LTD.

ESTIMATE NO. : GMP
PROJECT : NEW POLICE STATION - BID PACKAGE 2 (BP2)
LOCATION: ELGIN, TEXAS

OWNER: THE CITY OF ELGIN, TEXAS

BID DAY: 3/9/2023

**CoELGIN - NEW POLICE STATION - BP2
BASE BID + BID ALTS + VACS**
ADDENDA: ONE (1)

CODE NO.	SPEC REF	DESCRIPTION	ACCT. # 112 SUB- CONT	ACCT. # 111 LUMP SUM MATERIAL	ACCT. # 110 MATERIALS	ACCT. # 113 LABOR
		SUBTOTAL - PAGE 1	\$1,485,401	\$155,087	\$0	\$0
		VAC #14	(\$25,000)	\$0	\$0	\$0
	05 40 00	COLD-FORMED METAL FRAMING	IN 9A	\$0	\$0	\$0
	06 16 00	SHEATHING	IN 9A	\$0	\$0	\$0
	07 21 00	THERMAL INSULATION - BATTS	IN 9A	\$0	\$0	\$0
	09 22 16	NON-STRUCTURAL METAL FRAMING	IN 9A	\$0	\$0	\$0
	09 29 00	GYPSON BOARD	IN 9A	\$0	\$0	\$0
	09 51 13	ACOUSTICAL PANEL CEILINGS	IN 9A	\$0	\$0	\$0
	09 84 33	SOUND-ABSORBING WALL UNITS	BID ALT #11	\$0	\$0	\$0
		FIRBERGLASS REINFORCED PLASTIC (FRP) PANELS	IN 9A	\$0	\$0	\$0
9B	09 30 13	CERAMIC TILING	\$31,395	\$0	\$0	\$0
9C	09 60 00	FLOORING & ACCESSORIES	\$33,850	\$0	\$0	\$0
		RESILIENT BASE & ACCESSORIES	IN 9C	\$0	\$0	\$0
		RESILIENT TILE FLOORING	IN 9C	\$0	\$0	\$0
		TILE CARPETING	IN 9C	\$0	\$0	\$0
	12 48 13	ENTRANCE FLOOR MATS & FRAMES	\$8,500	\$0	\$0	\$0
9D		FLOOR PREPARATION	\$5,500	\$0	\$0	\$0
9E		EPOXY RESINOUS FLOORING	BID ALT #11	\$0	\$0	\$0
		BID ALTERNATE #11	\$20,840	\$0	\$0	\$0
9F	09 72 00	WALL COVERINGS	BID ALT #11	\$0	\$0	\$0
		BID ALTERNATE #11	\$25,000	\$0	\$0	\$0
9G	09 90 00	PAINTING	\$111,400	\$0	\$0	\$0
		EXTERIOR PAINTING	IN 9G	\$0	\$0	\$0
		INTERIOR PAINTING	IN 9G	\$0	\$0	\$0
		HIGH-PERFORMANCE COATINGS	IN 9G	\$0	\$0	\$0
	09 95 16	TACKABLE WALL SURFACES	IN 9C	\$0	\$0	\$0
10A	10 11 00	VISUAL DISPLAY UNITS	\$2,000	\$12,157	\$0	\$0
10B		BUILDING SIGNAGE	\$19,625	\$0	\$0	\$0
	10 14 00	SIGNAGE	IN 10B	\$0	\$0	\$0
	10 14 19	DIMENSIONAL LETTER SIGNAGE	IN 10B	\$0	\$0	\$0
10C	10 20 00	TOILET PARTITIONS & ACCESSORIES	\$19,376	\$0	\$0	\$0
	10 21 13.19	PLASTIC TOILET COMPARTMENTS	IN 10C	\$0	\$0	\$0
	10 28 00	TOILET, BATH, & LAUNDRY ACCESSORIES	IN 10C	\$0	\$0	\$0
10D	10 26 00	WALL & DOOR PROTECTION	BID ALT #11	\$0	\$0	\$0
		BID ALTERNATE #11	\$2,483	\$0	\$0	\$0
10E	10 44 00	FIRE EXTINGUISHERS & CABINETS	\$1,689	\$0	\$0	\$0
	10 44 13	FIRE PROTECTION CABINETS	IN 10E	\$0	\$0	\$0
	10 44 16	FIRE EXTINGUISHERS	IN 10E	\$0	\$0	\$0
10F	10 51 13	METAL LOCKERS	\$26,604	\$0	\$0	\$0
		DUTY LOCKERS (EQ4)	IN 10F	\$0	\$0	\$0
		PISTOL LOCKERS (EQ9 & EQ10)	IN 10F	\$0	\$0	\$0
	10 75 16	GROUND-SET FLAGPOLES - IN R.O.W. (NIC)	EXCLUDED	\$0	\$0	\$0
10G		PRE-MANUFACTURED CANOPY COVERS	BID ALT #03	\$0	\$0	\$0
11A	11 10 00	SECURITY CONSTRUCTION	BID ALT #10	\$0	\$0	\$0
	11 19 00	DETENTION SECURITY EQUIPMENT	IN 11A	\$0	\$0	\$0
	11 54 50	SUSPENDED METAL SECURITY PANEL CEILING SYSTEMS	IN 11A	\$0	\$0	\$0
		APPLIANCES	EXCLUDED	\$0	\$0	\$0
11B		EQUIPMENT	\$32,195	\$10,000	\$0	\$0
		BID ALTERNATE #5	\$37,312	\$0	\$0	\$0
		MOBILE SHELVING UNIT (EQ1)	BID ALT #05	\$0	\$0	\$0
		PASS-THRU EVIDENCE LOCKER (EQ2)	IN 11B	\$0	\$0	\$0
		KEYTRACK CABINET (EQ14)	IN 11B	\$0	\$0	\$0
		EVIDENCE LOCKER (EQ15)	IN 11B	\$0	\$0	\$0
		NON-RICOCHET BALLISTIC RATED DEAL TRAY (EQ17)	IN 11B	\$0	\$0	\$0
12A	12 24 13	ROLLER WINDOW SHADES	\$7,125	\$0	\$0	\$0
12B	12 36 16	METAL COUNTERTOPS	\$35,600	\$0	\$0	\$0
12C	12 36 61.16	SOLID SURFACING COUNTERTOPS	IN 6C	\$0	\$0	\$0
12D	12 36 61.19	QUARTZ AGGLOMERATE COUNTERTOPS	\$7,650	\$0	\$0	\$0
13A	13 07 00	BULLET RESISTANT FIBERGLASS PANELS	IN 9A	\$0	\$0	\$0
14A	14 21 00	ELECTRIC TRACTION ELEVATOR	\$94,234	\$0	\$0	\$0
	20 00 00	GENERAL PROVISIONS - MEP	INCLUDED	\$0	\$0	\$0
	20 01 00	BASIC MATERIALS & METHODS - MEP	INCLUDED	\$0	\$0	\$0
	20 02 00	SCHEDULE OF VALUES - MEP	INCLUDED	\$0	\$0	\$0
	20 07 00	INSULATION - MEP	IN 22A / 23A	\$0	\$0	\$0
21A	21 00 00	FIRE PROTECTION	\$67,833	\$0	\$0	\$0
22A	22 00 00	PLUMBING	\$312,567	\$0	\$0	\$0
		BID ALTERNATE #7.2	\$11,703	\$0	\$0	\$0
		VAC #06	(\$9,500)	\$0	\$0	\$0
		VAC #07	(\$2,500)	\$0	\$0	\$0
23A	23 00 00	HVAC	\$415,500	\$0	\$0	\$0
		BID ALTERNATE #7.2	\$8,486	\$0	\$0	\$0
		VAC #05	(\$7,884)	\$0	\$0	\$0
	23 99 95	COMMISSIONING OF MECHANICAL SYSTEMS - BY OWNER	EXCLUDED	\$0	\$0	\$0
26A	26 00 00	ELECTRICAL	\$535,000	\$0	\$0	\$0
		BID ALTERNATE #7.2	\$192,700	\$0	\$0	\$0
		VAC #08	(\$1,000)	\$0	\$0	\$0
		VAC #09	(\$20,000)	\$0	\$0	\$0
		VAC #10	(\$6,000)	\$0	\$0	\$0
		VAC #11	(\$22,000)	\$0	\$0	\$0
	26 99 95	COMMISSIONING OF ELECTRICAL SYSTEMS - BY OWNER	EXCLUDED	\$0	\$0	\$0
		SUBTOTAL - PAGE 2	\$3,457,684	\$177,244	\$0	\$0

BAIRD/WILLIAMS CONSTRUCTION, LTD.

CoELGIN - NEW POLICE STATION - BP2
BASE BID + BID ALTS + VACS

ESTIMATE NO. : GMP

PROJECT : NEW POLICE STATION - BID PACKAGE 2 (BP2)

LOCATION: ELGIN, TEXAS

OWNER: THE CITY OF ELGIN, TEXAS

BID DAY: 3/9/2023

ADDENDA: ONE (1)

CODE NO.	SPEC REF	DESCRIPTION	ACCT. # 112 SUB- CONT	ACCT. # 111 LUMP SUM MATERIAL	ACCT. # 110 MATERIALS	ACCT. # 113 LABOR
		SUBTOTAL - PAGE 2	\$3,457,684	\$177,244	\$0	\$0
26B		INFRASTRUCTURE FOR SPECIAL SYSTEMS	\$15,000	\$0	\$0	\$0
	27 05 28	PATHWAYS FOR COMMUNICATIONS SYSTEMS	IN 26B	\$0	\$0	\$0
	27 05 43	UNDERGROUND DUCTS & RACEWAYS	IN 26B	\$0	\$0	\$0
27A	27 00 00	COMMUNICATIONS	\$50,332	\$0	\$0	\$0
		VAC #17	(\$50,332)	\$0	\$0	\$0
		GROUNDING & BONDING	IN 27A	\$0	\$0	\$0
		COMMUNICATIONS ROOM FITTINGS	IN 27A	\$0	\$0	\$0
		HORIZONTAL CABLING	IN 27A	\$0	\$0	\$0
27B	27 41 16	AUDIO/VISUAL SYSTEM	\$191,715	\$0	\$0	\$0
		VAC #17	(\$191,715)	\$0	\$0	\$0
	27 41 13	AUDIO/VISUAL INFRASTRUCTURE	IN 27B	\$0	\$0	\$0
	28 00 00	ELECTRONIC SECURITY	INCLUDED	\$0	\$0	\$0
28A	28 10 00	ACCESS CONTROL SYSTEM	\$92,110	\$0	\$0	\$0
		VAC #17	(\$92,110)	\$0	\$0	\$0
28B	28 23 00	VIDEO SURVEILLANCE SYSTEM	\$99,369	\$0	\$0	\$0
		VAC #17	(\$99,369)	\$0	\$0	\$0
28C	28 26 00	INTERCOMMUNICATIONS SYSTEM	\$7,343	\$0	\$0	\$0
		VAC #17	(\$7,343)	\$0	\$0	\$0
28D	28 31 00	FIRE ALARM SYSTEM	\$38,420	\$8,299	\$0	\$0
28E	28 46 19	PLC ELECTRONIC DETENTION MONITORING & CONTROL SYSTEM	\$17,718	\$0	\$0	\$0
		VAC #17	(\$17,718)	\$0	\$0	\$0
			\$0	\$0	\$0	\$0
91A	01.0000	GENERAL REQUIREMENTS	\$132,238	\$0	\$0	\$0
	01 21 00	SCHEDULED ALLOWANCES	SEE BELOW	\$0	\$0	\$0
	NO. 1	OWNER'S CONTINGENCY	ELIMINATED	\$0	\$0	\$0
	NO. 2	CONTRACTOR'S CONTINGENCY	\$50,000	\$0	\$0	\$0
	NO. 3	MOISTURE VAPOR EMISSION CONTROL ALLOWANCE	ELIMINATED	\$0	\$0	\$0
	NO. 4	TESTING & INSPECTION ALLOWANCE	ELIMINATED	\$0	\$0	\$0
		SUBTOTAL	\$3,693,342	\$185,543	\$0	\$0
93A		PAYROLL INSURANCE & TAXES				IN 99A
		TOTAL SUB BIDS				\$3,693,342
		TOTAL LUMP SUM MATERIAL				\$185,543
		TOTAL MATERIAL				\$0
		TOTAL LABOR				\$0
94A		BUILDERS RISK INSURANCE				IN 99A
		PERMITS				IN 99A
95A		SPECIAL INSURANCE				N/A
96A		LIABILITY INSURANCE				IN 99A
		SUBTOTAL				\$3,878,885
98A		BOND				IN 99A
		SUBTOTAL				\$3,878,885
99A		QUOTED GENERAL CONDITIONS				\$315,697
FEE		FEE				\$155,178
		TOTAL				\$4,349,760



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Exhibit B – Alternates

New Police Station – Bid Package 2 The City of Elgin, Texas

March 31, 2023

PROJECT ALTERNATES

<u>Bid Alternate No. 1.1</u> Security fencing and motorized access gates.	\$100,678.00 – ADD
<u>Bid Alternate No. 1.2</u> Landscape wall.	\$42,549.00 – ADD
<u>Bid Alternate No. 2</u> CMU dumpster enclosure with steel gates	\$36,329.00 – ADD
<u>Bid Alternate No. 3-C.1A</u> Entire eyebrow canopy systems on the south, west, and north elevations.	\$27,782.00 – ADD
<u>Bid Alternate No. 3-C.1B</u> Entire sally-port cover at the northeast detainee entrance.	\$43,320.00 – ADD
<u>Bid Alternate No. 3-C.2</u> The same as Bid Alternates No. 3-C.1A and No. 3-C.1B, except the canopy shall be pre-manufactured aluminum canopy along with support rods as shown in the Alternate Canopy Detail.	NO BID
<u>Bid Alternate No. 3-C.3</u> The same as Base Bid, except the canopy shall be pre-manufactured aluminum canopy along with support rods as shown in the Alternate Canopy Detail.	NO BID
<u>Bid Alternate No. 4</u> Roof parapets with scuppers and downspouts.	\$44,325.00 – ADD
<u>Bid Alternate No. 5</u> High-density evidence storage filing system.	\$44,662.00 – ADD
<u>Bid Alternate No. 6.2</u> Masonry veneer at remainder of north and east elevations in lieu of 2” EIFS.	\$60,378.00 – ADD



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<u>Bid Alternate No. 7.1</u> Diesel powered electrical generator, including all wiring and infrastructure connections to the building electrical panels.	\$146,273.00 – <i>ADD</i>
<u>Bid Alternate No. 7.2</u> Natural gas powered electrical generator, including all wiring and infrastructure connections to the building electrical panels; All gas-fired HVAC units.	\$260,813.00 – <i>ADD</i>
<u>Bid Alternate No. 8</u> Building crawl space.	NO BID
<u>Bid Alternate No. 9</u> Landscape planting and irrigation.	\$65,416.00 – <i>ADD</i>
<u>Bid Alternate No. 10</u> Interior security features.	\$114,877.00 – <i>ADD</i>
<u>Bid Alternate No. 11</u> Interior architectural features.	\$89,414.00 – <i>ADD</i>

Approved Bid Alternates:

Bid Alternate No. 1.1	\$100,678.00
Bid Alternate No. 2	\$36,329.00
Bid Alternate No. 3-C.1A	\$27,782.00
Bid Alternate No. 3-C.1B	\$43,320.00
Bid Alternate No. 5	\$44,662.00
Bid Alternate No. 7.2	\$260,813.00
Bid Alternate No. 11	\$89,414.00

TOTAL OF ACCEPTED BID ALTERANTES:	\$602,998.00
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Value Alternate Concepts (VACs)

<u>VAC No. 1</u> Provide 60-mil TPO roofing membrane in lieu of PVC membrane.	(\$20,192.00) – <i>DEDUCT</i>
<u>VAC No. 2</u> Provide standard color, pre-finished, steel metal trim in lieu of 3-coat aluminum.	(\$7,337.00) – <i>DEDUCT</i>
<u>VAC No. 3</u> Eliminate vapor barrier below roof insulation.	(\$11,354.00) – <i>DEDUCT</i>



<u>VAC No. 4</u> Eliminate roof substrate board.	(\$11,269.00) – <i>DEDUCT</i>
<u>VAC No. 5</u> Provide standard knock-down type RTU curbs in lieu of 18” welded sloped curbs.	(\$8,402.00) – <i>DEDUCT</i>
<u>VAC No. 6</u> Provide manual flush valves and lavatory faucets in lieu of metering flush valves and lavatory faucets; Eliminate the stainless steel water supply at building entry.	(\$10,176.00) – <i>DEDUCT</i>
<u>VAC No. 7</u> Provide PEX piping for domestic water supply 1” and smaller.	(\$2,678.00) – <i>DEDUCT</i>
<u>VAC No. 8</u> Provide aluminum bus bars at electrical panels in lieu of copper.	(\$1,071.00) – <i>DEDUCT</i>
<u>VAC No. 9</u> Provide alternate light fixture and lighting controls package.	(\$21,424.00) – <i>DEDUCT</i>
<u>VAC No. 10</u> Provide MC cabling at in-wall electrical devices in lieu of conduit and wire	(\$6,427.00) – <i>DEDUCT</i>
<u>VAC No. 11</u> Eliminate the lightning protection system.	(\$23,566.00) – <i>DEDUCT</i>
<u>VAC No. 12</u> Eliminate bullet resistant fiberglass panels	(\$50,545.00) – <i>DEDUCT</i>
<u>VAC No. 13</u> Provide standard Type-X gypsum board at all locations in lieu of high impact gypsum board where specified.	(\$4,820.00) – <i>DEDUCT</i>
<u>VAC No. 14</u> Provide Olympia Micro-Clima in lieu of Optima Square Tegular ACT-1 (acoustical ceiling tile).	(\$26,780.00) – <i>DEDUCT</i>
<u>VAC No. 15</u> Provide 14-gauge exterior hollow metal frames in lieu of thermal break frames.	(\$1,606.00) – <i>DEDUCT</i>
<u>VAC No. 16</u> Owner provides Acme Brick veneer materials package (brick and burnished CMU).	(\$37,492.00) – <i>DEDUCT</i>
<u>VAC No. 17</u> Owner provides all Division 27 and Division 28 scopes of Work, except for the fire alarm system.	(\$491,238.00) – <i>DEDUCT</i>



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Approved Value Alternate Concepts:

VAC No. 1	(\$20,192.00)
VAC No. 2	(\$7,337.00)
VAC No. 3	(\$11,354.00)
VAC No. 4	(\$11,269.00)
VAC No. 5	(\$8,402.00)
VAC No. 6	(\$10,176.00)
VAC No. 7	(\$2,678.00)
VAC No. 8	(\$1,071.00)
VAC No. 9	(\$21,424.00)
VAC No. 10	(\$6,427.00)
VAC No. 11	(\$23,566.00)
VAC No. 13	(\$4,820.00)
VAC No. 14	(\$26,780.00)
VAC No. 15	(\$1,606.00)
VAC No. 16	(\$37,492.00)
VAC No. 17	(\$491,238.00)

TOTAL OF ACCEPTED VACS:	(\$685,832.00)
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Exhibit C – Unit Prices

New Police Station – Bid Package 2
The City of Elgin, Texas

March 31, 2023

PROJECT UNIT PRICES SCHEDULE

NONE.



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Exhibit D – Specification Index

New Police Station – Bid Package 2 The City of Elgin, Texas

March 31, 2023

PROJECT SPECIFICATION INDEX

Division 00 – Procurement & Contracting Requirements

00 01 15	List of Drawing Sheets
00 22 13	Supplementary Instructions to Bidders
00 31 00	Information Available to Bidders (Under Separate Cover)

Division 01 – General Requirements

01 10 00	Summary
01 22 00	Unit Prices
01 23 00	Alternates
01 25 00	Substitution Procedures
01 26 00	Contract Modification Procedures
01 29 00	Payment Procedures
01 31 00.33	Newforma: Project Management & Coordination
01 32 00	Construction Progress Documentation
01 32 33	Photographic Documentation
01 33 00	Submittal Procedures
01 40 00	Quality Requirements
01 42 00	References
01 43 39	Mock Ups
01 50 00	Temporary Facilities & Controls
01 60 00	Product Requirements
01 73 00	Execution
01 74 19	Construction Waste Management & Disposal
01 77 00	Closeout Procedures
01 78 23	Operation & Maintenance Data
01 78 39	Project Record Documents
01 79 00	Demonstrating & Training

Division 02 – Existing Conditions

02 41 19	Selective Demolition
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Division 04 – Masonry

04 20 00	Unit Masonry
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Division 05 – Metals

- 05 40 00 Cold-Formed Metal Framing
- 05 50 00 Metal Fabrications
- 05 51 13 Metal Pan Stairs
- 05 52 13 Pipe & Tube Railings

Division 06 – Wood, Plastics, & Composites

- 06 10 53 Miscellaneous Rough Carpentry
- 06 16 00 Sheathing
- 06 20 23 Interior Finish Carpentry
- 06 41 16 Plastic-Laminate-Faced Architectural Cabinets
- 06 64 00 Plastic Paneling

Division 07 – Thermal & Moisture Protection

- 07 19 00 Water Repellents
- 07 21 00 Thermal Insulation
- 07 24 13 Polymer-Based Exterior Insulation & Finish System (EIFS)
- 07 27 26 Fluid-Applied Membrane Air Barriers
- 07 42 13.53 Metal Soffit Panels
- 07 54 19 Polyvinyl-Chloride (PVC) Roofing
- 07 62 00 Sheet Metal Flashing & Trim
- 07 72 00 Roof Accessories
- 07 84 13 Penetration Firestopping
- 07 84 46 Fire-Resistive Joint Systems
- 07 92 00 Joint Sealants

Division 08 – Openings

- 08 11 13 Hollow Metal Doors & Frames
- 08 14 16 Flush Wood Doors
- 08 31 13 Access Doors & Frames
- 08 41 13 Aluminum-Framed Entrances & Storefronts
- 08 56 53 Security Windows
- 08 70 00 Door Hardware
- 08 80 00 Glazing
- 08 83 00 Mirrors
- 08 88 53 Security Glazing

Division 09 – Finishes

- 09 05 61.13 Moisture Vapor Emission Control
- 09 22 16 Non-Structural Metal Framing
- 09 29 00 Gypsum Board
- 09 30 13 Ceramic Tiling
- 09 51 13 Acoustical Panel Ceilings
- 09 65 13 Resilient Base & Accessories



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Division 09 – Finishes (Cont'd)

09 65 19	Resilient Tile Flooring
09 68 13	Tile Carpeting
09 72 00	Wall Coverings
09 84 33	Sounds-Absorbing Wall Units
09 91 13	Exterior Painting
09 91 23	Interior Painting
09 95 16	Tackable Wall Surfaces
09 96 00	High-Performance Coatings

Division 10 – Specialties

10 11 00	Visual Display Units
10 14 00	Signage
10 14 19	Dimensional Letter Signage
10 21 13.19	Plastic Toilet Compartments
10 26 00	Wall & Door Protection
10 28 00	Toilet, Bath, & Laundry Accessories
10 44 13	Fire Protection Cabinets
10 44 16	Fire Extinguishers
10 51 13	Metal Lockers
10 75 16	Ground-Set Flagpoles

Division 11 – Equipment

11 19 00	Detention Security Equipment
11 54 50	Suspended Metal Security Panel Ceiling Systems

Division 12 – Furnishings

12 24 13	Roller Window Shades
12 36 16	Metal Countertops
12 36 61.16	Solid Surfacing Countertops
12 36 61.19	Quartz Agglomerate Countertops
12 48 13	Entrance Floor Mats & Frames

Division 13 – Special Construction

13 07 00	Bullet Resistant Fiberglass Panels
----------	------------------------------------

Division 14 – Conveying Equipment

14 21 00	Electric Traction Elevators
----------	-----------------------------

Division 20 – Mechanical Support

20 00 00	General Provisions
20 01 00	Basic Materials & Methods
20 02 00	Schedule of Values
20 07 00	Insulation



Division 21 – Fire Suppression

21 00 00 Fire Protection

Division 22 – Plumbing

22 01 00 Inside Utility Trench Excavation, Backfill, & Compaction
22 02 00 Outside Utility Trench Excavation, Backfill, & Compaction
22 05 31 Protection of Under-Slab Plumbing
22 11 16 Water Distribution System
22 11 17 Water Heaters
22 13 16 Liquid Waste Transfer
22 30 00 Plumbing Fixtures & Trim

Division 23 – Heating, Ventilating, & Air-Conditioning (HVAC)

23 05 93 Test & Balance
23 08 02 Equipment Start-Up
23 09 00 Controls (Native BACnet)
23 09 19 Lighting Control Panel
23 11 23 Fuel Gas System (Natural)
23 30 00 Air Distribution
23 70 00 Mechanical Equipment D-X Systems
23 70 46 Valent Energy Recovery Units with Core
23 99 95 Commissioning of Mechanical Systems

Division 26 – Electrical

26 05 00 General Provisions
26 05 10 Schedule of Values
26 05 19 Wire & Cable
26 05 26 Grounding & Bonding
26 05 29 Hanger & Supporting Devices
26 05 33 Raceways
26 05 34 Outlet Boxes, Pull Boxes, & Junction Boxes
26 05 80 Empty Raceway Rough-In
26 22 13 (K7 – DOE 2016) Transformer Dry Type
26 24 16 Branch Circuit Panelboards
26 27 26 Devices
26 28 15 Safety Disconnect Switch
26 28 16 Fuses
26 28 25 Contactors
26 32 13 Emergency Power System (Generator)
26 41 13 Lightning Protection System
26 43 00 Surge Protection Devices
26 51 00 Interior Lighting System
26 56 00 Exterior Lighting System
26 99 95 Commissioning of Electrical Systems



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Division 27 – Communications

27 00 00	Communications
27 05 26	Grounding & Bonding
27 05 28	Pathways for Communications Systems
27 05 43	Underground Ducts & Raceways
27 11 00	Communications Room Fittings
27 15 00	Horizontal Cabling
27 41 13	Audio/Visual Infrastructure
27 41 16	Audio/Visual Systems

Division 28 – Electronic Safety & Security

28 00 00	Electronic Security
28 10 00	Access Control
28 23 00	Video Surveillance
28 26 00	Intercommunications
28 31 00	Fire Alarm
28 46 19	PLC Electronic Detention Monitoring & Control Systems

Division 32 – Exterior Improvements

32 31 13	Chain-Link Fences & Gates
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Exhibit E – Drawing Index

New Police Station – Bid Package 2 The City of Elgin, Texas

March 31, 2023

PROJECT DRAWING INDEX

General

G0.0	Cover Sheet
G.01	Symbols, Abbreviations, & General Notes
G0.2	Drawing Index
G1.0	Code Compliance
G1.1	Code Compliance – 1 st Floor Plan
G1.2	Code Compliance – 2 nd Floor Plan
G2.1	Wall Penetration Details
G2.2	Mounting Heights & Standard Details
G2.3	Mounting Heights & Standard Details
G3.1	COMcheck Compliance
G3.2	COMcheck Compliance

Architectural

A1.1.0	Annotation Plan – 1 st Floor
A1.1.1	Dimension Plan – 1 st Floor
A1.1.2	Reflected Ceiling Plan – 1 st Floor
A1.1.3	Finish Plan – 1 st Floor
A1.1.4	Signage Floor Plan – 1 st Floor
A1.1.5	Furniture & Equipment Plan – 1 st Floor
A1.2.0	Annotation Plan – 2 nd Floor
A1.2.1	Dimension Plan – 2 nd Floor
A1.2.2	Reflected Ceiling Plan – 2 nd Floor
A1.2.3	Finish Plan – 2 nd Floor
A1.2.4	Signage Floor Plan – 2 nd Floor
A1.2.5	Furniture & Equipment Plan – 2 nd Floor
A1.3.0	Roof Plan
A1.3.1	Roof Details
A2.1	South Exterior Elevations
A2.2	West Exterior Elevations
A2.3	East Exterior Elevations
A2.4	North Exterior Elevations
A2.5	Storefront Elevations
A2.6	Storefront Details



Architectural (Cont'd)

A2.7	Storefront Details
A3.1	Building Sections
A3.2	Building Sections
A3.3	Building Sections
A3.4	Building Sections
A3.5	Wall Sections
A3.6	Wall Sections
A3.7	Wall Sections – Elevator Circulation
A3.8	Wall Sections – Staircase A Circulation
A3.9	Wall Sections – Staircase B Circulation
A3.10	Exterior Details
A3.11	Exterior Details
A3.12	Exterior Details – South Stairwell
A4.1	Enlarged Plans & Interior Elevations
A4.2	Enlarged Plans & Interior Elevations
A4.3	Enlarged Plans & Interior Elevations
A4.4	Enlarged Plans & Interior Elevations
A4.5	Enlarged Plans & Interior Elevations
A4.6	Interior Elevations
A4.7	Interior Elevations
A5.1	Door & Frame Schedule
A5.2	Door Details
A5.4	Finish Legend & Notes
A6.1	Wall Types & Partition Types
A6.2	Partition Types
A6.3	Partition Details
A6.5	Ceiling Details
A6.6	Interior Details
A6.7	Interior Details
A6.8	Detention Details
A6.9	Signage Details
A7.10	Vertical Circulation Details – Stair A
A7.11	Vertical Circulation Details – Stair B

Architectural – Landscape

HS0.00	Hardscape Notes & Schedule
HS1.01	Hardscape Plan
HS2.01	Grading & Drainage Layout Plan
HS5.01	Hardscape Details
LA0.00	Landscape Notes & Schedule
LA1.01	Landscape Plan
LA5.01	Landscape Details



Mechanical

M1.1	Schedules, Notes, & Legends – Mechanical
M1.2	Schedules – Mechanical
M1.3	Schedules, Notes, & Legends – Plumbing
M1.4	Details – Mechanical
M1.5	Details – Mechanical
M2.1	1 st Floor Plan – Mechanical
M2.2	2 nd Floor Plan – Mechanical

Plumbing

P1.1	Schedules, Notes, & Legends – Plumbing
P1.2	Legends & Details – Plumbing
P1.3	Details – Plumbing
P2.1	1 st Floor Plan – Plumbing – Waste
P2.2	2 nd Floor Plan – Plumbing – Waste
P3.1	1 st Floor Plan – Plumbing – Supply
P3.2	2 nd Floor Plan – Plumbing – Supply
P4.1	Roof Plan – Plumbing

Electrical

E0.1	Site Plan – Electrical
E1.1	Schedules, Notes, & Legends – Electrical
E1.2	Schedules – Electrical
E1.3	Riser Diagrams – Electrical
E2.1	1 st Floor Plan – Lighting
E2.2	2 nd Floor Plan – Lighting
E3.1	1 st Floor Plan – Power
E3.2	2 nd Floor Plan – Power

Security / AV / Data

AVI0.0	Legends & Notes – AV Infrastructure
AVI1.1	1 st Floor – AV Infrastructure
AVI1.1A	2 nd Floor – AV Infrastructure
AVI1.4	Reflected Ceiling Plan – 1 st Floor – AV Infrastructure
AVI1.4A	Reflected Ceiling Plan – 2 nd Floor – AV Infrastructure
AVI3.1	One Line Details – AV Infrastructure
AVI4.1	General Details – AV Infrastructure
SC0.0	Notes & Legends – Security
SC0.1	Site Plan – Security
SC1.1	1 st Floor – Security
SC1.1A	2 nd Floor – Security
SC1.3	Roof Plan – Security
SC3.1	Door Elevation Details – Security
SC3.2	Door Elevation Details – Security



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Security / AV / Data (Cont'd)

SC4.1	General Details – Security
SC4.2	General Details – Security
T0.0	Legends & Notes – Communications
T0.1	Site Plan – Communications
T1.1	1 st Floor – Communications
T1.1A	2 nd Floor – Communications
T1.3	Roof Plan – Communications
T3.1	Telecom Room Details – Communications
T4.1	General Details – Communications
T4.2	General Details – Communications



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Exhibit F – Allowances

New Police Station – Bid Package 2
The City of Elgin, Texas

March 31, 2023

PROJECT ALLOWANCE SCHEDULE

<u>Number</u>	<u>Title</u>	<u>Valuation</u>
Allowance No. 1	Contractor's Contingency	\$50,000.00



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Exhibit G – Qualifications and Exclusions

New Police Station – Bid Package 2 The City of Elgin, Texas

March 31, 2023

This proposal is based upon Contract Documents as prepared by FGM Architects and design consultants dated February 20, 2023 (Drawings and Specifications), Addendum No. 1 dated March 7, 2023, Accepted Bid Alternates as identified in Exhibit B, Accepted Value Alternate Concepts (VACs) as identified in Exhibit B, and qualifications and exclusions as noted herein.

Guaranteed Maximum Price (GMP):

\$4,349,760.00

(Four Million Three Hundred Forty Nine Thousand Seven Hundred Sixty and 00/100 Dollars)

Qualifications:

1. Our proposal is based upon a construction schedule of 355 consecutive calendar days. The date of commencement shall be the Monday immediately following the Construction Manager's receipt from the Owner all required project permits (e.g. General Building Permit, Site Development Permit, etc.). The payment for such permitting fee(s) are included in our Proposal.
2. Our proposal includes trade permits and /or license fees.
3. Our proposal includes installation of all materials designed Owner Furnished, Contractor Installed (OFCI).
4. Our proposal includes a fire alarm system as specified in Division 28 – Electronic Safety & Security.

Exclusions:

1. Impact fees, permanent utility fees (Oncor, CenterPoint, or other).
2. Water meters and water tap fees.
3. Any Work outside the Limits of Construction (LOC).
4. Hazardous material abatement and/or removal.
5. Independent material laboratory testing costs and/or fee(s).
6. Sales taxes for which the City of Elgin, Texas is exempt.
7. Liquidated damages.
8. Building Information Modeling (BIM) and clash detection services.
9. Material pricing guarantee from future price increases.
10. Masonry testing.
11. Material furnish of materials designated Owner Furnished, Contractor Installed (OFCI).
12. Material furnish and installation of materials designated Owner Furnished, Owner Installed (OFOI).
13. Landscaping and irrigation system.
14. Power pole and overhead electrical utility (OHE) relocation(s).
15. Fiber optic line removal and/or relocation(s).
16. Right-of-way improvements along Depot Street.
17. Polyvinyl-chloride (PVC) roofing. See Accepted VAC in Exhibit B qualifying thermoplastic polyolefin (TPO) roofing.



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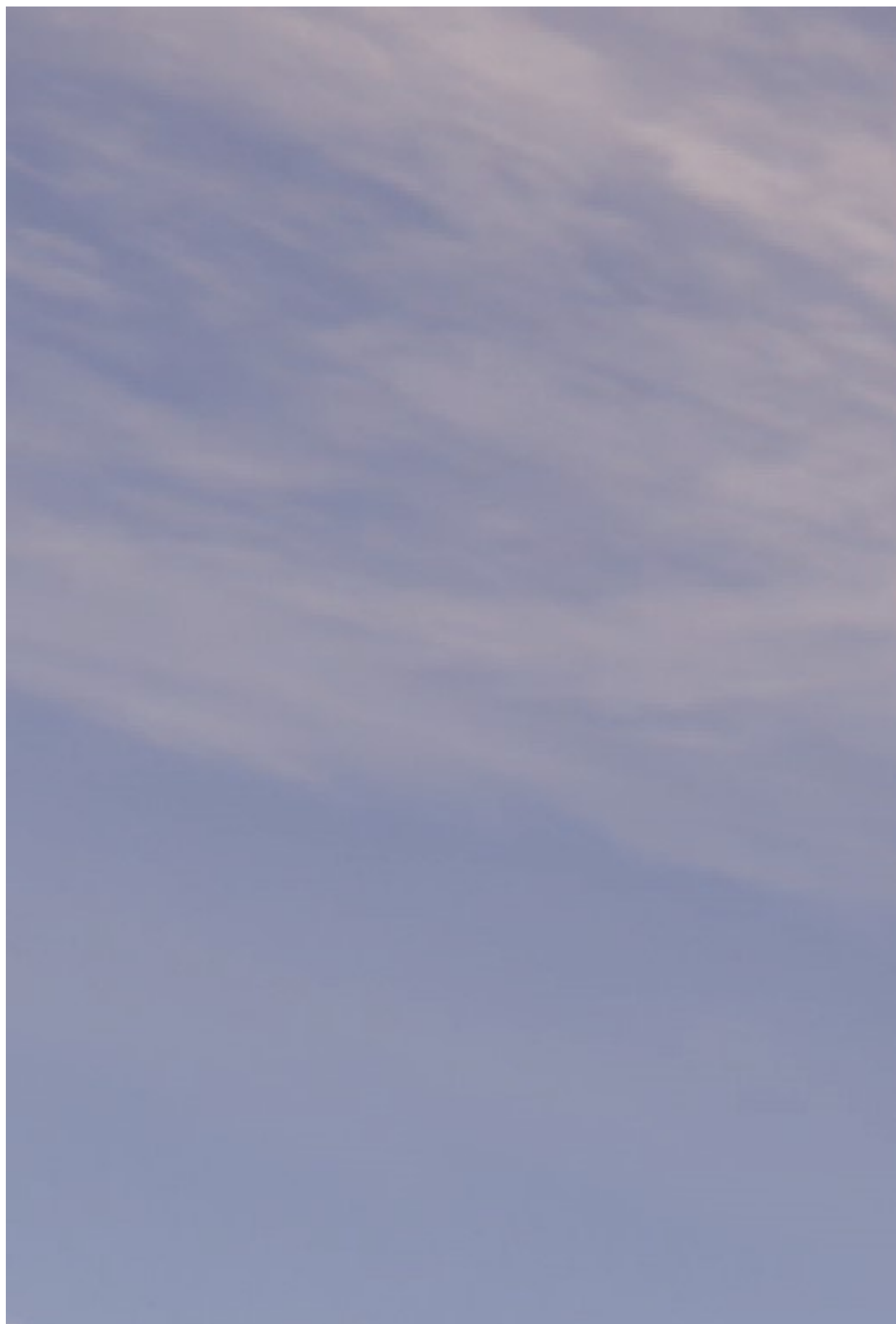
Temple, Texas 76501 | 76503-0917

Phone: (254) 773-3499 | Fax (254) 773-3548

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18. Moisture emission control.
19. Ground-set flagpoles.
20. Detention security equipment.
21. Suspended metal security panel ceiling systems.
22. All building systems commissioning.
23. Lightning protection system.
24. All scopes of Work within Division 27 – Communications.
25. All scopes of Work within Division 28 – Electronic Safety & Security, except for the fire alarm system.
26. Frameless mirrors.
27. Appliances.
28. Material furnish of face brick and burnished CMU that are to be provided by the Owner.

	<u>COST</u> <u>PROJECTION</u>	<u>INITIAL</u> <u>BIDS</u>	<u>BID</u> <u>ADDEN/ADJ/VAC</u>	<u>TOTALS</u>	<u>COUNCIL</u> <u>AMENDMENTS</u>	<u>TOTALS</u>
Construction Costs	4,022,552					
BP1 - Construction Costs		1,542,244	(4,969)	1,537,275	-	1,537,275
BP1 - Adjustment.....		(4,969)	4,969	-	-	-
BP1 - Post-Bid Addendum 1		-	(356,967)	(356,967)	-	(356,967)
BP2 - Construction Costs		4,330,084	24,578	4,354,662	-	4,354,662
BP2 - Adjustment		14,053	(14,053)	-	-	-
BP2 - Post-Bid Addendum 1		-	(736,377)	(736,377)	-	(736,377)
Contingency	185,493					
BP1 - Contingency		60,000	(60,000)	-	-	-
BP1 - Allowance.....		4,000	(4,000)	-	-	-
BP2 - Contingency		100,000	(50,000)	50,000	-	50,000
BP2 - Allowance.....		5,000	(5,000)	-	-	-
Subtotal	\$4,208,045	\$6,050,412	\$ (1,201,819)	\$4,848,593	\$ -	\$4,848,593
Final Bid Alternates						
Sally-port structure foundation	-	-	-	3,296	-	3,296
Bullet-resistant panels	-	-	-	50,545	-	50,545
Evidence storage shelves	-	-	-	44,662	-	44,662
Masonry veneer (west elevation)	-	-	-	27,932	-	27,932
Subtotal	\$ -	\$ -	\$ -	\$ 126,435	\$ -	\$ 126,435
City Council Amendments						
Natural gas-powered emerg generator	-	-	-	-	260,813	260,813
Security fencing w motorized gate	-	-	-	-	100,678	100,678
Sally-port cover/structure	-	-	-	-	71,385	71,385
Eyebrow canopies	-	-	-	-	89,578	89,578
CMU dumpster enclosure	-	-	-	-	36,329	36,329
Interior architectural features	-	-	-	-	89,414	89,414
Subtotal	\$ -	\$ -	\$ -	\$ -	\$ 648,197	\$ 648,197
Soft costs (Engineering, design, testing)	531,396	531,396	-	531,396	-	531,396
Furniture/Fixtures/Miscellaneous.....	320,700	320,700	-	320,700	-	320,700
Total.....	\$5,060,141	\$6,902,508	\$ (1,201,819)	\$5,827,124	\$ 648,197	\$6,475,321





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WATER TREATMENT PLANT EMERGENCY GENERATOR PROJECT TO ALTERRA POWER SYSTEMS OF SUN PRAIRIE, WISCONSIN; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: Director of Public Works

PROPOSED ACTION:

This item is for consideration of a Resolution to authorize the award of a bid award to Alterra Power Systems of Sun Prairie, Wisconsin, in the amount of \$503,070.00 for the Water Treatment Plant Generator Project as part of the 2021 Certificates of Obligation Capital Improvements Program.

BACKGROUND:

Storm Events in February 2021 demonstrated the necessity for alternative power for some critical infrastructure points within the City's water and wastewater system. This generator will help address service interruptions by providing a alternate power source to critical infrastructure points when significant power cannot be produced by the City of Elgin's electric providers. And, as a result of the SB3, the City is required to maintain a utility system Emergency Preparedness Plan (EPP).

The EPP is required to ensure that affected water utilities are able to maintain "emergency operations" (defined as the operation of a water system during an extended power outage (more than 24 hours) at a minimum water pressure of 20 pounds per square inch). This generator at the Water Treatment Plant is crucial to helping the City achieve such goals.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of a Resolution authorizing the award of a bid award to Alterra Power Systems of Sun Prairie, Wisconsin, in the amount of \$503,070.00 for the Water Treatment Plant Generator Project as part of the 2021 Certificates of Obligation Capital Improvements Program; and direction to staff, if any, regarding same.

ATTACHMENTS: Resolution and bid proposal

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WATER TREATMENT PLANT EMERGENCY GENERATOR PROJECT TO ALTERRA POWER SYSTEMS OF SUN PRAIRIE, WISCONSIN; AND MAKING CERTAIN FINDINGS RELATED THERETO.

WHEREAS, the Elgin City Council approved the issuance the 2021 Certificates of Obligation in the principal amount of \$14.8M on May 18, 2021, to provide funding for a wide range of water and wastewater system improvements including “Weatherization of the Water Treatment Plant”; and,

WHEREAS, city staff has received a proposal for immediate acquisition of an emergency power generator to address public health and safety concerns at the City’s Water Treatment Plant; and,

WHEREAS, the Texas Local Government Code, Section 252.022(2) authorize emergency procurements necessary to preserve or protect the public health or safety of the municipality’s residents.

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an agreement with *Alterra Power Systems* of Sun Prairie, Wisconsin, in the amount of \$503,070.00 for the Water Treatment Plant Generator Project, a copy of the bid proposal regarding same being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 3. Project Change Orders. Through the approval of this Resolution, the City Manager is further authorized to approve project contract change orders in a total amount not to exceed 25% of the approved contract as stated above.

Section 4. 2021 Certificates of Obligation Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021 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 5. 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 4th day of April, 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Quotation

Alterra Power Systems
1835 Haynes Dr.
Sun Prairie, WI 53590
March 24, 2023

Project Name: City of Elgin Water Pump Station-207 Pump Station Rd

Notes:

- *No specifications have been provided. It is customers responsibility confirm the equipment listed below meets their required codes, standards, and specifications.*
- *Taxes are NOT included.*
- *ATS Will be quoted separately.*
- *Customer responsible for unloading.*

Quotation: Quote#BS0081363-3

Quote Validity: 15 days

Estimated Lead Time: Ready to Ship (subject to change at any time)

Thank you for your inquiry. We are pleased to quote as follows:

Blue Star 1600KW Stand By Diesel Generator	\$482,955.00
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Blue Star Model MD1600-01
CSA Approved, EPA Tier 2

Engine Model: Mitsubishi S16R-Y2PTAW-1 1600kW Standby Power Rating at 1800 RPM
Governor - Electronic Isochronous

Voltage: 480/277V 3 Phase 60 Hz 0.8 PF

Gen Model: Stamford S7L1D-D 12 Lead Wired 480V 3 Phase High Wye 125°C Rise Over
40°C Ambient

Voltage Regulator: Stamford MX321 Automatic Voltage Regulator with PMG Excitation

Control Panel: Blue Star DCP7310 Microprocessor Based Gen-Set Controller
Mounted Facing Left from Generator End (Unless Specified Otherwise)
Standard Features: Low Oil Pressure, High Coolant Temp, Overspeed, Over-crank
Shutdowns Emergency Stop Pushbutton, Audible Alarm Buzzer with Silencing Switch

Control Panel Options: Low Water Level Sensor with Shutdown

Remote Annunciator: Deep Sea DSE2548 (2x) Output Expansion Modules with Enclosure
(Surface Mounted)



Unit Color: White

Enclosure: Level 2 (Weatherproof Enclosure with Foam) Powder Coated 14 Gauge Steel
Rugged and Durable 200 MPH Wind Rated Enclosure
Pitched Roof for Increased Structural Integrity and Improved Watershed
Louvered Intake and Punched Exhaust Openings
Keyed Alike Lockable Doors with Draw Down Latches and Stainless-Steel Component
Hinges Additional 1.5" Thick Polydamp Type D Acoustical Foam (PAF)
Structural Steel Base with Mounting and Lifting Holes
Includes Pad Type Vibration Mounts to Isolate Unit from Mounting Surface

Sound Attenuation Foam: Sound Attenuation Installed in Enclosure

Enclosure Options: Load Distribution Center for Single Point Accessory Wiring

Cooling: Unit Mounted Radiator (50°C Ambient)

Oil Drain Extension: Plumbed to Bulkhead Fitting in Base

Mainline Breaker: Optional Breaker Required C/B # 1 - 2000A 100% rated C/B # 2 - 200A
3ph 80% rated.

Jacket Water Heater: Engine Block Heaters (2) 9000W 240VAC Rated for -20°F
Heaters Installed with Isolation Valves and Wired to Terminal

Air Cleaner: Dry Single Stage

Silencer: (2) 14.00 Critical Grade (JC Series) Silencers - Unit Mounted
Side Inlet / End Outlet

Battery: 24 Volt System with Rack and Cables

Battery Charger: DSE 24 Volt 10 Amp Mounted and Wired to Terminal

Fuel Tank: 24 Hour / 3850 Gallon UL 142 Listed Sub-Base Fuel Tank with Stub-up Area
Double Wall Construction with Secondary Containment Standard
Includes: Supply & Return Connections, Fuel Level Gauge, Fuel Leak Switch and Fill & Vent
Plumbing

Factory Test: Standard Commercial Testing Includes: Verification of Alarm Shutdowns,
Voltage Settings, Block Loading to Rated kWe and PF

Warranty: 2 Year / 2000 Hour Limited

Alterra Power Systems

1835 Haynes Dr.
Sun Prairie, WI 53590
www.alterrapower.com

Codes and Standards Compliances used where applicable





Start up and commissioning
Freight to Elgin Texas

\$9,660.00
\$10,455.00

Total investment (USD) \$503,070.00

Please review the following pages for clarifications, terms, and conditions

**EXPERIENCE
ALTERRA**

**Available & Incoming
Inventory - [CLICK HERE!](#)**

Alterra Power Systems

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Sun Prairie, WI 53590
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Codes and Standards Compliances used where applicable



CLARIFICATIONS

1. Offloading and installation of the proposed equipment, as well as related mechanical piping, electrical conduit and electrical wiring is not included in this proposal.
2. Startup and commissioning are not included. If required, they will be discussed and quoted separately.
3. Any applicable taxes are not included in this proposal.
4. All related permitting is the responsibility of others.
5. Unless otherwise noted, the generator set uses integral isolation, and does not include steel spring isolators.
6. Standard UL 142 fuel tank has been proposed unless specifically listed above.
7. Fuel is not included in this proposal unless specifically listed above.
8. Protective relay calibration, settings, coordination study, 3rd party site testing, etc. are not part of this proposal unless specifically listed as included.
9. NETA acceptance testing, infrared scanning, harmonic content testing, insulation resistance testing, and/or ground fault testing provided by others unless specifically detailed in the above quotation. Standard onsite testing at unity power factor will be provided
10. Lugs for generator breakers and automatic transfer switches will be provided as per the factory offerings and submittal information per UL2200 and UL1008 approvals. If the project requires lug changes from the factory offering it will be done by others and at their expense.
11. Only those items outlined above will be included in this quotation. Any other items or materials added, regardless of specification, are subject to a price review by Alterra.
12. Specific Fault-Current Closing and withstand ratings not defined. Factory standard ratings have been quoted.
13. The above generator will ship in an enclosed trailer and is the customers responsibility to offload.

CUSTOMER RESPONSIBILITIES – NOT PROVIDED BY ALTERRA POWER SYSTEMS

1. Offloading and placement of equipment on concrete pad.
2. Provide all required diesel fuel for initial fill and testing of equipment. Full tank is required for testing at startup.
3. Coordinate date and time for system start-up with Alterra Power Systems service department once equipment has been installed and connected.
4. **If proposed and listed in the above scope of work** Alterra Power Systems will provide start up and commissioning of the above equipment. It is the electrical contractor responsibility to have the generator set installed, secured to the concrete pad, fueled, all electrical wiring and conduit installed and terminated and tested and utility power available prior to scheduling system start up.
5. If startup is included, Alterra Power Systems Service Department will provide a startup check list which **must be completed** prior to scheduling system start up. If items are found not to be completed after arrival to site, it is the responsibility of the electrical contractor to issue a new purchase order for the return trip need to complete start up and testing of the equipment.

ALTERRA POWER SYSTEMS

TERMS AND CONDITIONS OF SALE

Alterra Power Systems (hereafter "Seller") is based in Sun Prairie, Wisconsin. Unless specifically stated, these Terms and Conditions of Sale establish the rights, obligations, and remedies of Seller and Buyer.

1. **ACCEPTANCE.** The issuance of a purchase order document against this offer shall constitute an acceptance of the offer and not a counteroffer and shall create a contract of sale (herein "Order"), subject to final credit approval and acknowledgement by Seller. Provisions contained in purchase documents issued against this offer which materially add to or subtract from the provisions of this offer shall not be a part of the Order unless specifically agreed to in Seller's written acknowledgement. Equipment, and/or labor, and/or various items are in accordance with Seller's experienced interpretations of plans and specifications, within the limited time between request for bid and bid due date. Materials supplied under this proposal, which are commercially produced to typical industry standards, have been deemed in substantial compliance and therefore acceptable. Only the materials itemized on the attached offer will be supplied. Buyer shall verify all items, sizes and quantities listed on Seller's offer. Seller is not responsible for omissions. If an offer is not accepted in its entirety, Seller reserves the right to decline any part or all the order.
2. **MODIFICATIONS/CHANGES.** Requests by Buyer for any modifications or changes to the Order, including but not limited to, changes in specifications, quantities, delivery obligations and terms of payment, must be made in writing. All such requests are subject to Seller's written acceptance and may result in adjustments to price and/or delivery schedule.
3. **PRICES AND PAYMENTS.**
Prices. Unless otherwise specifically stated in the offer, all prices are in U.S. dollars and are valid for a period of thirty (30) days from the date of the offer. Seller's prices do not include any federal, state, or local sales, value added taxes, use, property, TERP, or excise taxes. If any such taxes are imposed, the seller will invoice them to the buyer as a separate item. In lieu of such taxes, the Buyer must provide with each order, a taxexemption certificate acceptable to the proper taxing authorities, unless such certificate is already on file with the Seller. All prices are based on delivery EX WORKS factory (as defined by Incoterms 2020), and do not include any charges for services such as preservation packaging, insurance, brokerage fees, marine survey, load out and tie down, site installation, or equipment start-up, unless specifically stated in the offer.
Payments. A final invoice will be rendered at time of shipment or notification of ready to ship. Final payment of invoices are due upon issuance of invoice, or with prior approved credit, due 30 days from the date of invoice.
4. **ORDER ENTRY, CANCELLATION BY BUYER.** All stenographic, typographic, or clerical errors are subject to correction. Upon acceptance by Seller and written release of order by Buyer, this order will be entered for production and will not thereafter be subject to cancellation or deferment of delivery without our written consent. Any expense incurred by Seller, due to the cancellation of an order or the deferment of a delivery schedule will be billed to the purchaser and be immediately due and owing, together with all costs of cancellation, including attorney's fees. The following charges may be assessed for cancellation of any order:
 - 10% of total order price if cancelled after Seller has provided submittals and prior to releasing for manufacture
 - 25% of total order price if cancelled after release to order, or if the equipment is on order with the factory
 - 50% of total order price if cancelled less than 60 days before the scheduled shipped date
 - 100% of total order price if cancelled after the equipment has shipped from the manufacturing plant.
5. **SHIPPING DATE, SHIPPING CONSTRAINTS.** It is the responsibility of the Buyer to **notify Seller** at time of order of any specific time constraints involved in this project, and the specific impact of failure to meet that requirement. Lead times shown above are an estimate based on current production schedule and should be verified at time of order release. After an order has been placed with Seller, an estimated ship date will be provided that is subject to change. Buyer will be notified if production schedule is altered and Seller shall not be responsible for any ensuing liquidated damages, unless specifically agreed to in writing by an officer of the Seller.
6. **LIMITATION OF LIABILITY.** Neither Buyer nor Seller or their affiliates, subcontractors, agents and/or employees shall be liable for any incidental or consequential damages, including but not limited to, loss of product, loss of profit (except any profit of Seller from the Order), loss of use, losses resulting from or related to downtime of the goods or the cost of replacement power, howsoever caused, and whether based on warranty, contract, tort (including negligence) strict liability or otherwise. The total liability of Seller, its affiliates, subcontractors, agents and employees arising out of the performance or nonperformance of the Order or its obligations in connection with the design, manufacture, sale, delivery, storage, erection or use of goods or the rendition of any work or services in connection therewith, whether based on warranty, contract, tort (including negligence), strict liability or otherwise, shall not exceed in the aggregate a sum equal to the Order price. The limitations of liability set forth in this Article shall prevail over any conflicting or inconsistent provisions contained in any documents comprising the Order.
7. **FORCE MAJEURE.** Seller shall not be liable for any delay in performance, any nonperformance, or any other deviation in performance of Seller's obligations, nor for any loss or damage to the goods supplied hereunder, when occasioned directly or indirectly by any cause or causes beyond the reasonable control of Seller or its subcontractors or suppliers, including, but not limited to, acts of God; acts of criminals or public enemy; war; riot; official or unofficial acts, orders, regulations or restrictions of any foreign or domestic government or agency thereof; acts of Buyer or its employees or representatives; strikes or labor difficulties involving employees of Seller or any other party; failure, shortage or delay in Seller's usual sources of labor or material supply. Seller shall have a reasonable extension of the time for performance when delayed by any such cause.
8. **WARRANTY.** Seller warrants the goods to be free from defects in workmanship and material used in their manufacture, to the extent provided by the original equipment manufacturer. This warranty will cover goods, on a unit-by-unit basis, only for claims for such defects made during the first to expire of that period (the "Warranty Period") (i) which begins upon a unit first being placed in service or upon demonstrated capability to support such service and ends twelve (12) months thereafter, or (ii) which begins on the date of Seller's notification of readiness of the unit for shipment and ends eighteen (18) months thereafter; provided the goods are installed and used in accordance with Seller's recommended procedures. Seller shall assign and pass-through to Buyer all representations, warranties, and indemnities provided to Seller in its contracts with third party manufacturers and licensors and suppliers relating to the goods. **THIS WARRANTY IS IN LIEU OF ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION, WARRANTIES OR MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE,** all other representations to the original Buyer, and all other obligations or liabilities, including liability for incidental or consequential damages. No person is authorized to give any other warranties or to assume any other liability on Seller's behalf unless agreed to in writing by Seller.
9. **DISPUTES/APPLICABLE LAW.** Buyer and Seller shall use their best efforts to resolve any dispute or claim which may arise under the Order in an amicable manner. In the event Seller is in breach of or noncompliance with any of the provisions of the Order, Buyer shall notify Seller in writing and Seller shall take reasonable measures to remedy such breach or noncompliance within thirty (30) days after receipt of notice. Any dispute or claim arising out of or in relation to the Order which is not settled by agreement of the parties shall be submitted to arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the arbitral award may be entered in any court having jurisdiction. The request for arbitration shall be made within a reasonable time after the dispute or claim arises, and in no event after it would be barred by any applicable statute of limitations. The cost of such arbitration shall be borne as determined by the arbitrator(s). Unless otherwise mutually agreed, arbitration hearings shall be held in the City of Madison, State of Wisconsin, United States of America. Should any provision of the Order be declared invalid, such declaration shall not invalidate or void the remaining provisions of the Order. The Order, having a reasonable relationship to the State of Wisconsin, shall be governed by the laws of the State of Wisconsin, United States of America.



THIS PROPOSAL IS VALID FOR FIFTEEN (15) DAYS. Due to current market volatility, orders placed beyond (15) days from proposal date or released more than (30) days beyond proposal date may require a revised proposal prior to order acceptance by Alterra Power Systems.

Prepared By:

Salesperson: Greg Jacomet

Title: Sales Engineer

Phone: 713-294-4600

Date: March 24, 2023

Upon Acceptance of this Proposal, Customer accepts the proposed products as well as the terms and conditions attached and listed elsewhere.

Company: _____ Ship to Address: _____

Printed Name: _____ Contact for Delivery: _____

Signature: _____ Phone Number: _____

Title: _____ Special Delivery Instructions: _____

Date: _____

Thank you for considering Alterra Power Systems for this project.

Alterra Power Systems

1835 Haynes Dr.
Sun Prairie, WI 53590
www.alterrapower.com

Codes and Standards Compliances used where applicable





Elgin City Council Meeting Agenda Item Executive Summary

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

DEPARTMENT: City Manager

PROPOSED ACTION:

Consideration of an Ordinance to establish a City ad valorem (property) tax limitation or “freeze” on residence homesteads of disabled individuals or individuals aged sixty-five (65) or older

BACKGROUND:

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

Given the City’s improved financial stability, further consideration is being given to this policy matter prior to the deadline for such a decision (July 1) and the final development of the proposed FY23-24 Annual Budget.

Attached to this item is staff report discussing various aspects of establishing a tax limitation or “freeze” and/or increasing the amount of the current City property tax exemption.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adoption of an Ordinance to establish a City ad valorem (property) tax limitation or “freeze” on residence homesteads of disabled individuals or individuals aged sixty-five (65) or older as described; and routine direction to staff, if any.

ATTACHMENTS:

(1) Staff memorandum, (2) Ordinance and (3) Bastrop CAD Exemptions

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

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

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

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

ORDINANCE NO. _____

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

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

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

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

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

Section 1. Findings. The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Definitions.

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

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

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

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

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

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

Section 4. Severability. If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City; and to this end the provisions of this ordinance are declared severable.

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

Section 6. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2023.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary

Memorandum

Date: March 1, 2023

To: Mayor and City Council

Subject: Tax Relief for Over 65 or Disabled City
Property Owners



The City Council has previously expressed their general support for considering options for property tax relief for disabled city property owners of those over 65 years of age.

To that end, the staff has developed the following information with the assistance of Faun Cullens, Chief Appraiser, Bastrop County Central Appraisal District on the process and/or impacts of (a) increasing property tax exemptions and/or (b) implementing a tax freeze:

Property tax exemptions are common among Texas cities, but a tax “freeze” or limitation is also permissible.

Article 8, Section 1-b(h) of the Texas Constitution and the Texas Property Tax Code Section 11.261 allow for municipalities to establish a limit on taxes (freeze). The City of Bastrop adopted a limitation (freeze) but does not offer an exemption amount. The City of Smithville adopted a limitation and offers an exemption amount.

Increasing the property tax exemption or implementing a tax freeze for City property owners who are over 65 years of age or disabled.

Texas cities are authorized to adopt property tax exemptions and/or limitations (freeze) under two separate sections of the state property tax code.

Currently, qualified City of Elgin property taxpayers with a Disabled Person, Surviving Spouse of a Disable Person, Over 65, and Surviving Spouse of an Over 65 are eligible to receive a \$15,000 exemption.

To set a limitation (or tax freeze), Council could adopt legislation limiting certain property taxes pursuant to Section 11.261. The limitation or freeze reviews two years of taxes due and sets the lowest of these two as the freeze amount.

Timing for change in exemption amount or establishing a limitation (freeze)

The deadline to change, revoke or increase the amount of the City’s property tax exemption (dollar amount) is July 1.

If adopted by July 1, the first year of review for establishing limitation (freeze) would be 2023 and 2024 would be the second year (and a qualified home owner would receive the lower tax from 2023 or 2024 as their “freeze” in tax dollars).

Is there a limit as to the amount of an exemption or freeze?

There are different rules regarding Over 65 and Disability Exemptions/Limitations:

- a) The minimum amount for a property tax *exemption* is not less than \$3,000. There is no maximum limit.
- b) The City can repeal and/or amend its existing property tax *exemption*.

c) The limit amount on the *limitation (freeze)* is the tax dollars that were frozen in the qualifying year; meaning city property taxes cannot increase unless new value was added such as a new improvement. Annual taxes due will not go above the frozen tax amount. They could theoretically be less, but never greater than unless there is new improvement.

d) State law does not allow the City to repeal or rescind *limitation (freeze)* once it has been granted.

Potential annual revenue impacts.

a) Increased exemption – A revenue loss would occur with an increased exemption, as it would specifically reduce the amount of property taxes paid between the year of implementation and the following year. Once any increase in the exemption amount is established, the revenue loss can be accurately calculated.

b) Limitation or freeze – There is no true revenue “loss” with the implementation of a freeze, only the loss of potential *future* revenues. The first year granting a freeze, the City would still collect the same dollars, as the first year becomes the base year for those accounts qualifying.

New properties qualify every year as owners turn 65 or individuals with disabilities qualify for the exemption. Any “loss” to the city would be the difference in tax dollars collected in the freeze year and the tax dollars that *would have been collected* the next year and following years in lieu of the freeze.

Also worth noting is that a limitation (freeze) is on tax dollars, not value. The City would “catch up” on revenue to some degree over time as properties become ineligible for this relief and return to the regular tax rolls.

Please let me know if you have any questions or would like to request additional information.



Thomas L. Mattis
City Manager

Bastrop CAD Exemptions

Taxing Unit	General Homestead	Over 65 Exemption	Disabled Person Exemption	Local Option	Freeze Ceiling
Bastrop ISD	\$40,000	\$10,000	\$10,000	-0-	Y
Elgin ISD	\$40,000	\$10,000	\$10,000	-0-	Y
Lexington ISD	\$40,000	\$10,000	\$10,000	-0-	Y
McDade ISD	\$40,000	\$10,000	\$10,000	-0-	Y
Smithville ISD	\$40,000	\$10,000	\$10,000	-0-	Y
Austin Community College	-0-	\$75,000	\$75,000	1% (\$5,000 min.)	Y
City of Elgin	-0-	\$15,000	\$15,000	-0-	N
City of Smithville	-0-	\$10,000	\$10,000	-0-	Y
Bastrop County	-0-	\$25,000	-0-	-0-	Y
Bastrop County Road	\$3,000	\$22,000	\$3,000	-0-	Y
WCID#3 & #3D	-0-	\$10,000	\$10,000	20% (\$5,000 min.)	N
City of Bastrop	-0-	-0-	-0-	-0-	Y
Altesa MUD	-0-	-0-	-0-	-0-	N
Bastrop County MUD #1	-0-	-0-	-0-	-0-	N
Bastrop County ESD #1 & ESD #1D	-0-	-0-	-0-	-0-	N
Bastrop County ESD #2	-0-	-0-	-0-	-0-	N
Bastrop-Travis Cts ESD #1	-0-	-0-	-0-	-0-	N
Elgin MUD #1	-0-	-0-	-0-	-0-	N
Elgin MUD #2	-0-	-0-	-0-	-0-	N
The Colony MUD #1A	-0-	-0-	-0-	-0-	N
The Colony MUD #1B	-0-	-0-	-0-	-0-	N
The Colony MUD #1C	-0-	-0-	-0-	-0-	N
The Colony MUD #1D	-0-	-0-	-0-	-0-	N
The Colony MUD #1E	-0-	-0-	-0-	-0-	N
The Colony MUD #1F	-0-	-0-	-0-	-0-	N
The Colony MUD #1G	-0-	-0-	-0-	-0-	N
West Bastrop Village MUD	-0-	-0-	-0-	-0-	N

VETERANS DISABILITY

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 12.04 ACRES OF LAND OUT OF A373 YOUNG, RICHARD TRACT 1, ACRES 12.04 IN BASTROP COUNTY, TEXAS, INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance for a voluntary annexation of 12.04 acres of land located on Bastrop Co. Appraisal District Parcel #14461

BACKGROUND: The applicant is requesting voluntary annexation into the City Limits. Currently this parcel of land is located within the City’s Extraterritorial Jurisdiction (ETJ). The parcel is under an annexation agreement to annex when development will occur on the site. The parcel consists of a home on it.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Staff recommends approval of this item.

ATTACHMENTS: Ordinance with Exhibit “A”.

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

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

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

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

ORDINANCE NO. 2023-04-04-??

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 12.04 ACRES OF LAND OUT OF A373 YOUNG, RICHARD TRACT 1, ACRES 12.04 IN BASTROP COUNTY, TEXAS, INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 12.04 acres of land out of A373 Young, Richard Tract 1, Acres 12.04 of land (the “Property”) more fully described in Exhibit “A”, have petitioned the City Council in writing to annex the Property, and

WHEREAS, the property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant without residents, or on which less than three (3) qualified voters reside, and

WHEREAS, the City Council has determined that all requirements of Section 43.028. Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

I.

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

II.

That the City Council has heard arguments for and against the annexation and has determined to grant the petition for annexation.

III.

That the Property described in Exhibit “A”, attached hereto and incorporated herein for all proposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Bastrop County, Texas, and same is hereby made an integral part hereof.

IV.

That the owners and future inhabitants of the area herein annexed be entitled to all the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

V.

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Elgin, Texas.

VI.

That the City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after “passage”.

VIII.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Bastrop County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid, or unconstitutional or any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph, or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph, or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

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

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

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

By motion duly made, seconded, and passed with an affirmative vote of all the Council members present, the requirement for reading this Ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this the 4th day of April 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

MUNICIPAL SERVICE PLAN

FIRE

Existing Services: Services are already provided by the entity known as the Bastrop/Travis Co. Emergency Services District (ESD) #1 (i.e. North Bastrop Fire Rescue). This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: This annexation will not change the already provided existing services or add new services.

POLICE

Existing Services: Services are already provided by the Bastrop County Sheriff's Office

Services to be Provided: Upon annexation, the City of Elgin Police Department will extend regular and routine patrols to the area. In addition, animal control services will be provided to the area as needed. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

DEVELOPMENT SERVICES

Existing Services: Currently the City of Elgin Development Services Department provides only subdivision regulations, sign regulations, and applicable permits and inspections to the site. Other existing services are provided by the Bastrop County Development Services Department.

Services to be Provided: Upon annexation, the City of Elgin Development Services Department will continue to provide existing services as well as new services such as site development permits, building permits, inspections, zoning regulations, landscaping regulations, site development regulations, fire regulations, building regulations, & code enforcement services to enforce the above items and all other applicable Codes which regulate development and construction within the City of Elgin. These services can be provided within the Department's current budget and staff appropriations.

COMMUNITY SERVICES - LIBRARY

Existing Services: Services already provided for free such programs and activities and a fee is charged for library cards.

Services to be Provided: Upon the effective date of annexation, existing services continue and new/renewal library cards will be free for residents. These services can be provided within the Department's current budget and staff appropriations.

COMMUNITY SERVICES – PARKS AND RECREATION

Existing Services: Facilities such as City park usage is available for free. Facilities such as the swimming pool and recreation center charge higher fees for non-City resident usage.

Services to be Provided: Upon the effective date of annexation, existing services such as City park usage remain free. However, fees to use facilities such as the swimming

pool and recreation center will have lower fees. This service can be provided within the Department's current budget and staff appropriations.

HEALTH

Existing Services: Services are already provided by the entity known as the Bastrop County Health Department through an interlocal agreement. This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: Upon annexation, this will not change the already provided existing services or add new services.

STREETS

Existing Services: Services are already provided by Texas Department of Transportation (TXDOT) for FM 1704. This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: This annexation will not change the already provided existing services or add new services.

PUBLIC WORKS - STORM WATER MANAGEMENT

Existing Services: None.

Services to be Provided: Upon annexation, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at during construction and at time of completion. The City Public Works Department will then maintain the drainage upon approval of development plans if the improvement is within a right-of-way (ROW). This service can be provided within the Department's current budget and staff appropriations.

STREET LIGHTING

Existing Services: None.

Services to be Provided: Upon annexation, the City of Elgin will coordinate any request for improved street lighting with the local electric provider in accordance with standard City Policy.

WATER SERVICE

Existing Services: Services are already provided by the entity known as the Aqua Water Supply Corporation (WSC). This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: Upon annexation, this will not change the already provided existing services or add new services.

PUBLIC WORKS - WATER SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, water service to the area will be provided in accordance with applicable City Codes and City Policy though the City Public Works Department. When property develops in the adjacent areas, water service shall be

provided in accordance with the present City Codes and City Policy. Extension of services shall comply with applicable City Codes and City Policy.

PUBLIC WORKS - SANITARY SEWER SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, sanitary sewer service to the area will be provided in accordance with applicable City Codes and City Policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present City Codes and City Policy. Extension of services shall comply with applicable City Codes and City Policy.

PUBLIC WORKS - SOLID WASTE SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, it shall be provided in accordance with the present City of Elgin agreement with Waste Management (WM). Service shall comply with existing City Ordinances and Policies.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Elgin's established City Policies and State law governing extension of municipal services to newly annexed areas.

**PETITION FOR VOLUNTARY ANNEXATION
INTO THE CITY OF ELGIN, TEXAS**

Pursuant to the provisions of Section 43.0671 of the Local Government Code and our agreement with the City of Elgin under the provisions of Section 212.172 of the Local Government Code, GORDON R. + PHYLIS D. MOLINA requests voluntary annexation in the City of Elgin, Texas of the following described property attached as Exhibit "A."

EXECUTED on this 16 day of FEB, 2023.

Gordon R. Molina

Printed Name: GORDON R. MOLINA

Phylis D. Molina

Printed Name: PHYLIS D. MOLINA

Printed Name: _____

STATE OF TEXAS

§

§

COUNTY OF BASTROP

§

This instrument was acknowledged before me on the 16 day of FEB., 2023, by GORDON R. MOLINA and Phylis D. MOLINA.



Melissa Lipiec
Notary Public, State of Texas

County: Bastrop
Project: Molina Tracts
Job No.: A220143
MB No.: 22-065

**FIELD NOTES FOR 12.04 ACRES
(Tract 1)**

Being a tract containing 12.04 acres of land and being comprised of all of a called 1.23 acre tract of land recorded in the name of the Gordon R. and Phylis Davis Molina Living Trust Per Bastrop County Appraisal District, no deed information found); all of a called 1.23 acre tract of land recorded in the names of the Gordon R. and Phylis Davis Molina in Volume 2277, Page 370, Bastrop County Deed Records (B.C.D.R.); and a portion of a called 13.57 acre tract of land recorded in the names of Gordon R. and Phylis Davis Molina in Volume 1163, Page 610, B.C.D.R., located in the Richard Young Survey, A-373, Bastrop County, Texas. Said 12.04 acres being more particularly described by metes and bounds as follows (*bearings are based on the Texas Coordinate System NAD 83, Central Zone*);

Beginning at a 5/8-inch steel rod found for the northwesterly corner of said 13.57 acre tract, said rod being the southwesterly corner of a called 15.15 acre tract of land recorded in the name of Wilbert and Doris George in Volume 682, Page 426, B.C.D.R., said rod being the intersection of the easterly Right-of-Way (R.O.W.) of F.M. 1704 (80' wide) with the southerly line of McVay Lane, an apparent prescriptive use R.O.W. of undetermined width;

Thence, with the northerly line of said 13.53 acre tract, and the southerly line of said 15.15 acre tract and with the apparent southerly line of said McVay lane, South 62 degrees 43 minutes 09 seconds East, a distance of 979.50 feet to a 60-d nail set for the northeasterly corner of said 13.53 acre tract, said nail being the most northerly northwest corner of a called 88.453 acre tract of land recorded in the name of Alfredo Perez, Jr. in Document Number 201909640, B.C.D.R., from which, a capped iron rod found stamped "RPI.S 1753" found for the most northerly northeast corner of said 88.453 acre tract, said iron rod being the northwesterly corner of a called 10.006 acre tract of land recorded in the name of Fermin Ruiz in Document Number 201813910, B.C.D.R., bears South 62 degrees 43 minutes 09 seconds East, a distance of 30.00 feet, said nail set in a gravel portion of said McVay Lane;

Thence, with the easterly line of said 13.57 acre tract and the westerly line of said 88.453 acre tract and the apparent westerly line of said McVay Lane, South 27 degrees 44 minutes 42 seconds West, a distance of 304.95 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";

Thence, through and across said 13.57 acre tract the following three (3) courses and distances;

1. North 62 degrees 15 minutes 18 seconds West, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";
2. South 27 degrees 44 minutes 42 seconds West, a distance of 406.99 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";



TRACT 1-12.04 ACRES

BASTROP COUNTY, TEXAS

TRACT 2-4.00 ACRES

BASTROP COUNTY, TEXAS



Bastrop CAD Web Map



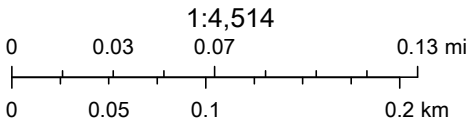
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 Abstracts

 Parcels

 Lot Lines

 Bastrop Roads



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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 1; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions

BACKGROUND: When a parcel of land is annexed into the City limits, State law requires assignment of the area to an elected representative. The only Council Ward that can be assigned based on location is Ward No. 1.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Recommend approval of item.

ATTACHMENTS: Ward Assignment Ordinance & Ward Map.

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

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

ORDINANCE NO. 2023-04-04??

AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Elgin, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, the territory described on Exhibit “A” (the “Property”) attached hereto and made a part hereof by reference for all purposes, was unilaterally annexed by the City of Elgin by Ordinance No. 2023-04-04-_____ on April 4, 2023; and

WHEREAS, the procedures prescribed by the Charter of the City of Elgin and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

WHEREAS, the Property is so situated as to be assigned to City Council Ward Area No. 1; and it is the intention of the City Council to add this parcel to Ward Area No. 1; now, therefore,

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

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

II.

That the Property described in the attached Exhibit “A” is hereby assigned to Council Ward Area No. 1.

III.

That this Ordinance shall become effective after its passage.

IV.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

V.

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

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

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

READ, PASSED, and ADOPTED on first reading this 4th day of April 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

WARD MAP

ELGIN, TEXAS

LEGEND

- PARCELS
- FULL PURPOSE CITY LIMITS
- LIMITED PURPOSE CITY LIMITS

WARDS

- 1
- 2
- 3
- 4

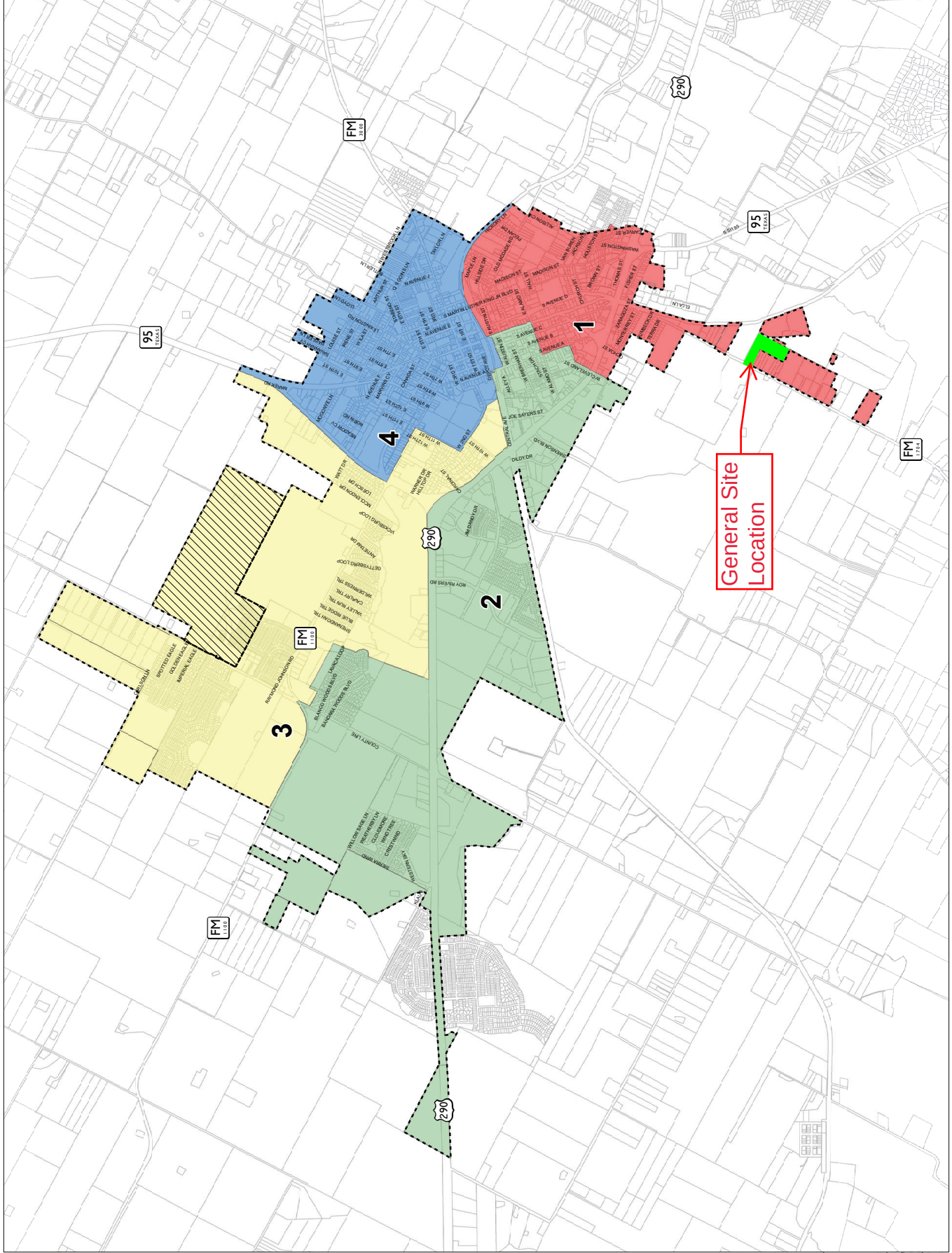


0 1,250 2,500 3,750
FEET

1 INCH = 1,250 FEET
February 8, 2023



This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It is not intended to be used as a legal document or to represent any specific location of property. The user assumes all liability for any use of this product for damages or other liabilities due to the accuracy, availability, completeness, use or misuse of the information herein provided. The map is intended to be used for informational purposes only.

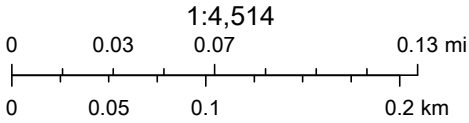


Bastrop CAD Web Map



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-  Abstracts
-  Parcels
-  Lot Lines
-  Bastrop Roads



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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 4.00 ACRES OF LAND OUT OF A373 YOUNG, RICHARD TRACT 2, ACRES 4.00 IN BASTROP COUNTY, TEXAS, INCLUDING ADJACENT RIGHT-OF-WAY, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance for a voluntary annexation of 4.00 acres of land located on Bastrop Co. Appraisal District Parcel #8728395

BACKGROUND: The applicant is requesting voluntary annexation into the City Limits. Currently this parcel of land is located within the City’s Extraterritorial Jurisdiction (ETJ). The parcel is under an annexation agreement to annex when development will occur on the site. The parcel consists of vacant land.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Staff recommends approval of this item.

ATTACHMENTS: Ordinance with Exhibit “A”.

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

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

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

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

ORDINANCE NO. 2023-04-04-??

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: 4.00 ACRES OF LAND OUT OT A373 YOUNG, RICHARD TRACT 2, ACRES 4.00 IN BASTROP COUNTY, TEXAS, AND BEING FULLY DESCRIBED IN EXHIBIT “A”, ATTACHED HERETO; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Local Government Code, as amended, and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 4.00 acres of land out of A373 Young, Richard Tract 2, Acres 4.00 of land (the “Property”) more fully described in Exhibit “A”, have petitioned the City Council in writing to annex the Property, and

WHEREAS, the property is (1) one-half mile or less in width; (2) contiguous to the City; and (3) vacant without residents, or on which less than three (3) qualified voters reside, and

WHEREAS, the City Council has determined that all requirements of Section 43.028. Local Government Code have been complied with and hereby consider it appropriate to grant the petition for annexation, Now Therefore

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

I.

That all of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

II.

That the City Council has heard arguments for and against the annexation and has determined to grant the petition for annexation.

III.

That the Property described in Exhibit “A”, attached hereto and incorporated herein for all proposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Bastrop County, Texas, and same is hereby made an integral part hereof.

IV.

That the owners and future inhabitants of the area herein annexed be entitled to all the rights and privileges of other citizens and property owners of said City and are hereby bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

V.

That the official map and boundaries of the City, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Elgin, Texas.

VI.

That the City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add territory hereby annexed as required by law.

VII.

That this Ordinance shall become effective after “passage”.

VIII.

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance

in the Office of the County Clerk of Bastrop County, Texas.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid, or unconstitutional or any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph, or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph, or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

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

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

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

By motion duly made, seconded, and passed with an affirmative vote of all the Council members present, the requirement for reading this Ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this the 4th day of April 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

MUNICIPAL SERVICE PLAN

FIRE

Existing Services: Services are already provided by the entity known as the Bastrop/Travis Co. Emergency Services District (ESD) #1 (i.e. North Bastrop Fire Rescue). This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: This annexation will not change the already provided existing services or add new services.

POLICE

Existing Services: Services are already provided by the Bastrop County Sheriff's Office

Services to be Provided: Upon annexation, the City of Elgin Police Department will extend regular and routine patrols to the area. In addition, animal control services will be provided to the area as needed. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

DEVELOPMENT SERVICES

Existing Services: Currently the City of Elgin Development Services Department provides only subdivision regulations, sign regulations, and applicable permits and inspections to the site. Other existing services are provided by the Bastrop County Development Services Department.

Services to be Provided: Upon annexation, the City of Elgin Development Services Department will continue to provide existing services as well as new services such as site development permits, building permits, inspections, zoning regulations, landscaping regulations, site development regulations, fire regulations, building regulations, & code enforcement services to enforce the above items and all other applicable Codes which regulate development and construction within the City of Elgin. These services can be provided within the Department's current budget and staff appropriations.

COMMUNITY SERVICES - LIBRARY

Existing Services: Services already provided for free such programs and activities and a fee is charged for library cards.

Services to be Provided: Upon the effective date of annexation, existing services continue and new/renewal library cards will be free for residents. These services can be provided within the Department's current budget and staff appropriations.

COMMUNITY SERVICES – PARKS AND RECREATION

Existing Services: Facilities such as City park usage is available for free. Facilities such as the swimming pool and recreation center charge higher fees for non-City resident usage.

Services to be Provided: Upon the effective date of annexation, existing services such as City park usage remain free. However, fees to use facilities such as the swimming

pool and recreation center will have lower fees. This service can be provided within the Department's current budget and staff appropriations.

HEALTH

Existing Services: Services are already provided by the entity known as the Bastrop County Health Department through an interlocal agreement. This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: Upon annexation, this will not change the already provided existing services or add new services.

STREETS

Existing Services: Services are already provided by Texas Department of Transportation (TXDOT) for FM 1704. This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: This annexation will not change the already provided existing services or add new services.

PUBLIC WORKS - STORM WATER MANAGEMENT

Existing Services: None.

Services to be Provided: Upon annexation, developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at during construction and at time of completion. The City Public Works Department will then maintain the drainage upon approval of development plans if the improvement is within a right-of-way (ROW). This service can be provided within the Department's current budget and staff appropriations.

STREET LIGHTING

Existing Services: None.

Services to be Provided: Upon annexation, the City of Elgin will coordinate any request for improved street lighting with the local electric provider in accordance with standard City Policy.

WATER SERVICE

Existing Services: Services are already provided by the entity known as the Aqua Water Supply Corporation (WSC). This entity is not a City related entity and is not affected by this Municipal Service Plan.

Services to be Provided: Upon annexation, this will not change the already provided existing services or add new services.

PUBLIC WORKS - WATER SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, water service to the area will be provided in accordance with applicable City Codes and City Policy though the City Public Works Department. When property develops in the adjacent areas, water service shall be

provided in accordance with the present City Codes and City Policy. Extension of services shall comply with applicable City Codes and City Policy.

PUBLIC WORKS - SANITARY SEWER SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, sanitary sewer service to the area will be provided in accordance with applicable City Codes and City Policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present City Codes and City Policy. Extension of services shall comply with applicable City Codes and City Policy.

PUBLIC WORKS - SOLID WASTE SERVICE

Existing Services: None.

Services to be Provided: Upon annexation, it shall be provided in accordance with the present City of Elgin agreement with Waste Management (WM). Service shall comply with existing City Ordinances and Policies.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Elgin's established City Policies and State law governing extension of municipal services to newly annexed areas.

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

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

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which less than three qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as part of the City of Elgin, Texas, the following described territory, to wit:

See Exhibit "A", attached hereto and incorporated herein.
(Here describe territory by metes and bounds.)

property ID # 8728395

We certify that the above-described tract of land is contiguous and adjacent to the City of Elgin, Texas, is not more than one-half mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

Signed: [Signature]
Signed: _____
Signed: _____

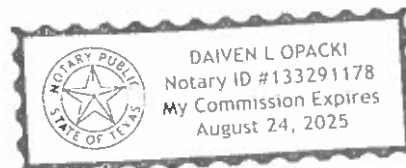
THE STATE OF TEXAS
COUNTY OF Travis

Before me, the undersigned authority, on this day personally appeared Stephanie Worley, _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 31st day of January, 2023 ⁰⁰.

Notary Public, [Signature]

Travis County, Texas



County: Bastrop
Project: Molina Tracts
Job No.: A220143
MB No.: 22-066

**FIELD NOTES FOR 4.00 ACRES
(Tract 2)**

Being a tract containing 4.00 acres of land and being out of a called 13.57 acre tract of land recorded in the names of Gordon R. and Phylis Davis Molina in Volume 1163, Page 610, B.C.D.R., located in the Richard Young Survey, A-373, Bastrop County, Texas. Said 4.00 acres being more particularly described by metes and bounds as follows (*bearings are based on the Texas Coordinate System NAD 83, Central Zone*):

Beginning at a 1/2-inch iron rod found for the southwesterly corner of said 13.57 acre tract, said iron rod being the southeasterly corner of Lot 2, Servante Subdivision, a subdivision as recorded in Volume 3, Page 118A, Bastrop County Plat Records (B.C.P.R.), said iron rod being on the northerly line of a called 11 acre tract of land recorded in the name of the Trustee of the Ernest W. Bracewell, Sr. Family Trust in Volume 2298, Page 862 (Tract 3), B.C.D.R.;

Thence, with the westerly line of said 13.53 acre tract, and the easterly line of said Servante Subdivision; the easterly line of a called 1.23 acre tract of land recorded in the name of Arthur and Sofie Rangel in Volume 2270, Page 280, B.C.D.R.; the easterly line of a called 1.23 acre tract of land recorded in the name of Arthur and Sofie Rangel in Volume 2017, Page 773, B.C.D.R.; and the easterly line of a called 1.23 acre tract of land recorded in the name of Robert and Sharon Wenske in Volume 635, Page 540, B.C.D.R., North 27 degrees 57 minutes 41 seconds East, a distance of 367.43 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";

Thence, through and across said 13.57 acre tract the following three (3) courses and distances;

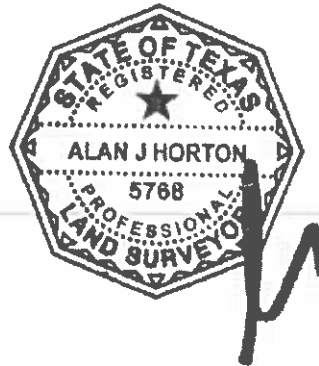
1. South 65 degrees 55 minutes 18 seconds East, a distance of 368.98 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";
2. North 27 degrees 44 minutes 42 seconds East, a distance of 406.99 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners";
3. South 62 degrees 15 minutes 18 seconds East, a distance of 50.00 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners" on the easterly line of said 13.57 acre tract, said iron rod being on the westerly line of a called 88.453 acre tract of land recorded in the name of Alfredo Perez, Jr. in Document Number 201909640, B.C.D.R.;

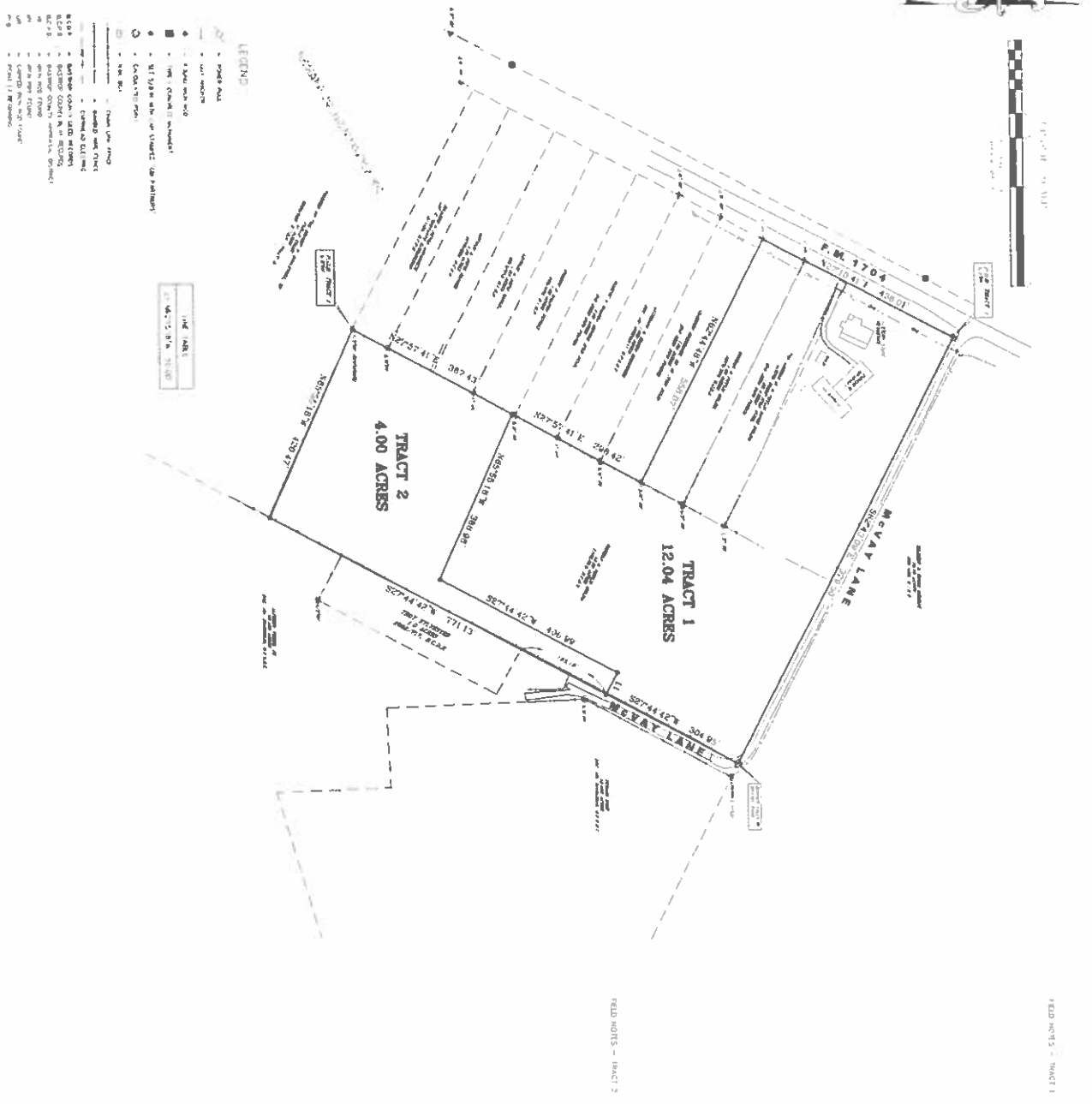
Thence, with the easterly line of said 13.57 acre tract and the westerly line of said 88.453 acre tract, South 27 degrees 44 minutes 42 seconds West, passing at a distance of 195.19 feet the calculated northwesterly corner of a called 1.0 acre tract of land recorded in the name of Troy Sylvester in Volume 2082, Page 717, B.C.D.R., passing at 608.17 feet the calculated southwesterly corner of said 1.0 acre tract, continuing with the easterly line of said 13.57 acre tract and the

westerly line of said 88.4543 acre tract, in all, a total distance of 771.13 feet to a 5/8-inch iron rod set with cap stamped "GBI Partners" for the southeasterly corner of said 13.57 acre tract, said iron rod being the northeasterly corner of aforesaid 11 acre tract;

Thence, with the southerly line of said 13.57 acre tract and the northerly line of said 11 acre tract, North 65 degrees 55 minutes 18 seconds West, a distance of 420.47 feet to the **Point of Beginning** and containing 4.00 acres of land.

GBI Partners, LP
TBPLS Firm No. 10194150
Ph: 512-296-2675
November 11, 2022





PRELIMINARY - FOR REVIEW PURPOSES ONLY

PLAT OF SURVEY
TRACT 1-12.04 ACRES
 BEING COMPRISED OF ALL OF A CALLED 1.23 ACRE TRACT OF LAND RECORDED IN THE NAME OF THE GORDAN R. & PHYLLIS DAVIS MOLINA LIVING TRUST (PER RECORD); ALL OF A CALLED 1.23 ACRE TRACT OF LAND RECORDED IN THE NAME OF GORDAN R. & PHYLLIS MOLINA IN VOLUME 2277, PAGE 570, B.C.D.R.; AND A PORTION OF A CALLED 13.27 ACRE TRACT OF LAND RECORDED IN THE NAME OF GORDAN R. & PHYLLIS MOLINA IN VOLUME 1103, PAGE 610, B.C.D.R., LOCATED IN THE RICHARD YOUNG SURVEY 610, B.C.D.R., LOCATED IN THE RICHARD YOUNG SURVEY A-373
 BASTROP COUNTY, TEXAS
 SURVEY A-373

TRACT 2-4.00 ACRES
 BEING COMPRISED OF A PORTION OF A CALLED 13.27 ACRE TRACT OF LAND RECORDED IN THE NAME OF GORDAN R. & PHYLLIS MOLINA IN VOLUME 1103, PAGE 610, B.C.D.R., LOCATED IN THE RICHARD YOUNG SURVEY A-373
 BASTROP COUNTY, TEXAS
 SURVEY A-373

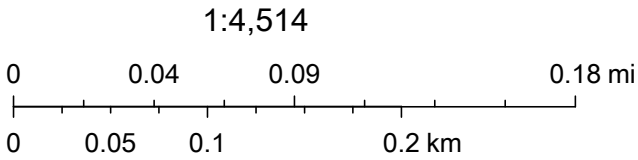
GBI PARTNERS
 LAND SURVEYING CONSULTANTS
 10000 N. FARM ROAD, SUITE 100
 FARMERSVILLE, TEXAS 77936
 PHONE: 817-251-1111
 FAX: 817-251-1112
 E-MAIL: GBI@GBIPARTNERS.COM
 DATE: 11-11-2011
 DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 SCALE: AS SHOWN

Bastrop CAD Web Map



1/27/2023, 3:18:42 PM

-  Abstracts
-  Parcels
-  Lot Lines
-  Bastrop Roads



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Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance assigning newly annexed property to City Council Ward Area No. 1; providing for a severability clause and providing an effective date; providing a savings clause and repealing conflicting ordinances and resolutions

BACKGROUND: When a parcel of land is annexed into the City limits, State law requires assignment of the area to an elected representative. The only Council Ward that can be assigned based on location is Ward No. 1.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: Recommend approval of item.

ATTACHMENTS: Ward Assignment Ordinance & Ward Map.

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

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

ORDINANCE NO. 2023-04-04-??

AN ORDINANCE ASSIGNING NEWLY ANNEXED PROPERTY TO CITY COUNCIL WARD AREA NO. 1; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Elgin, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, the territory described on Exhibit “A” (the “Property”) attached hereto and made a part hereof by reference for all purposes, was unilaterally annexed by the City of Elgin by Ordinance No. 2023-04-04-_____ on April 4, 2023; and

WHEREAS, the procedures prescribed by the Charter of the City of Elgin and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

WHEREAS, the Property is so situated as to be assigned to City Council Ward Area No. 1; and it is the intention of the City Council to add this parcel to Ward Area No. 1; now, therefore,

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

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

II.

That the Property described in the attached Exhibit “A” is hereby assigned to Council Ward Area No. 1.

III.

That this Ordinance shall become effective after its passage.

IV.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

V.

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

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

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

READ, PASSED, and ADOPTED on first reading this 4th day of April 2023.

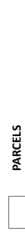
THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

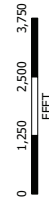
JENNIFER STUBBS, City Secretary

WARD MAP
ELGIN, TEXAS

LEGEND



WARDS

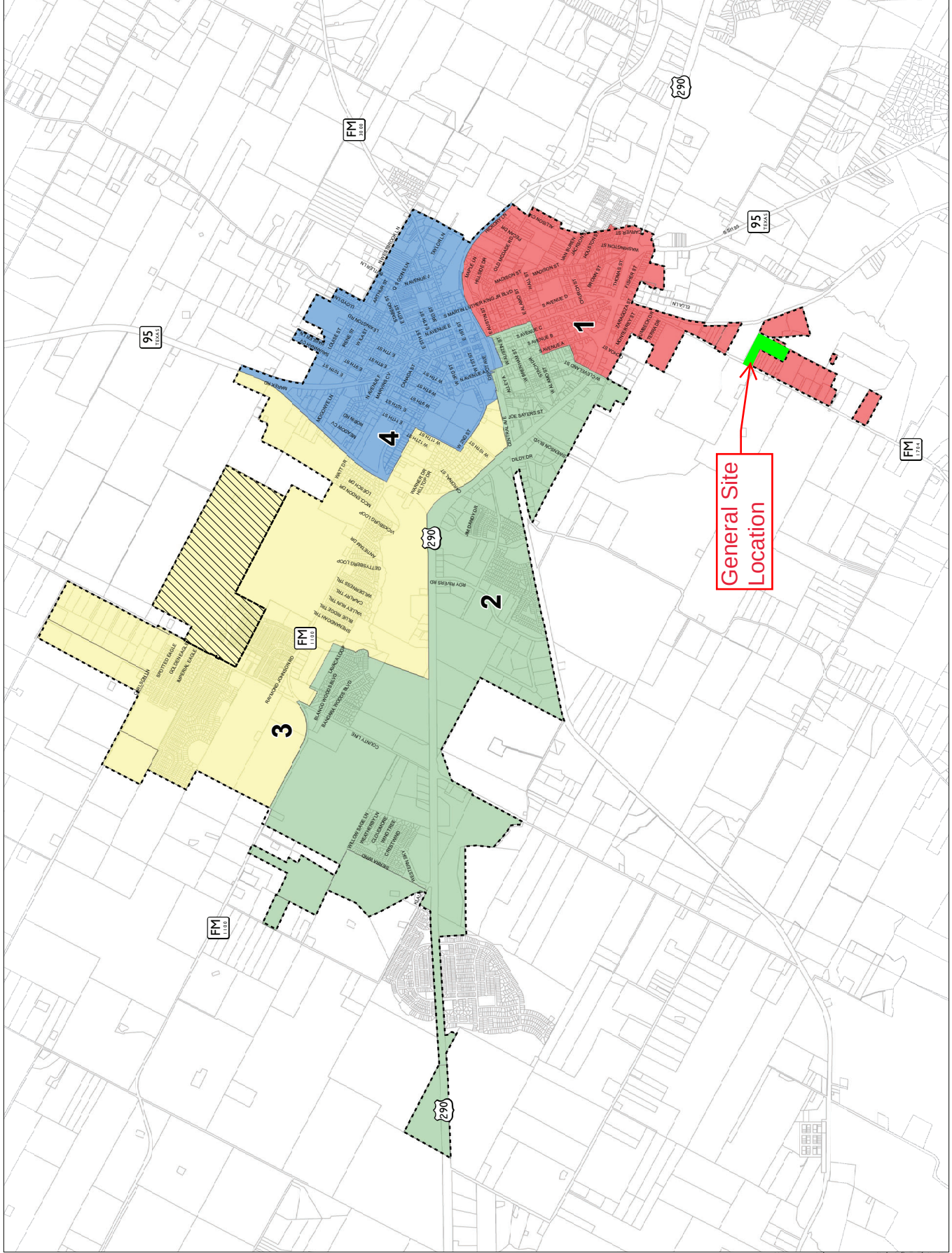


1 INCH = 1.250 FEET

February 8, 2023



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

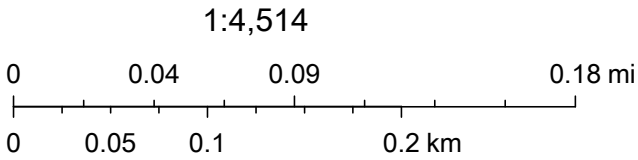


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