



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 16, 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_loV0Nr3AqM1jJTzA

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. Public Hearing On An Ordinance Amending Ch. 46, Zoning, Art. I, In General, Art. IV Zoning District Regulations; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Documents:

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

2. Public Hearing On An Ordinance Amending The Official Zoning Map Of The City Of Elgin, Texas Adopted In Chapter 46, Section 46-3, Revised Code Of Ordinances, City Of Elgin, Texas, 2013 And Making This Amendment A Part Of Said Official Zoning Map, To Wit: To Rezone Land From "R-1" Single Family Dwelling District To "C-3" Highway Commercial District Located On Parcels Of Land Known By The Travis Co. Appraisal District As Parcel 815585, Located At 13708 County Line Rd. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), Being More Described In Exhibit "A"; And Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.

Documents:

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

3. Public Hearing On A Resolution Of The City Of Elgin, Texas Approving A Strategic Partnership Agreement With Primavista Land Company, LLC And The City.

Documents:

Documents:

[NEW PUBLIC HEARING COUNCIL COVERSHEET 2.PDF](#)

- 4. Public Hearing On An Ordinance Annexing Adjacent And Contiguous Territory To The City Of Elgin, Texas To Wit: A 0.511 Acre Tract Of Land, Situated Out Of The Thomas Christianson Survey, Abstract No. 2296 In Travis County, Texas And Being Fully Described In Exhibit "A" Attached Hereto; Providing For A Savings Clause And Repealing Conflicting Ordinances And Resolutions.**

Documents:

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

VI. PUBLIC COMMENT

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

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

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

VII. PRESENTATION

- 1. A PROCLAMATION DECLARING MAY 2023 AS NATIONAL HISTORIC PRESERVATION MONTH IN THE CITY OF ELGIN**

Documents:

[2023 NATIONAL HISTORIC PRESERVATION MONTH.PDF](#)

VIII. CITY MANAGERS REPORT

- 1. Review And Discussion Of The Temporary Traffic Re-Routing Plan To Accommodate The County Line Road Reconstruction Project Phase 1, Parts 2 And 3**

Documents:

[EXSUMMARY - DISCUSS CLRD DETOUR PLAN.PDF](#)

2. Review And Discussion Of The Recreation Center/Emergency Shelter Being Utilized As The City Polling Location And The Potential For Relocation Of Same

Documents:

[EXSUMMARY - DISCUSS POLLING PLACE.PDF](#)
[MEMRCPOLLINGPLACE423.PDF](#)

3. Planning & Zoning Commission (PZC) Quarterly Report

Documents:

[STAFF REPORT.PDF](#)

4. General Activity Report And/Or Project Update

Documents:

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

IX. CONSENT AGENDA

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the City Council and will be enacted with one motion, one second, and one vote. Any member of the City Council may pull any item from the Consent Agenda in order that the City Council discuss and act upon it individually as a part of the Regular Agenda.

1. City Council Regular Meeting Minutes - May 2, 2023

Documents:

[EX SUMMARY- MAY 2, 2023 REGULAR MEETING MINUTES.PDF](#)
[5-02-2023 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO INSTALLATION OF AN EMERGENCY GENERATOR AT THE WATER TREATMENT PLANT; AND MAKING CERTAIN FINDINGS RELATED THERETO

Documents:

[EXSUMMARY - WTP GENERATOR DESIGN.PDF](#)
[RESAUTH WTPGENERATORDESIGN523.PDF](#)
[WTP GENERATOR ENGINEERING PROPOSAL 5-8-23 ADDITIONAL NO.2.PDF](#)

X. NEW BUSINESS

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN GENERAL ELECTION HELD ON MAY 6, 2023; FINDING AND DETERMING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

Documents:

[EX SUMMARY-CANVASS THE ELECTION.PDF](#)
[RESOLUTION CANVASS.PDF](#)

2. **AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE I IN GENERAL, ARTICLE IV ZONING DISTRICT REGULATIONS, & ARTICLE V SUPPLEMENTAL DISTRICT REGULATIONS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[ACCESSORY DWELLING UNIT ORDINANCE.PDF](#)
[DETAILED CODE CHANGES TABLE.PDF](#)

3. **A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH IECONI OF HOUSTON, TEXAS FOR THE PISTOL HILL WATER BOOSTER STATION IMPROVEMENTS PROJECT, GENERAL LAND OFFICE GRANT 22-082-009-D207; AND MAKING CERTAIN FINDINGS RELATED THERETO**

Documents:

[EXSUMMARY - PISTOL HILL PROJECT.PDF](#)
[RESAUTH PISTOLHILL523.PDF](#)
[RECOMMENDATION OF AWARD - PISTOL HILL GLO.PDF](#)

4. **AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 0.511 ACRE TRACT OF LAND, SITUATED OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT NO. 2296 IN TRAVIS 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 WITH EXHIBIT.PDF](#)

5. **AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE LAND FROM "R-1" SINGLE FAMILY DWELLING DISTRICT TO "C-3" HIGHWAY COMMERCIAL DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCEL 815585, LOCATED AT 13708 COUNTY LINE RD. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), BEING MORE DESCRIBED IN EXHIBIT "A"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.**

Documents:

[NEW COUNCIL COVERSHEET.PDF](#)
[COUNTY LINE ROAD REZONING TOTAL COMBINED PACKET.PDF](#)

XI. EXECUTIVE SESSION

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

551 of the Texas Government Code to discuss any matter as specifically listed on the agenda and/or as permitted by Chapter 551 of the Texas Government Code.

XII. RECONVENE

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

XIII. ANNOUNCEMENTS

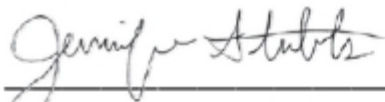
XIV. ADJOURMENT

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

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

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

I, Jennifer Stubbs, City Secretary for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before Friday, May 12, 2023, in accordance with Chapter 551 of the Texas Government Code.



Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an Ordinance amending Ch. 46, Zoning, Art. I, In General, Art. IV Zoning District Regulations; and providing for a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance changes in accordance with State law (add accessory dwelling units regulations).

BACKGROUND: The Planning & Zoning Commission held the first public hearing on this item at their April 24, 2023, meeting.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: The Planning & Zoning Commission recommended approval of this item at their April 24, 2023, meeting.

ATTACHMENTS: None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an Ordinance amending the Official Zoning Map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances, City of Elgin, Texas, 2013 and making this amendment a part of said official zoning map, to wit: to rezone land from “R-1” Single Family Dwelling District to “C-3” Highway Commercial District located on parcels of land known by the Travis Co. Appraisal District as Parcel 815585, located at 13708 County Line Rd. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), being more described in Exhibit “A”; and providing for a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law (13708 County Line Rd Rezoning from R-1 to C-3).

BACKGROUND: The Planning & Zoning Commission held the first public hearing on this item at their April 24, 2023, meeting.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: The Planning & Zoning Commission recommended denial of this item at their April 24, 2023, meeting.

ATTACHMENTS: None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing on a Resolution of the City of Elgin, Texas approving a strategic partnership agreement with Primavista Land Company, LLC and the City.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council Action Proposed or Requested at This Time; This Item is to Allow for Public Comments on the Requested Proposed Annexation.

BACKGROUND: State Law requires this type of agreement to have two (2) public hearings, this is the second (2nd) public hearing.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: None.

ATTACHMENTS: None.

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public Hearing on an Ordinance Annexing Adjacent and Contiguous Territory to the City of Elgin, Texas to Wit: A 0.511 Acre tract of Land, Situated Out of the Thomas Christianson Survey, Abstract No. 2296 in Travis County, Texas and Being Fully Described in Exhibit "A" Attached Hereto; Providing for a Savings Clause and Repealing Conflicting Ordinances and Resolutions.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council Action Proposed or Requested at This Time; This Item is to Allow for Public Comments on the Requested Proposed Annexation.

BACKGROUND: State Law Requires an Annexation to Have at Least One (1) Public Hearing. This Annexation is Not Part of any Annexation Development Agreement.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: None.

ATTACHMENTS: None.

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

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

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

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

**A PROCLAMATION DECLARING MAY 2023 AS NATIONAL HISTORIC
PRESERVATION MONTH IN THE CITY OF ELGIN**

WHEREAS, historic preservation is an effective tool for communities across the nation, for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, the City of Elgin was established in 1872 on the Houston and Texas Central Railroad as a one square mile area around the H&TC Depot and named for Robert Morris Elgin, the railroad's land commissioner; and

WHEREAS, Elgin celebrated its Sesquicentennial in 2022 with a year long series of celebrations and projects including the creation of Time Capsule Plaza at the library, and

WHEREAS, it is important to celebrate the contributions made by dedicated individuals and groups in helping to preserve the tangible aspects of the heritage that has shaped us as a people including locally the Elgin Main Street Board, Elgin Historical Association, the Elgin MLK Scholarship Committee, the MCB Mary Christian Burleson Foundation, the Juneteenth Festival Organization, and the Bastrop County Historical Commission; and

WHEREAS, downtown Elgin has a historic district with 14 city blocks of commercial buildings constructed from locally produced brick and erected from 1872 to 1947 which is listed on the National Register of Historic Places; and

WHEREAS, Elgin is a Nationally Accredited Main Street Community, where the Main Street Board partners with organizations throughout the community to implement an award-winning downtown revitalization program including the Hogeye Festival, more than \$23 million in public & private sector reinvestment, 100 locally owned businesses and organizations, 50 apartments downtown, active renovation and new construction projects, and more than 25,000 volunteer hours; and

WHEREAS, People Saving Places is the theme for 2023 recognizing the historic place-savers who pour their time, energy, and resources into protecting places they care about, often without recognition; a national high-five to everyone doing the great work of saving places in hopes that it will inspire and empower others to do the same;

NOW, THEREFORE, I, Mayor of the City of Elgin, do proclaim May 2023 as Historic Preservation Awareness Month, and call upon the people of Elgin to join their fellow citizens across the United States in recognizing and participating in this special observance.

Theresa McShan, Mayor
City of Elgin, Texas



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of the temporary traffic re-routing plan to accommodate the County Line Road Reconstruction Project Phase 1, Parts 2 and 3

DEPARTMENT: City Manager/City Engineer

PROPOSED ACTION:

No Council action proposed or requested at this time; This item is to provide a briefing to City Council on the new County Line Road Reconstruction Project traffic re-routing (detour) plan.

BACKGROUND:

The Elgin City Council previously authorized the issuance the 2021A Certificates of Obligation in the principal amount of \$12.5M to provide funding for a wide range of general government improvements, including Phase 1 of the County Line Road Reconstruction Project.

County Line Road is a major transportation route within City that provides direct access to the EISD High School, Neidig Elementary, and numerous homes, but also will provide access in the future to many new homes currently under construction. The on-going project includes the expansion of the roadway to four (4) lanes, sidewalks, stormwater drainage, and general traffic and safety improvements.

As the project is now ready to move on to Parts 2 & 3 of Phase 1, a new detour plan for vehicular traffic must be implemented. This is a particularly challenging situation given that it comes at a time when EISD also has a major construction project going on at the high school campus.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

No Council action; Consideration of staff briefing on the new County Line Road Reconstruction Project traffic re-routing (detour) plan; and direction to staff, if any, regarding same.

ATTACHMENTS: None

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

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

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

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



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of the Recreation Center/Emergency Shelter being utilized as the City Polling location and the potential for relocation of same

DEPARTMENT: City Manager

PROPOSED ACTION:

No specific Council action proposed or requested at this time; discussion is to ascertain Council's desire to engage in further policy discussion of the subject matter as described.

BACKGROUND:

Discussed at previous meetings; In 2022, the City Council made the decision to move the polling location for city and Bastrop County elections from the Elgin Public Library to the Studio Room at the City Recreation Center/Emergency Shelter (RC) at 361 North HWY95.

This decision was made contrary to staff recommendations (and that of the Bastrop County Elections Office who selected the RC as third out of three sites proposed). The staff has previously voiced numerous concerns relative to this situation and is requesting another review moving forward.

See the attached memorandum for further details.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion of use of the Recreation Center/Emergency Shelter as the City Polling location and related matters; and direction to staff, if any, regarding same.

ATTACHMENTS:

Staff memorandum

{ } 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.

Memorandum

Date: May 8, 2023

To: Mayor and City Council

Subject: Recreation Center/Emergency Shelter Use
as Polling Place



In 2022, the City Council made the decision to move the polling location for city and Bastrop County elections from the Elgin Public Library to the Studio Room at the City Recreation Center/Emergency Shelter (RC) at 361 North HWY95.

This decision was made contrary to staff recommendations (and that of the Bastrop County Elections Office who selected the RC as third out of three sites proposed). The staff voiced numerous concerns at that time, including the fact that holding elections at the RC conflicted with the designated use of the facility; and that it would be generally unsuitable for election activities and requirements.

Since this change, unfortunately, all of the staff's prior concerns – and more – have been proven accurate:

- (a) The primary adverse impact of the current polling location is that it eliminates use of the RC Studio Room by staff and/or patrons for entire voting periods. The most recent election caused the RC Studio to be closed for nineteen (19) consecutive days, adversely impacting 42 classes, 9 instructors and an average of 20 people per class or 840 attendees. Studio and parking lot closure impacted programs, including Skate Night, Extreme Walking, Wildcat Walkers and Open Gym. Studio closure prevents rentals for graduation, weddings and baby showers that previously fill weekends in April & Ma, as there is no equivalent alternative rental location for city residents. Cancelling classes loses the RC instructors and members due to the inability to provide a consistent schedule. Similar disruptions now happen at least once every year - possibly occurring up to 3 times a year.
- (b) The RC prides itself on maintaining a warm and welcoming place where visitors enjoy a relaxing atmosphere. However, in response to what now has become common political practice, visitors to the RC during election season must now contend with candidates or their supporters approaching as soon as patrons exit their vehicles. Staff have received regular complaints that RC visitors have felt unsafe and uncomfortable due to aggressive solicitation of votes.
- (c) There have been various instances where poll workers have been demanding and disrespectful to city staff & operations; as well as disruption of staff during the day when they are working with patrons.
- (d) General operational issues initially predicted by staff have also been proven true, including; (1) generally insufficient and dysfunctional space, (2) lack of voting privacy as voting booths are side-by-side, (3) inadequate space to accommodate elections staff and poll watchers, (4) limited power outlets, (5) a security camera in the voting area that cannot be turned off, (6) no secured room for the ballot box at night, (7) damage to Studio walls through posting of election signage, etc.

RC patrons of all ages have expressed concerns about the uncomfortable environment created by polling place activities and the disruption of fitness opportunities they have come to expect - with many such patrons saying they would not be coming back if the Studio remained a polling location.

The Recreation Center/Emergency Shelter is our best city-owned facility and is very popular among our citizenry. For reasons stated above and others, I encourage the City Council to review this situation, relocate the polling place for future city elections, and return the RC to its originally intended use.

A handwritten signature in blue ink, appearing to read 'T. Mattis'.

Thomas L. Mattis
City Manager



Development Services Department

STAFF REPORT

Planning & Zoning Commission (PZC) Quarterly Report

Date: April 25, 2023

SUMMARY OF ACTIVITIES FROM FEBRUARY 2023 – APRIL 2023 MEETINGS

February 2023

- A. Staff Modifications to Chapter 46 Zoning Code – Modifications to large portions of the Zoning Code – PZC recommended approval.

March 2023

- A. Trinity Ranch Phase 2, Section 1 Final Plat (Project #202200167) – Consists of platted right-of-way, amenities center lot, and school lot – PZC denied.
- B. Ella Estates Preliminary Plat (Project #202200129) – Creation of seven (7) residential lots – PZC tabled.
- C. Ella Estates Final Plat (Project #202200130) – Creation of seven (7) residential lots – PZC tabled.
- D. Eagles Landing Ph 5 Preliminary Plat (Project #202200177) – Creation of 161 residential lots on 26.77 acres of land – PZC approved.
- E. Subdivision Variance (Project #202300038) – A subdivision variance to allow for the creation of a 1.942 acre flag lot – PZC approved.
- F. Burleson Creek Estates Preliminary Plat (Project #202200184) – Creation of twenty-nine (29) residential lots – PZC approved.
- G. Review, discuss, and provide input regarding Graham Tract Development Agreement – Meeting to seek guidance and input from Commission regarding a new 526 lot residential development on 173 acres.
- H. Review, discuss, and provide input regarding Ch. 46 Zoning Code changes for Accessory Dwelling Units – Meeting to go through proposed Code changes in potential detail.

April 2023

- A. Ella Estates Preliminary Plat (Project #202200129) – Creation of seven (7) residential lots – PZC approved.
- B. Ella Estates Final Plat (Project #202200130) – Creation of seven (7) residential lots – PZC approved.
- C. Subdivision Variance (Project #202300050) – A subdivision variance to allow for the creation of a 4.179 acre flag lot – PZC approved.
- D. 13708 County Line Rd. Rezoning (Project #202300055) – A rezoning of 4.096 acres of land from R-1 to C-3 – PZC recommended denial.

- E. Staff Modifications to Chapter 46 Zoning Code to add accessory dwelling units (ADU's) to Code – Modification to add ADU's to Zoning Code – PZC recommended approval.

PROPOSED ACTIVITIES FROM MAY 2023 – JULY 2023 MEETINGS

Continue to perform their function as allowed by State law and City Code including items such as City Code changes, rezonings, specific uses, concept plans, preliminary plats, final plats, re-plats, plat vacations, & subdivision variances.

RECOMMENDED COUNCIL ACTION

None.



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 – May 2, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes- May 2, 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- May 2, 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
May 2, 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
Arthur Gibson III, Council Member
Chuck Swain, Council Member
Forest Dennis, Council Member
Skyler Maldonado, Council Member
Al Rodriguez, Council Member
Matthew Callahan, Council Member

Absent:

Joy Casnovsky, Council Member

Mayor McShan called roll call and stated that Ms. Casnovsky was out.

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

Mayor Pro Tem Brashar provided the invocation.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

1. Public Hearing On A Resolution Of The City Of Elgin, Texas Approving A Strategic Partnership Agreement With Primavista Land Company, LLC And The City.

Mr. Mattis stated that this is a commitment on the part of the developer to accept city standards and regulations even though the development will not be annexed into the city. There were no public hearing comments.

PUBLIC COMMENT

Wes Callais, 18304 Willow Sage Lane, stated that as a business owner in town, he is curious about what the police are doing to stop the increase in violence. He stated that in the last two years, he has made several calls to city hall in reference to rules concerning food trucks and restaurants. Mr. Callais stated that he has not received a phone call back. He stated that he would like the council to bring in restaurants and retail. Mr. Callais stated that there is an issue with hate and bullying.

Stephanie Lippke, 1112 N Main, stated that the city manager refused the superintendent's request to retract and fix the Elgin Police Department Station Statement. She stated that we need a solid relationship between the EISD, the City Manager, and the superintendent.

CITY MANAGER'S REPORT

1. Review And Discussion Of FY2023-24 Annual Budget And 2023 Five-Year Capital Plan Adoption Calendar

Mr. Mattis stated that the budget process is beginning per the charter requirements and provided information about the schedule.

2. Report On City Of Elgin Debris Collection And Response To Impacts Of Winter Storm Mara

Mr. Mattis stated that he wanted to acknowledge the great work of the staff and that this is the first time in the city's history to collect brushes and limbs. Ms. Miller provided comments. Mr. Dennis stated that he appreciated the public works crew greatly.

3. 2nd Quarterly Investment Report

Mr. Mattis stated that the 2nd quarterly investment report was given to Council for the record. There were no questions on this item.

4. General Activity Report and/or Project Update

Mr. Mattis stated that the Circle Brewing Grand Opening is this Saturday.

CONSENT AGENDA

1. City Council Regular Meeting Minutes - April 4, 2023

The minutes passed on the consent agenda.

2. 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.

The resolution passed on the consent agenda.

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

NEW BUSINESS

1. RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF ELGIN TEXAS, THE ELGIN ECONOMIC DEVELOPMENT CORPORATION AND GRBK EDGEWOOD, LLC AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

Mr. Mattis stated that this is another business development agreement and is required to be approved by the City Council. Mr. Rock stated that Trinity Ranch will construct the sign and maintain landscaping. He stated that the total cost will be paid for by the developer. Mr. Mattis answered questions of the Council. Mr. Dennis made a motion to approve the request. Mayor Pro Tem Brashar seconded the motion. All voted in favor. The motion carried.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A DEVELOPMENT AND CONSENT AGREEMENT WITH PRIMAVESTA LAND COMPANY LLC AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that items 2 and 3 are related items. He stated that this is a tract of land South of 290. Mr. Mattis provided information on what is a part of the development agreement. Mr. Mattis

and Mr. Perry answered questions of the Council. Discussion followed. Mayor Pro Tem Brashar made a motion to approve the resolution. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

3. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE MAYOR TO EXECUTE A STRATEGIC PARTNERSHIP AGREEMENT WITH PRIMAVESTA LAND COMPANY LLC AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that this is required for the developer to consent to the city's standards. He stated that this is the third strategic partnership agreement and citizens will be able to vote in city elections but cannot vote on any bond or debt elections. They cannot be city council candidates. Mr. Swain made a motion to approve the resolution as presented. Ms. Callahan seconded the motion. All voted in favor. The motion carried.

4. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A COST SHARING AGREEMENT WITH BRIGHTLAND HOMES, LTD FOR CONSTRUCTION OF MULTIPLE WATER DISTRIBUTION MAIN LINES IN CREEKS CROSSING AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis provided information and stated that these next two items are water and sewer agreements. The costs will come from impact fees. He stated that the City Engineer has reviewed these agreements. Mayor Pro Tem Brashar made a motion to approve the ordinance as presented. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

5. A RESOLUTION OF THE CITY OF ELGIN, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE A COST SHARING AGREEMENT WITH BRIGHTLAND HOMES, LTD FOR CONSTRUCTION OF A WASTEWATER COLLECTION MAIN LINE IN CREEKS CROSSING AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis and Mr. Perry provided information. Discussion followed. Mr. Swain made a motion to approve the resolution. Mr. Gibson seconded the motion. All voted in favor. The motion carried.

6. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO AWARD A BID FOR THE WATER WELL NO. 17 CONSTRUCTION PROJECT TO HYDRO RESOURCES-MID CONTINENT INC. OF CREEDMOOR, TEXAS; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that Water Well 10 was the old project that will be replaced by Water Well 17 and is partially funded by COs and Water Impact Fees. Mr. Perry stated that Water Well 10 predates him and needs replacement. He stated this would be the 4th well in the city. Mr. Perry answered additional questions of the Council. Mayor Pro Tem Brashar made a motion to approve the resolution as presented. Mr. Dennis seconded the motion. All voted in favor. The motion carried.

7. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER WITH CSA CONSTRUCTION FOR THE RELOCATION OF A GENERATOR TO WATER WELL SITE NO. 14 AS PART OF THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

Mr. Mattis stated that this is a part of the sewer plant expansion project and includes a new emergency generator. Cities are not required to have backup sewer plant generators. He stated that TRC did an analysis of the generator and found that the generator still has a useful life. The old generator will be moved to water well 14. Mr. Mattis stated that once Pistol Hill is completed, the City of Elgin will have a water and wastewater system that can be independently operated in-house. He stated that these are big steps for us, an effective use, and a great idea on TRC's part. Discussion followed. Mr. Rodriguez made a motion to approve the resolution. Mr. Callahan 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

Ms. Miller provided additional information about the Circle Brew Grand Opening, Explore Elgin Art and Culture Spring event and Music In the Park. Mayor McShan stated that she received a proclamation for the 150th Celebration from State Representative Stan Gerdes.

ADJOURNMENT

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

ATTEST:

Theresa Y. McShan, Mayor

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 EXECUTE A LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO INSTALLATION OF AN EMERGENCY GENERATOR AT THE WATER TREATMENT PLANT; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: Director of Public Works/City Engineer

PROPOSED ACTION: Approval of a Resolution authorizing an agreement with TRC Engineers Inc. for professional engineering services in the total amount of \$62,278 in support of the Water Treatment Plant Emergency Generator Project that is part of the 2021 Certificates of Obligation Capital Improvements Program.

BACKGROUND:

Storm Events in recent years have demonstrated the need for alternative power for some critical infrastructure points within the City 's water and wastewater system. The new emergency generator at the Water Treatment Plant will help address service interruptions by providing an alternate power source enabling the City to continue to produce drinking water when sufficient power cannot be produced by the City's electric service providers.

The subject matter of this action item involves the procurement of professional engineering and design services from TRC Inc. that are required to facilitate the change orders necessary to complete electrical interfaces for the generator at the Water Treatment Plant, booster station, and Water Well Site No. 15.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval Resolution authorizing an agreement with TRC Engineers Inc. for professional engineering services in the total amount of \$62,278 in support of the Water Treatment Plant Emergency Generator Project; and direction to staff, if any, regarding same.

ATTACHMENTS: Resolution and TRC Letter of Agreement

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

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

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE A
LETTER OF AGREEMENT WITH TRC ENGINEERS INC. FOR
PROFESSIONAL ENGINEERING SERVICES RELATED TO
INSTALLATION OF AN EMERGENCY GENERATOR AT THE
WATER TREATMENT PLANT; AND MAKING CERTAIN
FINDINGS RELATED THERETO**

WHEREAS, the Elgin City Council approved the issuance Certificates of Obligation (COs) in the principal amount of \$14.8M in 2021 to provide funding for a wide range of water and wastewater system improvements; and,

WHEREAS, a major component of the CO Capital Improvement Program is the expansion of the Wastewater Treatment Plant (WWTP), relocation of the existing WWTP generator to Well Site No. 14, and installation of a new emergency generator at the Water Treatment Plant; and,

WHEREAS, professional engineering and design services are required to facilitate the change orders necessary to complete electrical interfaces for the generator at the Water Treatment Plant, booster station, and the Site No. 15.

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 Letter of Agreement with TRC Engineers, Inc. in the amount of \$62,278.00 for professional engineering services related to installation of a new emergency generator at the Water Treatment Plant and related matters, a copy of the City Engineer's recommendation 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. Wastewater Impact Fee Funding. The City Council does also hereby expressly approve the utilization of Wastewater Impact Fee proceeds 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 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 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 16th day of May, 2023

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

May 8, 2023

Mr. Thomas Mattis, City Manager
City of Elgin
310 North Main Street
Elgin, Texas 78621

**RE: Wastewater Treatment Plant Expansion Project
Connection of new generator to the Water Treatment Plant
Additional Engineering Services Proposal No. 2**

Dear Mr. Mattis:

TRC Engineers, Inc. (TRC) has prepared this Proposed Engineering Letter of Agreement for professional engineering services for the design of necessary facility upgrades to accommodate the installation of the new 1600KW emergency generator to the Water Treatment Plant (WTP) site in the City of Elgin by the existing contractor for the wastewater treatment plant expansion.

The proposed work includes design of upgrades at the WTP site to include a new concrete foundation for generator installation and design of electrical interfaces for the generator at the WTP, the Booster Station, and the Well 15 site. These services will be provided in accordance with the Master Services Agreement between TRC and the City, and the work described below:

TRC Engineers, Inc. will perform the following Scope of Work (SOW):

SCOPE OF WORK

Task 1 – Design Phase

Task 1 includes design of upgrades at WTP, Booster Station and Well 15 to accommodate installation and electrical connections to the new generator. The design work will include evaluation of the existing electrical service entrance equipment at each site and design of installation of new power transfer equipment to allow for connection to the emergency generator at each site.

A. Preliminary Phase

1. Visit each project site to confirm and document existing site conditions, physical constraints, electrical service configuration and electrical load at each facility.

B. Design Phase

1. Prepare construction plans and specifications for the proposed project. Design includes:
 - a. Design of a new concrete generator support foundation including review of previous geotechnical reports to utilize for foundation design.
 - b. Design of new site grading around the Generator foundation.
 - c. Design of generator distribution power panel.
 - d. Design of new lighting and associated equipment at the new generator location.
 - e. Design of conduit and cable, ATS, and junction box to provide power to the Water Treatment Plant.
 - f. Design of conduit and cable and junction box to provide power to the WTP Booster Station.
 - g. Design of conduit and cable, junction box, and pull-boxes to provide power to the Water Well #15 Station.
2. Submit one (1) set of draft plans and specifications to the City for review and comment.
3. Furnish three (3) copies of approved plans and applicable specifications to the City.

Task 2 - Construction Phase

Task 2 includes construction phase engineering support services to ensure the specified materials are furnished and installed in accordance with the contract requirements and that the installation complies with all applicable codes. It is assumed that the work will be performed under the existing Wastewater Treatment Plant Expansion contract and as a negotiated change order and a formal bidding process will not be required. The proposed construction phase services are identified below.

1. Assist the City during construction, including general correspondence and one (1) site visit meeting with the City and Contractor.
2. Provide written response to technical inquiries from the WWTP contractor during the Contractor's costing process.
3. Review and approve Contractor equipment and materials submittals.
4. Review and provide responses to Contractor Requests for Information (RFIs).
5. Perform one (1) inspection during construction to ensure compliance or concrete rebar and formwork with plans, and specifications.
6. Perform one (1) inspection during construction to ensure compliance with plans, specifications, and applicable codes.

7. Perform one (1) final inspection of installation to ensure compliance with plans, specifications, and applicable codes.
8. Conduct one (1) site visit to supervise and document startup.
9. Provide one (1) set of record drawings which reflects the as-built conditions at project completion.

SPCC Development

Includes the development and certification of Spill Prevention, Control and Countermeasure (SPCC) Plans for the above listed City of Elgin WTP in accordance with 40 CFR 112 regulations. SPCC Plan preparation includes the following activities:

1. Conduct interviews with Facility operations managers and environmental personnel to review site inventories, layouts, and standard operating procedures.
2. A Professional Engineer or agent thereof will travel to the Facility and conduct an inspection to observe site conditions and gather additional information to ensure the SPCC Plan accurately reflects the site's physical and operating conditions. In accordance with 40 CFR 112.
3. Develop an inventory of oil storage and oil-filled equipment, site drawings (native and PDF), and contact information for City of Elgin personnel who will be responsible for implementation of the SPCC Plans and spill response for the Facility.
4. Communicate deficiencies if site conditions and or standard operating procedures are identified which are not compliant with 40 CFR 112 and/or Texas regulatory requirements as applicable.
5. Provide a memorandum summarizing the noted deficiencies (the "Deficiency Letter"), as applicable.
6. Prepare a draft SPCC Plan for each Facility in compliance with 40 CFR 112 and any applicable state requirements and submit to City of Elgin for review.
7. Provide a revised version of the SPCC Plan in tracked changes to reflect City of Elgin comments and agreed upon resolution(s).
8. Submit final SPCC Plans certified by a Professional Engineer licensed in Texas (as applicable) with a declaration that the SPCC Plan meets all relevant regulatory requirements. If noted deficiencies are not completely addressed prior to issuance of final SPCC Plan, a conditional certification by a Professional Engineer will be included stating that the SPCC Plan will meet all regulatory requirements once all outstanding deficiencies have been addressed.

ASSUMPTIONS

As the basis for the preparation for this proposal and the associated cost of service, the following assumptions were made which, if found to be incorrect may result in additional compensation:

- The City will provide access agreements for all private properties impacted (if necessary).
- TRC will utilize existing record drawings (if available) and/or photograph images to prepare the construction drawings for the upgrades identified in the scope of work.
- Two (2) interim design submittals, at approximately 60% and 90% level of completion, will be provided for the City of Elgin to review, and comment.
- SPCC development will require a single site visit.
- SPCC creation will be subject to a single draft and a single round of revisions following the draft review.

EXCLUSIONS

The following items are specifically excluded from the scope of work:

- Continuous construction inspection.
- Environmental or cultural review of project limits.
- Detailed survey of project sites.
- Bidding of the work as a separate project.
- Geotechnical report.

COMPENSATION FOR SERVICES

TRC Engineers, Inc. will provide the professional engineering services as outlined in the Scope of Work and within the Master Services Agreement executed between the City and TRC. The lump sum costs to provide these services is identified in the Fee Schedule below.

Fee Schedule:

Task	Cost
Task 1 – Design Phase:	\$43,840
Task 2 – Construction Phase:	\$12,938
SPCC Development:	\$5,500
Total:	\$62,278

Mr. Thomas Mattis, City Manager
City of Elgin
May 8, 2023
Page 5 of 5

This fee includes labor and material costs associated with the Scope of Work identified above.

TRC's fee above is based on a continuous flow of work. Any delays or restrictions, caused by customer or customer's sub consultants, which result in idle-time or inefficiencies, could be cause for additional compensation.

The payment schedule will be via monthly progress billing.

Fees for services quoted in this Letter of Agreement are valid for a period not to exceed 60 days from the date of this letter.

We appreciate the opportunity to assist with this project and are available to proceed immediately with your written approval. Please review this Letter of Agreement and, upon acceptance, sign in the space provided below, returning a copy for our files.

CITY OF ELGIN

By: _____
Mr. Thomas Mattis
City Manager

TRC ENGINEERS, INC.

By:  _____
K. Beau Perry, P.E.
Regional Vice President - DMS



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN GENERAL ELECTION HELD ON MAY 6, 2023; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW

DEPARTMENT: City Council

PROPOSED ACTION: Approval of a Resolution canvassing and declaring results for the City of Elgin May 6, 2023 General Election.

BACKGROUND: The canvass is the official tabulation of the election results. [EC\$67.002] The Bastrop County Ballot Board and Travis County Ballot Board will meet on Monday, May 15th and Tuesday, May 16th by noon and provide the City of Elgin final results.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION: Approval of the Resolution of the Official Canvass results for the May 6, 2023 General Election.

ATTACHMENTS: Resolution with final tabulation to be provided at the May 16, 2023 council meeting.

- { } 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 COUNCIL OF THE CITY OF ELGIN, TEXAS, AS CANVASSING AUTHORITY, CANVASSING THE ELECTION RETURNS AND DECLARING RESULTS OF THE CITY OF ELGIN GENERAL ELECTION HELD ON MAY 6, 2023; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, a General Election was held on the 6th day of May 2023 for the purpose of electing city officials; and

WHEREAS, the returns of that election have been considered; and

WHEREAS, all matters pertaining to the election, including the ordering, giving notice, officers, holding, and making returns of the election complied with the election laws of the State of Texas; and

WHEREAS, Section 67.002(a)(2) of the Texas Election Code states that the City Council shall serve as the canvassing authority for City elections, and Section 67.004(a) of the Texas Election Code provides that the two (2) Councilmembers constitute a quorum for purposes of canvassing an election; and

WHEREAS, it appears from said return, duly and legally made that there were cast at said election had ___ valid and legal votes; and

WHEREAS, the candidate(s) running for positions to fill expiring terms in **Wards 2 and 4** in said election received the following votes:

Ward 2:

Ward 4

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

Section 1. The City Council, as canvassing authority, officially finds and determines that the election was duly ordered, that notice of said election was given, that the election was duly held, that the City has complied with the Texas Election Code, and that returns of the result of the election have been duly made and delivered, all in accordance with law.

Section 2. The official canvas of the returns for the May 6, 2023, General Election for Ward 2 and Ward 4, are hereby approved and certified as attached.

Section 3. That YaLecia Love is hereby declared to be elected to Ward 2 until May 2025.

Section 4. That Forest Dennis is hereby declared to be elected to Ward 4 until May 2025.

Section 5. That is hereby officially found and determined that a quorum was present pursuant to Section 67.004(a), Texas Election Code, at the meeting at which this resolution was passed, and for which due notice was given pursuant to Section 551.001, et seq., of the Texas Government Code.

READ, RESOLVED and APPROVED this the 16th day of May 2023.

ATTEST:

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE I IN GENERAL, ARTICLE IV ZONING DISTRICT REGULATIONS, & ARTICLE V SUPPLEMENTAL DISTRICT REGULATIONS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance amending Chapter 46 in order to add accessory dwelling unit (ADU) standards to the City Zoning Code.

BACKGROUND: These changes are being completed at the request of the Council to allow for ADU's on specific property. Staff has included a spreadsheet indicating the changes, reasons for the changes, and the proposed Ordinance detailing only the specific changes. Regulations such as minimum setbacks, maximum building height, maximum number of building stories, and maximum impervious coverage are reflected in the applicable residential zoning districts and are not changing with these proposed changes.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION: The Planning & Zoning Commission recommended approval of this item at their April 24, 2023, meeting.

ATTACHMENTS: Ordinance w/Exhibits.

- ☐ 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. 2023-05-16-??

AN ORDINANCE AMENDING CHAPTER 46 ZONING, ARTICLE I IN GENERAL, ARTICLE IV ZONING DISTRICT REGULATIONS, & ARTICLE V SUPPLEMENTAL DISTRICT REGULATIONS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of Elgin, Texas (“City Council”) desires to update certain regulations by adding accessory dwelling unit regulations to the zoning code; and

WHEREAS, City staff has posted proper notice and conducted public hearings in accordance with state law; and

WHEREAS, the Planning & Zoning Commission at their April 24, 2022, meeting recommended approval of the proposed changes; and

WHEREAS, City Council finds that the proposed amendments are in the best interests of the City and its residents.

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

I.

That Chapter 46 Zoning, Article I In General, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding, amending, and deleting definitions to Section 46-1 - Definitions et. seq., which shall read as follows:

Accessory dwelling unit (ADU) means a detached dwelling unit built on a lot in addition to the main building. Accessory dwelling units are subordinate in size, location, and use to the main building.

Dwelling means any building or portion thereof, which is designed or used as living quarters for one or more families, but not including trailer homes. ~~All dwellings shall comply with the requirements in masonry construction.~~ See *Trailer home*.

Dwelling, accessory See *Accessory dwelling unit*.

Dwelling, two-family, means a ~~detached dwelling~~ building designed to be occupied by two independent dwellings whereby families live~~ing~~-independently of each other.

~~*Garage apartment* means a dwelling unit for one family erected above a private garage or a multifamily dwelling unit, with not more than three stories. The building has private outdoor space, either on grade, or a private balcony.~~

Gross floor area means the total area in square feet of all floors of a building, measured from the exterior face of exterior walls or from the centerline of dividing walls separating two buildings.

Main building See *Building, main*

II.

That Chapter 46 Zoning, Article I In General, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding a permitted use to Section 46-231 – Uses Permitted et. seq., which shall read as follows:

(15) Accessory dwelling unit.

III.

That Chapter 46 Zoning, Article IV Zoning District Regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-233 – Area regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.

(5) *Lot area.*

- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 9,000 square feet.
 - b. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet
 - c. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

IV.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by deleting a permitted use to Section 46-263 – Uses Permitted et. seq., which shall read as follows:

~~(2) Garage apartments.~~

(3) Duplex.

V.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-265 – Area Regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.

(5) *Lot area.*

- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 7,500 square feet.
 - b. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
 - c. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

VI.

That Chapter 46 Zoning, Article IV Zoning district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-303 – Area Regulations et. seq., which shall read as follows:

(2) *Side yard.*

- a. For all dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.
 - b. For unattached buildings of accessory use, not including accessory dwelling units, there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.
 - c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.
 - d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard for a main building and accessory dwelling units of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.
- (5) *Lot area.*
- a. For each main dwelling, and building accessory thereto, there shall be lot area of not less than 6,000 square feet.
 - b. For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.
 - c. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 10,000 square feet
- (6) *Impervious coverage.* Main buildings, accessory dwelling units, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, this 10% is not applicable to accessory dwelling units.

VII.

That Chapter 46 Zoning, Article V Supplemental District Regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by amending side and rear yard setbacks, lot area, and impervious coverage to Section 46-510 – Impervious Driveway Required; Minimum Square Footage of Dwellings et. seq., which shall read as follows:

- (d) Accessory dwelling units shall be one half (1/2) of the gross floor area of the main building not to exceed 900 sq. ft. and shall be a minimum of 250 sq. ft.

VIII.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding accessory building regulations to Section 46-540 – Accessory Building Restrictions et. seq., which shall read as follows:

Sec. 46-540. Accessory building restrictions & accessory dwelling unit restrictions.

- (a) No accessory building and/or accessory dwelling unit shall be constructed upon a lot until the construction of the main building has been actually commenced, ~~and~~
- (b) An accessory dwelling unit shall not be rented out for a period of less than thirty (30) consecutive calendar days in a year.
- (c) An accessory dwelling unit shall not be sold separately from the property.
- (d) An accessory dwelling unit is subject to the applicable density standards in its applicable zoning category.
- (e) An accessory dwelling unit cannot be located past the front elevation of the main building.
- (f) ~~n~~No accessory building shall be used unless the main building on the lot is also being used.

IX.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding clarification to Dwelling, single family or two-family & adding standards for accessory dwelling unit to Section 46-635 – Amount of Off-Street Parking and Loading Requirements et. seq., which shall read as follows:

- (a) Off-street parking and loading facilities shall be provided in all zoning districts, except within the Downtown Historic District, in accordance with the following schedule:
 - (1) Dwelling, single-family or two-family: Two parking spaces for each separate dwelling unit within a garage and two separate parking spaces within a driveway for each dwelling unit; parking may only be in tandem for a single-family dwelling unit. This does not include an accessory dwelling unit.
 - (2) Accessory dwelling unit: Two parking spaces for each dwelling unit; parking may be in tandem.
 - (3) Dwelling, multiple family: 1.5 spaces per one bedroom unit; 2 spaces per two bedroom unit; 2.5 spaces per 3+ bedroom unit; guest parking at a ratio of 5% of the required spaces. At least 25% of all overall parking spaces shall be covered parking. All parking spaces shall be so arranged as to permit vehicles to be parked and removed without moving one car to facilitate the movement of the other. All parking areas shall be paved according to the city's standard specifications.
 - (34) Boardinghouse, rooming house, tourist home, bed and breakfast or hotel: 1 parking space per room + 1 parking space per 200 sq. ft. of commercial gross floor area or + 4 parking spaces for a use that doesn't have a commercial gross floor area.
 - (45) Hospitals: One space for each four patient beds, exclusive of bassinets, plus adequate area for the parking of emergency vehicles.
 - (56) Medical or dental clinics or offices: 1 parking space per 200 sq. ft. of gross floor area.
 - (67) Sanatoriums, convalescent or nursing homes: 1 parking space per one bedroom unit + 4 additional parking spaces.
 - (78) Community center, theater, auditorium, church sanctuary: One parking space for each four seats, based on maximum seating capacity.
 - (89) Convention hall, lodge, club, library, museum, place of amusement or recreations: One parking space for each 50 square feet of floor area used for assembly or recreation in the building.
 - (910) Office building: One parking space for each 300 square feet of gross floor area in the building, exclusive of the area used for storage, utilities and building service.

- (1~~01~~) Restaurants, cafes, dinners, clubs, bars and other establishments which provide tables and/or bar seating: 1 parking space per 100 sq.ft. of gross floor area (includes outdoor seating, outdoor smoking areas, and waiting areas).
- (1~~12~~) Commercial establishments not otherwise classified: One parking space for each 200 square feet of floor space used for retail trade in the building and including all areas used by the public.
- (1~~23~~) Industrial establishments: 1 parking space per 600 sq. ft. of gross floor area for indoor facility; and 1 parking space per additional 1,000 sq. ft. gross floor area for outdoor facility; and 1 parking space per 2,500 sq. ft. indoor storage area.
- (1~~34~~) Public elementary school and middle school (junior high): One space per 300 square feet of classrooms.
- (1~~45~~) Private school, primary: One space per 300 square feet of classrooms.
- (1~~56~~) Private school, secondary: One space per 200 square feet of classrooms.
- (1~~67~~) Public high school: One space per 200 square feet of classrooms.
- (1~~78~~) Post-secondary institution: One space for each two residents for dormitories or other residences; one space for each 500 square feet of gymnasium and classrooms; one space for each 300 square feet of administrative and office space.

X.

That Chapter 46 Zoning, Article V Supplemental district regulations, Code of Ordinances, City of Elgin, Texas, is hereby amended by adding accessory dwelling unit regulations to Section 46-692 – Location of dwellings and buildings et. seq., which shall read as follows:

- (a) Only one main building for single-family or two-family use, with permitted accessory buildings, may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley.
- (b) Only one (1) accessory dwelling unit may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley.
- (c) Where a lot or tract of land is used for multifamily, commercial, or industrial purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking and density requirements applicable to the uses and district, and when all such main buildings face upon a street or officially approved place, other than an alley.

XI.

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

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

READ, PASSED, and ADOPTED on this **16th** day of **May**, 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Code Change	Reason for Code Change
Sec. 46-1. Definitions. <u>Accessory dwelling unit (ADU) means a detached dwelling unit built on a lot in addition to the main building. Accessory dwelling units are subordinate in size, location, and use to the main building.</u>	Defines an accessory dwelling unit.
<i>Dwelling</i> means any building or portion thereof, which is designed or used as living quarters for one or more families, but not including trailer homes. All dwellings shall comply with the requirements in masonry construction. See <i>Trailer home</i>.	Removes a requirement that is no longer applicable due to previous Code changes.
<u>Dwelling, accessory See Accessory dwelling unit.; Main building See Building, main</u>	Adds necessary tie back definitions to get you to the proper definition
<i>Dwelling, two-family</i>, means a detached dwelling building designed to be occupied by two <u>independent dwellings whereby</u> families living independently of each other.	Cleans up definition and modified to differentiate between this and accessory dwelling units.
Garage apartment means a dwelling unit for one family erected above a private garage or a multifamily dwelling unit, with not more than three stories. The building has private outdoor space, either on grade, or a private balcony.	Removed in its entirety as this will be covered under the new accessory dwelling unit regulations.
<u>Gross floor area means the total area in square feet of all floors of a building, measured from the exterior face of exterior walls or from the centerline of dividing walls separating two buildings.</u>	Defines gross floor area as it is necessary for code changes.
Sec. 46-231 Uses Permitted <u>(15) Accessory dwelling unit.</u>	Adds an Accessory Dwelling Unit as a permitted use in R-1 zoning (and R-2 & R-3 by default).
<p>Sec. 46-233. Area regulations.</p> <p>The (partial) area regulations in the R-1 Single-Family Dwelling District are as follows:</p> <p>(2) <i>Side yard.</i></p> <p class="list-item-l1">a. For <u>all dwellings</u> located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection.</p> <p class="list-item-l1">b. For unattached buildings of accessory use, <u>not including accessory dwelling units.</u> there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.</p> <p class="list-item-l1">c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot.</p> <p class="list-item-l1">d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet.</p> <p>(3) <i>Rear yard.</i> There shall be a rear yard for a main building <u>and accessory dwelling units</u> of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building.</p> <p>(5) <i>Lot area.</i></p> <p class="list-item-l1">a. For each <u>main</u> dwelling, and building accessory thereto, there shall be lot area of not less than 9,000 square feet.</p> <p class="list-item-l1">b. For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet</p> <p class="list-item-l1">c. <u>For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.</u></p> <p>(6) <i>Impervious coverage.</i> Main <u>buildings, accessory dwelling units</u>, and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory</p>	Modifies regulations to clarify that accessory dwelling units side and rear setbacks are the same as the main building (home) on the premises; modifies to place a minimum lot size for accessory dwelling units on a lot; impervious coverage modified to reflect main building standards and clarify it does not go by the accessory building impervious coverage.

buildings shall not cover more than ten percent of the impervious cover requirements, <u>this 10% is not applicable to accessory dwelling units.</u>	See above page.
Code Change	Reason for Code Change
Sec. 46-263. Uses permitted (2) Garage apartments. (32) Duplex.	Removes garage apartments from permitted uses as this is now covered under accessory dwelling units
Sec. 46-265. Area regulations. The (partial) area regulations in the R-2 Single-Family Dwelling District are as follows: (2) <i>Side yard.</i> a. For <u>all</u> dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection. b. For unattached buildings of accessory use, <u>not including accessory dwelling units,</u> there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback. c. For dwellings and accessory buildings located on corner lots there shall be a side yard from the intersecting street of not less than 15 feet in case such lot is back to back with another corner lot, and 25 feet in every other case. The interior side yard of a corner lot shall be the same as for dwellings and accessory buildings on an interior lot. d. Churches and main accessory buildings, other than dwellings, and buildings accessory to dwellings, shall set back from all exterior and interior side lot lines a distance of not less than 25 feet. (3) <i>Rear yard.</i> There shall be a rear yard for a main building <u>and accessory dwelling units</u> of not less than ten feet. Unattached buildings of accessory use are located in the rear yard of a main building. (5) <i>Lot area.</i> <u>a.</u> For each <u>main</u> dwelling, and building accessory thereto, there shall be lot area of not less than 7,500 square feet. <u>b.</u> <u>For each accessory dwelling unit there shall be a lot area of not less than 10,000 square feet.</u> <u>c</u> For churches and main and accessory buildings, other than dwellings and accessory to buildings, the lot area shall be adequate to provide the yard areas required by this subsection and the off-street parking areas required; provided, however, that the lot area for a church shall not be less than 21,000 square feet (6) <i>Impervious coverage.</i> Main <u>buildings, accessory dwelling units,</u> and accessory buildings and other impervious cover shall not cover more than 45 percent of lot area on interior lots, and 50 percent of the lot area on corner lots. Accessory buildings shall not cover more than ten percent of the impervious cover requirements, <u>this 10% is not applicable to accessory dwelling units.</u>	Modifies regulations to clarify that accessory dwelling units side and rear setbacks are the same as the main building (home) on the premises; modifies to place a minimum lot size for accessory dwelling units on a lot; impervious coverage modified to reflect main building standards and clarify it does not go by the accessory building impervious coverage.
Sec. 46-303. Area regulations. The (partial) area regulations in R-3 Single-Family Dwelling District are as follows: (2) <i>Side yard.</i> a. For <u>all</u> dwellings located on interior lots there shall be a side yard on each side of the main building of not less than seven and one-half feet for dwellings of one story, and of not less than ten feet for dwellings or more than one story except as hereinafter provided in this subsection. b. For unattached buildings of accessory use, <u>not including accessory dwelling units,</u> there shall be a side yard of not less than five feet; provided, however, that unattached one story buildings of accessory use shall not be required to set back more than three feet from an interior side line when all parts of the accessory building are located more than 90 feet behind the front lot lines. In cases where the accessory building is 100 square feet or less in size there is no side setback.	See next page.

Code Change	Reason for Code Change
Sec. 46-692. Location of dwellings and buildings <u>(a)</u> Only one main building for single-family or two-family use, with permitted accessory buildings, may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley. <u>(b)</u> <u>Only one (1) accessory dwelling unit may be located upon a lot or unplatted tract. Every dwelling shall front upon a street or officially approved place, other than an alley.</u> <u>(c)</u> Where a lot or tract of land is used for multifamily, commercial, or industrial purposes, more than one main building may be located upon the lot but only when such buildings conform to all the open space, parking and density requirements applicable to the uses and district, and when all such main buildings face upon a street or officially approved place, other than an alley.	Adds regulations only allowing one (1) accessory dwelling unit per lot or tract and it shall front on a street not an alley.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH IECONI OF HOUSTON, TEXAS FOR THE PISTOL HILL WATER BOOSTER STATION IMPROVEMENTS PROJECT, GENERAL LAND OFFICE GRANT 22-082-009-D207; AND MAKING CERTAIN FINDINGS RELATED THERETO

DEPARTMENT: City Engineer/Director of Public Works

PROPOSED ACTION:

This item is for consideration of a Resolution authorizing a bid award to IECONI of Houston, Texas for the Pistol Hill Water Storage Tank/Booster Station Improvements as part of the 2021 Certificates of Obligation (COs) Capital Improvements Program.

BACKGROUND:

In 2021, the Elgin City Council approved issuance of COs in the amount of \$14.8M to fund a wide range of water & wastewater system improvements, most of which are either completed or under construction.

One of the more important projects included in the 2021 COs was partial funding for the replacement of the Pistol Hill Water Storage Tank/Booster Station, a crucial element to the City's drinking water distribution system. The entire booster station is well past its useful life and will be replaced by the project that is the subject matter of this Resolution.

It is important to note that the City received a grant in the total amount of **\$4,899,840** through the Texas General Land Office (GLO) and the CBDG-Mitigation Program Infrastructure Projects program in support of this project. Grant funds will pay for approximately **85%** of constructions costs (including upgrades).

Funding for the project will call for combination of 2021 COs proceeds (\$49,493), GLO Grant Funding (\$3,962,909), and Water Impact Fees (up to \$701,630).

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of a Resolution authorizing a bid award to IECONI of Houston, Texas for the Pistol Hill Water Storage Tank/Booster Station Improvements Project as part of the 2021 Certificates of Obligation Capital Improvements Program; and direction to staff, if any, regarding same.

ATTACHMENTS: Resolution and City Engineer's recommendation

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

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

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH IECONI OF HOUSTON, TEXAS FOR THE PISTOL HILL WATER BOOSTER STATION IMPROVEMENTS PROJECT, GENERAL LAND OFFICE GRANT 22-082-009-D207; AND MAKING CERTAIN FINDINGS RELATED THERETO

WHEREAS, the Elgin City Council approved 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 system improvements including the “Pistol Hill Water Storage Tank/Booster Station Improvements”; and,

WHEREAS, city staff applied for and received a grant in the total amount of \$4,899,840.00 through the Texas General Land Office (GLO) and the Community Development Block Grant-Mitigation Program Infrastructure Projects program in support of this project; and,

WHEREAS, city staff has now completed a public bidding process, fully vetted bids received, and has determined *IECONI* of Houston, Texas has submitted the lowest and best project bid.

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

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

Section 2. Authorization. The City Manager is hereby authorized to finalize and execute an agreement with *IECONI* of Houston, Texas, in the amount of \$4,714,032.32 for the Pistol Hill Water Booster Station Improvements 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, GLO Grant, and Water Impact Fee Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021 Certificates of Obligation debt issuance (\$49,493.00), GLO Grant Funding (\$3,962,909.00), and Water Impact Fees (up to \$701,630.02) to fund 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 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 16th day of May, 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



505 East Huntland Drive
Suite 250
Austin, Texas 78752

T 512.454.8716
TRCcompanies.com
T.B.P.E. #F-8632

May 4, 2023

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

ATTN: Mr. Thomas Mattis, City Manager

**RE: Pistol Hill Booster Station Improvements
GLO Contract No. 22-082-009-D207
Bid Award Recommendation**

Dear Mayor McShan:

The bid opening for the above referenced project was held on March 14, 2023. A total of four (4) bids were submitted. The base bids ranged from a low of \$5,023,566.78 from IECONI to a high of \$6,426,000.00 from TTE, LLC.

The project consists of a new concrete ground storage tank, installation of new vertical turbine pumps, installation of a new security fence and access road, installation of a new flow meter vault, installation of a new generator.

The items to the Bid Form are recommended as follows:

1.	Not award P.7:	For rehabilitation of the existing 437,000-gallon concrete ground storage tank, including roof hatch replacement, structural repairs, and disinfection.
2.	Award P.A.1:	For the removal and replacement of the discharge valves and piping on existing vertical turbine pumps number 2, 3 and 4, including extension of the existing concrete pads, and addition of new pipe supports.
3.	Award P.A.3:	For replacement of the clamp on flow meter on the 16" discharge line.
4.	Award P.A.4:	For furnishing and installing the 1,000,000-gallon ground storage tank, including tank foundation, painting, site work, and disinfection, in lieu of the 750,000-gallon storage tank in the Base Bid P.6.
5.	Award P.A.6:	For furnishing all labor, materials, equipment, and superintendence for the installation of one (1) new 450 kW emergency standby generator, including concrete foundation, in lieu of the 200-kW generator in the Base Bid P.10.

Mr. Thomas Mattis, City Manager
Elgin Pistol Hill Booster Station Improvements
GLO Contract No. 22-082-009-D207
May 4, 2023
Page 2 of 2

6.	Award P.A.7:	For the installation of an asphalt access drive in lieu of the gravel access drive.
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It is recommended that IECONI be awarded the bid with above recommendation for the amount of \$4,714,032.02.

The low bidder, IECONI, has successfully completed similar work in the past. TRC conducted reference checks on projects supplied by the contractor and found that IECONI completed projects to the satisfaction of the Owners.

The contractor has provided a bid bond and will be required to furnish a Construction Contract Agreement, Performance Bond and Payment Bond to the City.

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

Sincerely,



K. Beau Perry, PE
Regional Vice President – DMS

Attachment: Bid Tabulation, Contractor Reference Checks

City of Elgin
Pistol Hill Booster Station Improvements
GLO Contract No. 22-082-009-D207
Bid Tabulation
March 14, 2023 - 11:00 AM



				IECONI 710 N. Post Oak Road, #400 Houston, Texas 77024		B-5 Construction Co., Inc. 30355 Old Hockley Road Magnolia, Texas 77355	
Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total
BASE BID							
P.1	Performance & Payment Bonds	1	LS	\$50,000.00	\$50,000.00	\$158,211.00	\$158,211.00
P.2	Mobilization/Demobilization	1	LS	\$243,703.00	\$243,703.00	\$103,406.00	\$103,406.00
P.3	Site Work	1	LS	\$207,118.14	\$207,118.14	\$296,038.00	\$296,038.00
P.4	Site Piping	1	LS	\$668,065.15	\$668,065.15	\$694,118.00	\$694,118.00
P.5	Flow Meter Vault	1	LS	\$70,315.08	\$70,315.08	\$121,481.00	\$121,481.00
P.6	Ground Storage Tank	1	LS	\$1,943,318.07	\$1,943,318.07	\$1,706,211.00	\$1,706,211.00
P.7	Rehab Existing Ground Storage Tank	1	LS	\$916,712.42	\$916,712.42	\$782,282.00	\$782,282.00
P.8	Vertical Turbine Pumps (2)	1	LS	\$224,672.96	\$224,672.96	\$447,591.00	\$447,591.00
P.9	Pump/Tank Electrical Equipment/Instrumentation	1	LS	\$31,361.94	\$31,361.94	\$8,250.00	\$8,250.00
P.10	Emergency Standby Generator	1	LS	\$196,398.17	\$196,398.17	\$169,040.00	\$169,040.00
P.11	SCADA	1	LS	\$51,608.10	\$51,608.10	\$75,460.00	\$75,460.00
P.12	Motor Control Center	1	LS	\$226,273.89	\$226,273.89	\$469,865.00	\$469,865.00
P.13	Modify Existing MCC	1	LS	\$33,373.82	\$33,373.82	\$32,296.00	\$32,296.00
P.14	Automatic Transfer Switch	1	LS	\$12,605.79	\$12,605.79	\$27,654.00	\$27,654.00
P.15	Mini Power Center	1	LS	\$26,472.15	\$26,472.15	\$237,490.00	\$237,490.00
P.16	Work Items not Described	1	LS	\$45,933.37	\$45,933.37	\$65,576.00	\$65,576.00
P.17	OSHA	1	LS	\$37,817.36	\$37,817.36	\$6,500.00	\$6,500.00
P.18	Loaming/Hydroseeding	1	LS	\$12,605.79	\$12,605.79	\$3,600.00	\$3,600.00
P.19	SWPPP	1	LS	\$25,211.58	\$25,211.58	\$26,840.00	\$26,840.00
TOTAL BASE BID					\$5,023,566.78		\$5,431,909.00
ALTERNATE BID ITEMS							
P.A.1	Remove/Replace Valves/Piping	1	LS	\$168,514.06	\$168,514.06	\$107,825.00	\$107,825.00
P.A.2	Remove/Replace Vertical Turbine Pump No. 1	1	LS	\$183,501.86	\$183,501.86	\$180,000.00	\$180,000.00
P.A.3	Replace Clamp on Flow Meter	1	LS	\$36,621.58	\$36,621.58	\$14,446.00	\$14,446.00
P.A.4	Ground Storage Tank	1	LS	\$2,198,903.67	\$2,198,903.67	\$3,912,422.00	\$3,912,422.00
P.A.5	Rehab Existing Ground Storage Tank	1	LS	\$218,898.04	\$218,898.04	\$172,500.00	\$172,500.00
P.A.6	Emergency Standby Generator	1	LS	\$304,316.44	\$304,316.44	\$476,493.00	\$476,493.00
P.A.7	Asphalt Access Drive	1	LS	\$38,538.15	\$38,538.15	\$75,143.00	\$75,143.00

City of Elgin
Pistol Hill Booster Station Improvements
GLO Contract No. 22-082-009-D207
Bid Tabulation
March 14, 2023 - 11:00 AM



Associated Construction Partners, Ltd. 215 W. Bandera Rd., Ste. 114-461 Boerne, Texas 78006	TTE, LLC P.O. Box 1210 Marble Falls, Texas 78654
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Item	Item Description	Qty.	Unit	Unit Price	Total	Unit Price	Total
BASE BID							
P.1	Performance & Payment Bonds	1	LS	\$75,000.00	\$75,000.00	\$100,000.00	\$100,000.00
P.2	Mobilization/Demobilization	1	LS	\$270,000.00	\$270,000.00	\$200,000.00	\$200,000.00
P.3	Site Work	1	LS	\$450,000.00	\$450,000.00	\$735,000.00	\$735,000.00
P.4	Site Piping	1	LS	\$750,000.00	\$750,000.00	\$590,000.00	\$590,000.00
P.5	Flow Meter Vault	1	LS	\$300,000.00	\$300,000.00	\$80,000.00	\$80,000.00
P.6	Ground Storage Tank	1	LS	\$1,800,000.00	\$1,800,000.00	\$2,100,000.00	\$2,100,000.00
P.7	Rehab Existing Ground Storage Tank	1	LS	\$690,000.00	\$690,000.00	\$830,000.00	\$830,000.00
P.8	Vertical Turbine Pumps (2)	1	LS	\$260,000.00	\$260,000.00	\$400,000.00	\$400,000.00
P.9	Pump/Tank Electrical Equipment/Instrumentation	1	LS	\$15,000.00	\$15,000.00	\$50,000.00	\$50,000.00
P.10	Emergency Standby Generator	1	LS	\$145,000.00	\$145,000.00	\$48,000.00	\$48,000.00
P.11	SCADA	1	LS	\$70,000.00	\$70,000.00	\$50,000.00	\$50,000.00
P.12	Motor Control Center	1	LS	\$475,000.00	\$475,000.00	\$85,000.00	\$85,000.00
P.13	Modify Existing MCC	1	LS	\$85,000.00	\$85,000.00	\$190,000.00	\$190,000.00
P.14	Automatic Transfer Switch	1	LS	\$45,000.00	\$45,000.00	\$65,000.00	\$65,000.00
P.15	Mini Power Center	1	LS	\$80,000.00	\$80,000.00	\$740,000.00	\$740,000.00
P.16	Work Items not Described	1	LS	\$225,000.00	\$225,000.00	\$130,000.00	\$130,000.00
P.17	OSHA	1	LS	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
P.18	Loaming/Hydroseeding	1	LS	\$2,500.00	\$2,500.00	\$15,000.00	\$15,000.00
P.19	SWPPP	1	LS	\$20,000.00	\$20,000.00	\$8,000.00	\$8,000.00
TOTAL BASE BID					\$5,762,500.00		\$6,426,000.00
ALTERNATE BID ITEMS							
P.A.1	Remove/Replace Valves/Piping	1	LS	\$64,500.00	\$64,500.00	\$108,000.00	\$108,000.00
P.A.2	Remove/Replace Vertical Turbine Pump No. 1	1	LS	\$159,500.00	\$159,500.00	\$203,000.00	\$203,000.00
P.A.3	Replace Clamp on Flow Meter	1	LS	\$15,000.00	\$15,000.00	\$19,000.00	\$19,000.00
P.A.4	Ground Storage Tank	1	LS	\$3,492,500.00	\$3,492,500.00	\$4,700,000.00	\$4,700,000.00
P.A.5	Rehab Existing Ground Storage Tank	1	LS	\$172,500.00	\$172,500.00	\$220,000.00	\$220,000.00
P.A.6	Emergency Standby Generator	1	LS	\$394,500.00	\$394,500.00	\$348,000.00	\$348,000.00
P.A.7	Asphalt Access Drive	1	LS	\$34,500.00	\$34,500.00	\$60,000.00	\$60,000.00

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: IECONI, LLC

CONTACT INFO: 710 N Post Oak Rd, Suite 400, Houston TX
(713) 885-1622

REFERENCE (NAME & COMPANY/CITY): DR Horton

REFERENCE CONTACT INFO: Austin Brauel (281) 269-6856

DATE OF INTERVIEW: 3/16/2023

REFERENCE PROJECT AREA(S) OF WORK:

- ☒ **UTILITIES:** _____
- ☐ **CONCRETE**
- ☐ **ROADWAY & TRANSPORTATION**
- ☒ **GENERAL CONSTRUCTION**
- ☐ **OTHER:** _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
Pump station work in Rosenberg related to stormwater.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Majority of the work was subcontracted out.
 - b. Did the contractor do the utilities or sub contract it out?
Utility and civil work subbed out.
 - c. Did the contractor do the roadway work or sub contract it out?
No.
3. Would you hire this contractor again?
If they were the lowest bidder and restrictions placed on their work, project that was worked on previously was lowest bid but was no longer with additional change orders.

4. Project Time:

- a. Was the construction started and completed on time?
No material delays and
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Yes, due to equipment shortage.
- c. Were there any significant delays or work stoppages?
Contractor came in low, had issues with compliance with insurance. Trouble to find insurance provider (took 4 months). Insurance expired during construction and was outside of compliance again when it was changed a second time mid construction.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
Can't pay until compliance with insurance.
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
Approx 250k dollars of change order unrelated to engineering design changes.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
Not as of now.
- c. Did the contractor pay his sub-contractors timely?
A contractor is not paid as they are waiting for insurance to pay.
- d. Were there any liens placed on the project from vendors or sub-contractors?
Not as of yet.
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

7. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?
Open line of communication.

Elgin Pistol Hill Booster Station Improvements
IECONI LLC Reference

- b. Were there any significant issues with the contractor's employees dealing with the public?
No.
- c. Were there many complaints from the residents regarding the contractor?
No.
- d. Did the contractor cleanup his work site sufficiently?
Ongoing, pretty clean.
- e. Was there excessive personnel turnover for the contractor's field workers?
Unsure.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: IECONI, LLC

CONTACT INFO: 710 N Post Oak Rd, Suite 400, Houston TX
(713) 885-1622

REFERENCE (NAME & COMPANY/CITY): Friese & Nicoles

REFERENCE CONTACT INFO: Son Cherukuri (425) 260-8024

DATE OF INTERVIEW: 3/16/2023

REFERENCE PROJECT AREA(S) OF WORK:

- ☒ **UTILITIES:** _____
- ☐ **CONCRETE**
- ☐ **ROADWAY & TRANSPORTATION**
- ☒ **GENERAL CONSTRUCTION**
- ☐ **OTHER:** _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
Water plant, site work, grading, conduits, and civil work.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Tried to sub it out but didn't work out to good with different crews. Many people working from home and miscommunication. Not the A team on trenching (can't trench a straight line) Contractor's requirements are a bit loose, old school.
 - b. Did the contractor do the utilities or sub contract it out?
Subbed out some civil work.
 - c. Did the contractor do the roadway work or sub contract it out?
None
3. Would you hire this contractor again?
Would not hire for general civil work but work related to installing pumps and mechanical yes.

4. Project Time:

- a. Was the construction started and completed on time?
Delayed start and end due to equipment shortage (project is ongoing but at substantial completion).
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Yes, due to equipment shortage.
- c. Were there any significant delays or work stoppages?
Only related to equipment.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
*Equipment shortages (long delays)
Long distance (since working from Houston, wish they were held to a schedule)*
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
Not excessive, very many RFI that led to change orders if issues came up.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
Payments went fine.
- c. Did the contractor pay his sub-contractors timely?
One issue with material subcontractor, lien was placed but money was paid later with no issues.
- d. Were there any liens placed on the project from vendors or sub-contractors?
Lien was placed by material contractor, unrelated to contractors' fault.
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
No, work in closed off area.

7. General Problems/Issues:

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

Difficult to communicate at times due to Covid and different people working from home.

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

No issues with the public.

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

No.

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

They did OK, not the best for cleaning up grading.

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

Unsure.

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

No.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: IECONI, LLC

CONTACT INFO: 710 N Post Oak Rd, Suite 400, Houston TX
(713) 885-1622

REFERENCE (NAME & COMPANY/CITY): Baker and Lawson, Angleton TX

REFERENCE CONTACT INFO: Joe Morton (361) 220-0738

DATE OF INTERVIEW: 3/17/2023

REFERENCE PROJECT AREA(S) OF WORK:

x **UTILITIES:** _____

____ **CONCRETE**

____ **ROADWAY & TRANSPORTATION**

x **GENERAL CONSTRUCTION**

____ **OTHER:** _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
Water project included mechanical equipment, hydro tank, and booster station install for Water Treatment Plant in Rosenberg, TX.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Majority of work was self performed including electrical, tank construction was subbed out for this project.
 - b. Did the contractor do the utilities or sub contract it out?
No.
 - c. Did the contractor do the roadway work or sub contract it out?
No.
3. Would you hire this contractor again?
Yes they did a great job.

4. Project Time:

- a. Was the construction started and completed on time?
Yes.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Completed on time.
- c. Were there any significant delays or work stoppages?
None aware.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
None aware.
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.
- c. Did the contractor pay his sub-contractors timely?
As far as aware.
- d. Were there any liens placed on the project from vendors or sub-contractors?
None aware.
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

7. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?
Yes never heard complaint from city of Rosenberg

Elgin Pistol Hill Booster Station Improvements
IECONI LLC Reference

- b. Were there any significant issues with the contractor's employees dealing with the public?
No, fenced area.
- c. Were there many complaints from the residents regarding the contractor?
No.
- d. Did the contractor cleanup his work site sufficiently?
Yes.
- e. Was there excessive personnel turnover for the contractor's field workers?
No.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: B-5 Construction Company

CONTACT INFO: P.O Box 1488, Magnolia, TX 77353
(281) 356-3264

REFERENCE (NAME & COMPANY/CITY): Hal Walker (Engineer), Costello Engineering

REFERENCE CONTACT INFO: Hal Walker (713) 783-7788

DATE OF INTERVIEW: 3/16/2023

REFERENCE PROJECT AREA(S) OF WORK:

- ☒ **UTILITIES:** _____
- ☐ **CONCRETE**
- ☐ **ROADWAY & TRANSPORTATION**
- ☐ **GENERAL CONSTRUCTION**
- ☐ **OTHER:** _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
Projects that were worked on were related to WWTP and lift stations. One of the best contractors for mechanical work.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Majority of work is self-performed, depends on the project.
 - b. Did the contractor do the utilities or sub contract it out?
Self-performed.
 - c. Did the contractor do the roadway work or sub contract it out?
None.
3. Would you hire this contractor again?
Yes would definitely hire again.

*Elgin Pistol Hill Booster Station Improvements
B-5 Construction Company Reference*

4. Project Time:

- a. Was the construction started and completed on time?
Yes or at least reasonably close.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
No major delays.
- c. Were there any significant delays or work stoppages?
No.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.
- c. Did the contractor pay his sub-contractors timely?
Yes, as far as aware.
- d. Were there any liens placed on the project from vendors or sub-contractors?
None of them aware
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
No

7. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?
Mostly worked in MUD and worked well with Engineers.
- b. Were there any significant issues with the contractor's employees dealing with the public?
No.

Elgin Pistol Hill Booster Station Improvements
B-5 Construction Company Reference

- c. Were there many complaints from the residents regarding the contractor?
None.
- d. Did the contractor cleanup his work site sufficiently?
Yes.
- e. Was there excessive personnel turnover for the contractor's field workers?
No.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: Associated Construction Partners, LTD

CONTACT INFO: 215 W. Bandera Road, Suite 114-461, Boerne, TX 78006
(210) 698-8714

REFERENCE (NAME & COMPANY/CITY): Sanders Engineering, Houston, TX

REFERENCE CONTACT INFO: Erik Miller, Engineer (713) 906-9478

DATE OF INTERVIEW: 3/16/2023

REFERENCE PROJECT AREA(S) OF WORK:

 x **UTILITIES:** _____

 CONCRETE

 ROADWAY & TRANSPORTATION

 x **GENERAL CONSTRUCTION**

 OTHER: _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
They are known for doing work dealing with mechanical pumps, this project is for WWTP restoration but know that they work on boosters as well.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Possible subbed out is the instrumentation by a sub that the city likes to have. At least conducted 90% of the work self-performed.
 - b. Did the contractor do the utilities or sub contract it out?
Yes
 - c. Did the contractor do the roadway work or sub contract it out?
None.
3. Would you hire this contractor again?
Absolutely, mechanical jobs they work very well with and even give calls to them for small jobs.

4. Project Time:

- a. Was the construction started and completed on time?
Started on time and believed to end on time, no complaints from client.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
No.
- c. Were there any significant delays or work stoppages?
No, communication was very good to let know if there is an issue.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
No.
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
No.
- c. Did the contractor pay his sub-contractors timely?
No .
- d. Were there any liens placed on the project from vendors or sub-contractors?
No.
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
No.

7. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?
Yes, very well. Provide input when needed.

*Elgin Pistol Hill Booster Station Improvements
Associated Construction Partners, LTD Reference*

- b. Were there any significant issues with the contractor's employees dealing with the public?
No.
- c. Were there many complaints from the residents regarding the contractor?
No.
- d. Did the contractor cleanup his work site sufficiently?
Yes.
- e. Was there excessive personnel turnover for the contractor's field workers?
No,
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.

CONTRACTOR REFERENCE QUESTIONS

PROJECT NAME & NUMBER: Pistol Hill Booster Station Improvements

CONTRACTOR: Associated Construction Partners, LTD

CONTACT INFO: 215 W. Bandera Road, Suite 114-461, Boerne, TX 78006
(210) 698-8714

REFERENCE (NAME & COMPANY/CITY): Urban Engineering

REFERENCE CONTACT INFO: Mark Maroney, Engineer (361) 339-2089

DATE OF INTERVIEW: 3/16/2023

REFERENCE PROJECT AREA(S) OF WORK:

 x **UTILITIES:** _____
 CONCRETE
 ROADWAY & TRANSPORTATION
 x **GENERAL CONSTRUCTION**
 OTHER: _____

REFERENCE PROJECT DESCRIPTION (LOCATION, SCOPE, YEAR OF COMPLETION, ANY UNIQUE DESIGN/CONSTRUCTION CHALLENGES, ETC.):

1. Is the project that the contractor did for the reference similar in nature to the bid project (type of construction, depth of utilities, etc.).
Yes, ACP has worked on many water/WTP projects for City of Corpus Christi and has 4 ongoing projects at the moment.
2. General:
 - a. How much of the work was self-performed versus sub-contracted out?
Majority of work self performed with items such as electrical and concrete subbed out.
 - b. Did the contractor do the utilities or sub contract it out?
Electrical, local laborer at times, concrete work.
 - c. Did the contractor do the roadway work or sub contract it out?
No
3. Would you hire this contractor again?
Yes, many active projects with them and one of best to coordinate with.

4. Project Time:

- a. Was the construction started and completed on time?
Yes.
- b. Did the contractor reach substantial completion on time, but took an extended period of time to reach final completion?
Not based on contractor but delayed in shipments due to equipment shortages.
- c. Were there any significant delays or work stoppages?
No.
- d. Did the contractor request project time extensions unrelated to rain days or additional work requested by the Owner?
Some projects, added scope of work (Allison gear was delayed)
- e. Other? N/A

5. Project Budget:

- a. Were there excessive change orders unrelated to engineering design errors or additional work requests from the Owner?
No.
- b. Were there any issues with payment quantities on monthly pay requests that did not match actual field conditions?
Good with pay estimates, good with responses to pay requests.
- c. Did the contractor pay his sub-contractors timely?
Yes
- d. Were there any liens placed on the project from vendors or sub-contractors?
Not aware.
- e. Other? N/A

6. Safety:

- a. Were there any safety issues for the contractor's employees or safety issues with the public?
None aware of.

7. General Problems/Issues:

- a. Did the contractor work well with the City/Engineer staffs?
Yes, one of best in Texas for coordination and submittals.

*Elgin Pistol Hill Booster Station Improvements
Associated Construction Partners, LTD Reference*

- b. Were there any significant issues with the contractor's employees dealing with the public?
No.
- c. Were there many complaints from the residents regarding the contractor?
No.
- d. Did the contractor cleanup his work site sufficiently?
Yes.
- e. Was there excessive personnel turnover for the contractor's field workers?
No.
- f. Were there any communication issues with the contractor's employees (ie. unable to speak English)?
No.



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 0.511 ACRE TRACT OF LAND, SITUATED OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT NO. 2296 IN TRAVIS COUNTY TEXAS 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 annexing 0.511 acres of land located in Travis Co.

BACKGROUND: A strip of land were recently deeded to the City as reserved right-of-way (ROW) by the Harvest Ridge Development for the future widening of County Line Road. Since the Development is located outside of the City limits this strip of land is now outside the City limits. Annexation of the strip of land would be a “clean-up” of the City boundaries so the future pavement, utilities, and sidewalks are in the City limits.

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 Exhibits

- ☐ 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. 2023-05-16-

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ELGIN, TEXAS, TO WIT: A 0.511 ACRE TRACT OF LAND, SITUATED OUT OF THE THOMAS CHRISTIAN SURVEY, ABSTRACT NO. 2296 IN TRAVIS 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, 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 purposes, be and is hereby annexed and brought within the corporate limits of the City of Elgin, Travis County, Texas, and same is hereby made an integral part hereof.

IV.

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

V.

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

VI.

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

VII.

That this Ordinance shall become effective after its passage

VIII.

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

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found illegal, invalid,

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

X.

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

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

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

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

READ, PASSED, and ADOPTED on first reading this the 16th day of May 2022.

THERESA Y. MCSHAN, Mayor

ATTEST:

JENNIFER STUBBS, City Secretary

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED
[County Line Road Right-of-Way – Section 2]

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS: THAT
COUNTY OF TRAVIS §

CLAYTON PROPERTIES GROUP, INC., a Tennessee corporation doing business in Texas as **BROHN HOMES** ("*Grantor*"), for TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and, by these presents, does GRANT, SELL AND CONVEY unto the **CITY OF ELGIN, TEXAS**, a home-rule municipality located in Bastrop and Travis Counties, Texas ("*Grantee*"), the following described real property in Travis County, Texas, together with all improvements thereon, to wit:

That certain .511 acre (22,236 square foot) of land in Travis County, Texas, more fully described by metes and bounds in **Exhibit "A"** attached hereto and incorporated herein (the "*Property*").

TO HAVE AND TO HOLD the Property, together with all related rights and appurtenances, unto Grantee and Grantee's successors and assigns, forever; and Grantor hereby bind itself and its successors to WARRANT AND FOREVER DEFEND the Property unto Grantee and Grantee's successors and assigns, against every person lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise; provided, however, that this conveyance is made by Grantor and accepted by Grantee subject to (a) visible and apparent easements not appearing of record; (b) any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements that a current survey would show; (c) easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other matters presently of record in the Official Public Records of Travis County, Texas, that affect the Property, but only to the extent that they are still valid and in force or effect; and (d) the liens securing taxes and assessments for the current and all subsequent years, as well as for prior years due to a change in land usage or ownership.

This conveyance is further subject to the following covenants, which will run with the land comprising the Property and be binding upon Grantee and its successors and assigns:

1. Grantee agrees to relocate any existing fencing that is removed or damaged as a result of Grantee's use or improvement of the Property to the new boundary between the Property and Grantor's remaining property at Grantee's sole expense.

2. Grantee agrees to maintain the Property, including mowing any drainage areas within the Property, from and after the date of this Deed.

3. Grantor hereby reserves from this conveyance any and all rights related to reimbursements from a public improvement district, municipal utility district, or any other governmental entity relating to the Property or any improvements on or serving the Property, and Grantor reserves the right to assign such rights, in whole or in part, to a third party.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE ON AN "AS IS" BASIS, AND WITHOUT ANY REPRESENTATIONS OR WARRANTIES OTHER THAN GRANTOR'S SPECIAL WARRANTY OF TITLE CONTAINED IN THIS DEED. GRANTEE IS CLOSING ITS PURCHASE OF THE PROPERTY BASED UPON ITS OWN STUDIES AND CONCLUSIONS, AND NOT BASED UPON ANY REPRESENTATIONS OR WARRANTIES OF GRANTOR OR ANY AGENT OF GRANTOR. GRANTOR SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES CONCERNING THE PROPERTY, INCLUDING THE IMPLIED WARRANTIES OF HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE. FURTHER, GRANTOR MAKES NO WARRANTIES REGARDING ENDANGERED SPECIES OR ENVIRONMENTAL CONDITIONS. GRANTEE AGREES THAT THIS PROVISION IS A MATERIAL PORTION OF THE CONSIDERATION FOR GRANTEE'S PURCHASE AND ACKNOWLEDGES THAT GRANTOR WOULD NOT AGREE TO SELL THE PROPERTY TO GRANTEE ON ANY OTHER BASIS.

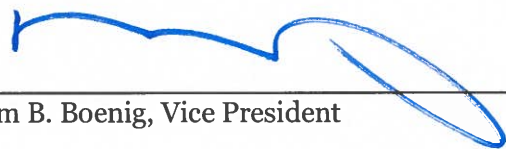
This Special Warranty Deed may be executed in two or more counterparts, each of which will be deemed an original, and all of which will constitute one and the same instrument, and will be effective as of the 31 day of MARCH, 2023 (the "*Effective Date*").

[COUNTERPART SIGNATURE PAGES FOLLOW]

Executed by the undersigned on the date set forth below, to be effective as of the Effective Date of this Special Warranty Deed.

GRANTOR:

CLAYTON PROPERTIES GROUP, INC., a
Tennessee corporation doing business in Texas as
BROHN HOMES

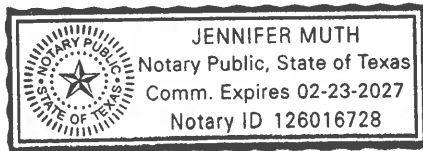
By: 
Adam B. Boenig, Vice President

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 31 day of March,
2023, by Adam B. Boenig, Vice President of Clayton Properties Group, Inc., a Tennessee
corporation doing business in Texas as Brohn Homes, on behalf of said corporation.

(seal)




Notary Public Signature

Executed by the undersigned on the date set forth below, to be effective as of the Effective Date of this Special Warranty Deed.

GRANTEE:

CITY OF ELGIN, TEXAS,
a home-rule municipality

By: _____
Name: _____
Title: _____

THE STATE OF TEXAS §

COUNTY OF BASTROP §

This instrument was acknowledged before me on the ____ day of _____, 2023, by _____, _____ of the City of Elgin, Texas, a home-rule municipality, on behalf of said municipality.

(seal)

Notary Public Signature

EXHIBIT "A" 0.511 Acres Right-of-Way Dedication**LEGAL DESCRIPTION**

FIELD NOTES FOR A 0.511 ACRE TRACT OF LAND SITUATED IN THE T. CHRISTIAN SURVEY, ABSTRACT NO. 2296, TRAVIS COUNTY, TEXAS; BEING THE SAME 0.511 ACRE TRACT DEDICATED AS RIGHT-OF-WAY, AS SHOWN ON HARVEST RIDGE SUBDIVISION SECTION TWO, A SUBDIVISION AS RECORDED IN DOCUMENT NUMBER 202200342 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.511 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON ATTACHED SKETCH:

BEGINNING at a 1/2-inch iron rod with a cap stamped "ZWA" found on the east right-of-way line of County Line Road (R.O.W. ~varies), at northwest corner of the above described 0.511 acre tract dedicated as right-of-way by said HARVEST RIDGE SUBDIVISION SECTION TWO and the westerly corner a called 10.00 acre tract of land as conveyed unto Clyde T. Lundgren and Wife, Betty S. Lundgren in Volume 5460, Page 834 of the Deed Records of Travis County, Texas for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, with the northerly line of said HARVEST RIDGE SUBDIVISION SECTION TWO, S 62°51'36" E, a distance of 24.91 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the northeast corner of said 0.511 acre tract, for the northwest corner of Lot 1, Block J of said HARVEST RIDGE SECTION TWO, for the northeast corner of the herein described tract;

THENCE, with the east line of said 0.511 acre tract and the east right-of-way line of said County Line Road, S 27°08'44" W a distance of 708.93 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set on the west line of Lot 18, Block E of said HARVEST RIDGE SUBDIVISION SECTION TWO, for an angle point of the herein described tract;

THENCE, continuing with the east line of said 0.511 acre tract and the east right-of-way line of said County Line Road, S 27°31'18" W a distance of 189.21 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set at the southeast corner of said 0.511 acre tract at the northwest corner of Lot 1, Block E of AMENDED PLAT OF HARVEST RIDGE SUBDIVISION SECTION ONE, a subdivision as recorded in Document Number 202200242 of the Official Public Records of Travis County, Texas, for the southeast corner of the herein described tract;

THENCE, with the south line of said 0.511 acre right-of-way tract, N 62°51'16" W a distance of 24.71 feet to a 1/2-inch iron rod with a cap stamped "ZWA" found at the southwest corner of said HARVEST RIDGE SUBDIVISION SECTION TWO, for the southwest corner of the herein described tract;

THENCE, with the west line of said 0.511 acre right-of-way tract and said HARVEST RIDGE SUBDIVISION SECTION TWO, N 27°32'23" E a distance of 189.32 feet to a 1/2-inch iron rod with a cap stamped "BGE INC" set, for an angle point of the herein described tract;

THENCE, continuing with the west line of said 0.511 acre right-of-way tract and said HARVEST RIDGE SUBDIVISION SECTION TWO, N 27°07'26" E a distance of 708.82 feet to the **POINT OF BEGINNING** and containing 0.511 acre (22,236 sq. ft.) of land, more or less.

I hereby certify that these notes were prepared from a survey made on the ground by BGE, Inc. under my supervision on December 30, 2022 and are true and correct to the best of my knowledge. Bearing orientation is based on the Texas State Plane Coordinate System, Central Zone, NAD 83. A sketch accompanies this description.



Jonathan O. Nobles RPLS No. 5777
BGE, Inc.
101 West Louis Henna Blvd., Suite 400
Austin, Texas 78728
Telephone: (512) 879-0400
TBPELS Licensed Surveying Firm No. 10106502

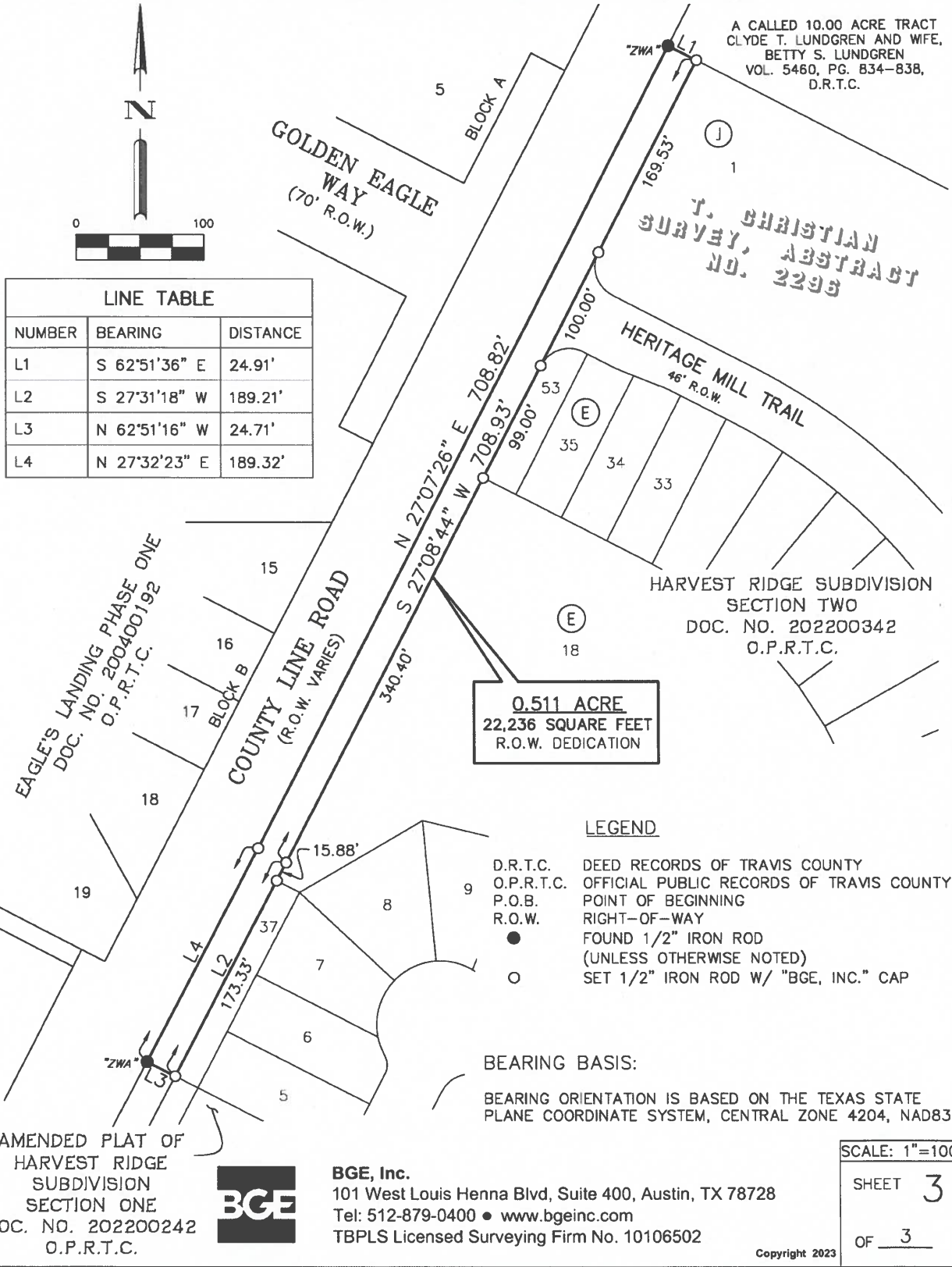


3/10/2023

Date

Client: Brohn Homes
Date: March 10, 2023
Job No.: 8080-01

SKETCH TO ACCOMPANY LEGAL DESCRIPTION





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY DWELLING DISTRICT TO “C-3” HIGHWAY COMMERCIAL DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCEL 815585, LOCATED AT 13708 COUNTY LINE RD. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance amending the official zoning map of the City of Elgin, TX adopted in Ch. 46, Sec. 46-3, revised Code of Ordinances, City of Elgin, TX, 2013 and making this amendment a part of said official zoning map (13708 County Line Rd. Rezoning from R-1 to C-3).

BACKGROUND: See attached staff report.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: The Planning & Zoning Commission recommended denial of this item at their April 24, 2023, meeting.

ATTACHMENTS: Staff Report, Application, Staff Added Comprehensive Plan Exhibits, Staff Added Zoning Map, Ordinance w/Exhibits.

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

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

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

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



Development Service Department

STAFF REPORT

Rezoning from “R-1” Single Family Dwelling District to “C-3” Commercial Highway District

Project #: 202300055

Date: April 14, 2023

Applicant: Isauro Vargas Villafana

Representative: SAME

Hearing Dates: Planning & Zoning Commission – April 24, 2023
City Council – May 16, 2023

Location: 13708 County Line Rd. (TCAD Parcel 815585) (ABS 518 SUR 65 MARTIN H, ACR 4.096).

APPLICATION SUMMARY

Recommendation of a rezoning of 4.096 acres of land located (a change to the official zoning map). The proposal is to change the zoning from “R-1” Single Family District to “C-3” Commercial Highway District to develop a proposed auto mechanic repair shop.

DEPARTMENT COMMENTS

Presently there is no development on the parcel. The applicant has indicated they desire to construct an auto mechanic repair shop on the premises. However no conceptual plan has been provided by the applicant and they are not required to have a conceptual plan for development of the site.

STAFF ANALYSIS

In review of the Elgin Comprehensive Plan the parcel is located within the Traditional Neighborhood (Residential) Development Land Use category. This category’s primary land usage is single family residential and has a secondary land use of neighborhood-scale retail and office (see attachment 2) according to the provided map and associated land use language. The proposed zoning category will allow for an auto repair facility as a use by right. When seeking a rezoning, the Commission/Council should consider the uses that could occur on the land by rezoning to another zoning category. There are numerous additional subtraction of uses shown in **red text** but an addition of uses with the proposed rezoning request as shown with **green text**.

“R-1” District	“C-3” District
Detached single-family dwelling.	Boat sales and service
Churches, but not including revival tents or arbors.	Farm implementation and machinery, new and used sales
Public school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing and sleeping.	Metal and wood fencing, ornamental grillwork and decorative wrought iron work and play equipment sales.

Public park and playground.	Mobile home and travel trailer sales.
Library.	Monument sales
Growing of farm products.	New and used automobile sales and service
Municipal use	Prefabricated house sales.
Telephone exchanges.	Trailers for hauling, rental, and sales
Home occupations.	Motels and tourist courts
Transportation and utility easements, alleys and rights-of-way	Drive-in theater or restaurant.
Accessory building which is not a part of a main building, including one private garage, or accessory building which is a part of a main building, including one private garage.	Billboards.
Accessory uses, which shall include the following where the primary use is residential: Customary home occupations, if done inside of building, such as dressmaking, babysitting, seamstress, tailoring, millinery, tutoring, when engaged in by members of the resident family and employing not more than one person, not a member of the resident family, but not including beauty culture, barbering or appliance repairing.	All C-1 and C-2 related uses.

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

	R-1 (exist. zoning)	C-3 (prop. zoning)
Height	2.5 stories or 35 feet	50 feet.
Front Setback	25 feet; garage at 25 feet	25 feet.
Side Setback	7.5 feet for 1 story; 10 feet for more than 1 story	10 feet
Rear Setback	10 feet	
Lot Width	75 feet	None
Lot Area	9,000 sq. ft.	None
Impervious Cover on Lot	45% interior; 50% corner	None

Based on the information within the packet, staff has issues and concerns regarding the proposal.

The Elgin Comprehensive Plan indicates the principal land use is Traditional Neighborhood (Residential) Development. The principal land use is for single family homes in which the C-3 zoning would not allow for residential use. The supporting land uses for this Land Use are neighborhood scale retail and office (see attachment 2. However, the additional Uses in the C-3 zoning category (separate from the C-1 zoning uses) are for General & Highway Commercial Development and are not in scale with neighborhood scale retail and offices. Also, development patterns along County Line Rd. are residential in nature along the east side of the roadway of which uses of a highway nature such as boat sales and service, mobile home trailer sales and service, New and use automobile sales and service, prefabricated house sales, motels and tourist courts, and billboards would not be desirable related uses (see attachment 3)

ATTACHMENTS

Additional information is provided through attached exhibits.

1. Application
2. Staff Added Comprehensive Plan Exhibits
3. Staff Added Zoning Map
4. Ordinance with Exhibit
5. 200' Notice Letter and Map

Attachment 1

Application

NON-PDD REZONING APPLICATION

Date: 03/28/2023

SITE INFORMATION

Project Address: 13708 COUNTY LINE ROAD ELGIN, TX 78621

Parcel Identification Number (if no address): _____

APPLICANT

Name: Isauro Vargas Villafana

Postal Address: 13021 Dessau Road Lot 250
Austin, Tx 78754

E-Mail Address: isaurovargas@yahoo.com; Phone Number: (512)436-6949

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

	<u>Isauro Vargas Villafana</u>	<u>03/28/2023</u>
Signature	Printed Name	Date

Project Description:

Rezone property from Residential to C-3 Zone

For use of Automechanic Repair Shop

This is a proposal; this could be changed and may be entirely different than
seen at this time. This proposal cannot be conditionally approved for the rezoning.



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



(512) 281-0119



www.elgintexas.gov

Attachment 2

Staff Added Comprehensive Plan Exhibits



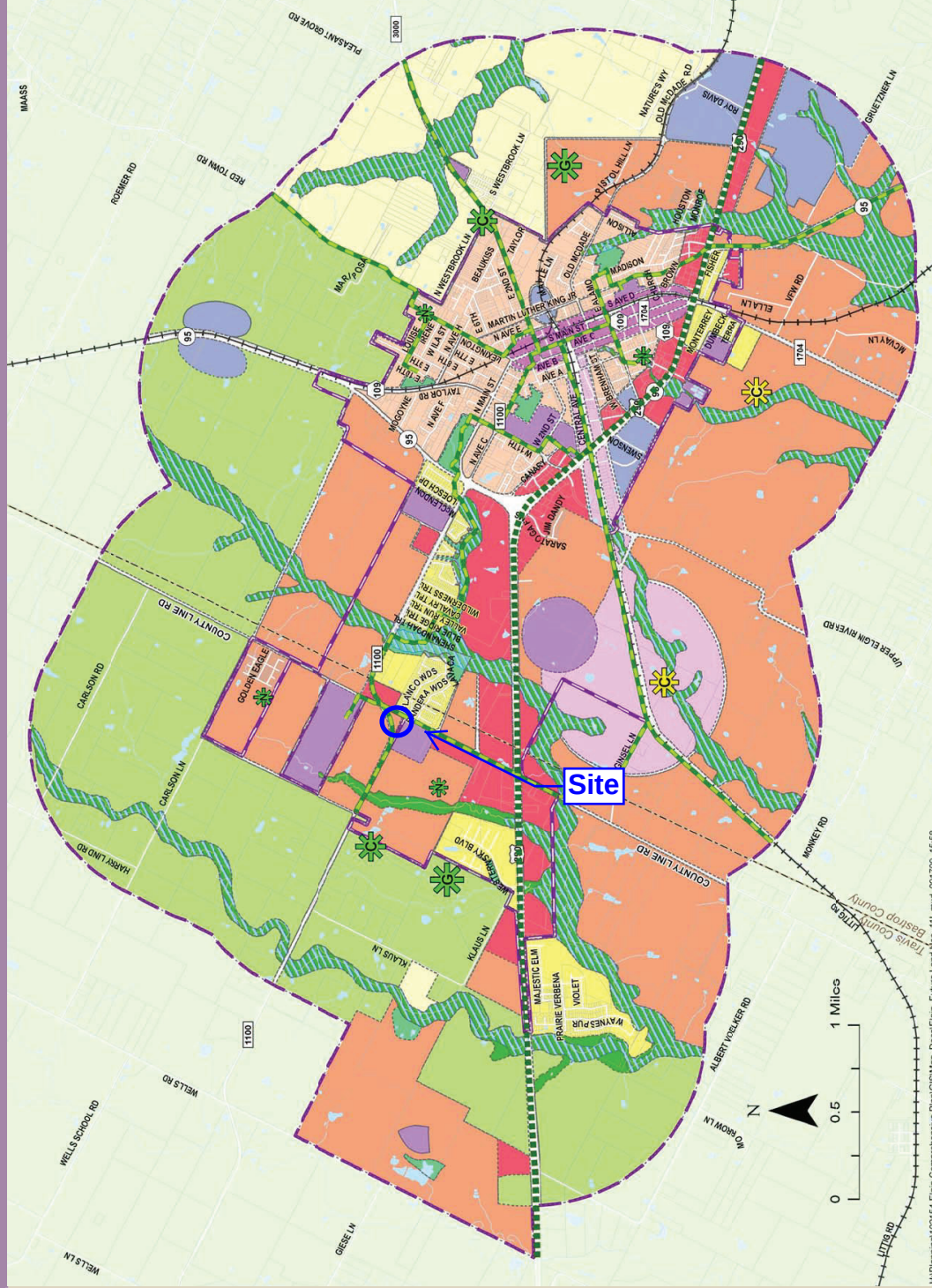
Exhibit 4.4: Future Land Use and Development Plan

- Parcel Boundary
- Elgin City Limits
- Elgin Planning Area

Future Land Use

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

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



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

Traditional Neighborhood Development

General Description: Traditional Neighborhood Development (TND) is intended to bring the character and form of Elgin's older neighborhoods (the Central Elgin Neighborhood category) to newly developing areas of the community. Key characteristics include a grid pattern of streets with pedestrian and bicycle amenities, homes that have front porches rather than front garages, a compatible mix of housing types and land uses, and high quality landscaping and building materials.

Transect Zone: General Urban (T4)

Primary Land Use: Single Family Residential

Supporting Land Uses: Attached residential (townhomes, rowhouses), small apartment buildings, neighborhood-scale retail and office, schools, parks, and community facilities. Accessory dwellings or "granny flats" are encouraged with appropriate regulations regarding lot coverage, height, and parking.

Residential Densities: Approximately 5 units per acre.

Form and Character: TND areas should be built according to a traditional grid or modified grid street pattern without the use of cul-de-sacs to promote connectivity and walkability. Homes should address the street directly with garages placed to the side or preferably the rear of the home with access from an alley or lane. Front porches should be incorporated into most homes to promote community and neighborly interaction. Buildings are typically two to three stories tall with shallow to medium setbacks that allow landscaping, while also maintaining a close connection to the street and sidewalk. Lot and home sizes vary to offer a wider range of housing choice and affordability than is typically provided in conventional subdivisions. High quality building materials and landscaping should be used to enhance the overall character of development.

Parks and Open Space: Neighborhood parks should be interspersed regularly to ensure all residents have access to park space. Smaller pocket parks, playgrounds, and greens may also be provided. Sidewalks and bike trails should provide connections to parks and playgrounds within or outside of the neighborhood. Floodplains and existing vegetated areas should be preserved and incorporated into neighborhoods as open space amenities and natural buffers from surrounding development. However, floodplains should not be used to meet the active recreation needs of the community because construction of park facilities is limited in these areas.



Attachment 3
Staff Added Zoning Map

Zoning Map



4/6/2023, 10:50:04 AM

Bastrop Parcels February 2023

Travis Parcels March 2022

Zoning

- C-1
- C-2
- C-3
- C-4
- PDD
- R-1
- R-3
- R-4

Attachment 4
Ordinance with Exhibit

ORDINANCE NO. 2023-05-16-??

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ELGIN, TEXAS ADOPTED IN CHAPTER 46, SECTION 46-3, REVISED CODE OF ORDINANCES, CITY OF ELGIN, TEXAS, 2013 AND MAKING THIS AMENDMENT A PART OF SAID OFFICIAL ZONING MAP, TO WIT: TO REZONE LAND FROM “R-1” SINGLE FAMILY DWELLING DISTRICT TO “C-3” HIGHWAY COMMERCIAL DISTRICT LOCATED ON PARCELS OF LAND KNOWN BY THE TRAVIS COUNTY APPRAISAL DISTRICT AS PARCEL 815585, LOCATED AT 13708 COUNTY LINE RD. (ABS 518 SUR 65 MARTIN H, ACRE 4.096), BEING MORE DESCRIBED IN EXHIBIT “A”; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas to amend the Official Zoning Map to rezone the property described in Exhibit "A" attached hereto and incorporated herein, from R-1 Single Family Dwelling District to C-3 Highway Commercial District, and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on April 27, 2023, following lawful publication of the notice of said public hearing, and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended that the Official Zoning Map NOT be amended so that the zoning classification of the property described in Exhibit "A" is C-3 Highway Commercial District, and

WHEREAS, on May 16, 2023, after proper notification, the City Council held a public hearing on the requested zoning, and

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

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

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

I.

The Official Zoning Map adopted in Chapter 46, Section 46-3, City of Elgin, Texas is hereby amended so that the zoning classification of the property described in Exhibit "A" is rezoned from R-1 Single Family Dwelling District to C-3 Commercial Highway District.

II.

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

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

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

READ, PASSED, and ADOPTED on first reading this the 16th day of May, 2023.

THERESA Y MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

185 McAllister Road
Bastrop, Texas 78602
512-303-4185
Firm Reg. #10058400
jgaron@austin.rr.com

April 4, 2022

LEGAL DESCRIPTION: BEING A 4.096 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE HENRY MARTIN SURVEY, ABSTRACT 518 AND THE WILLIAM HINES SURVEY, ABSTRACT 345 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 4.102 ACRE TRACT OF LAND CONVEYED TO JOSE SALAZAR AND MARIA SALAZAR BY DEED RECORDED IN DOCUMENT #2011187602 OFFICIAL RECORDS, TRAVIS COUNTY, TEXAS; SAID 4.096 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN APRIL, 2022:

BEGINNING at a 3/4" iron pipe found in the westerly line of County Line Road for the southeasterly corner hereof and the northeasterly corner of that certain 2.001 acre tract of land conveyed to Filadelfia Church by deed recorded in Document #2017178751 of said official records;

THENCE N 63°00'44" W a distance of 550.33 feet to a 1/2" iron rod found in the east line of that certain 15.483 acre tract of land conveyed to the Elgin ISD by deed recorded in Document #2004014488 of said official records for the southwesterly corner hereof and the northwesterly corner of said Filadelfia Church 2.001 acre tract;

THENCE N 27°18'50" E a distance of 118.59 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the curving southerly right-of-way line of FM 1100 for the northwesterly corner hereof and the northeasterly corner of said Elgin ISD 15.483 acre tract;

THENCE a distance of 91.18 feet along the arc of said curving line to the left having a radius of 1186.34 feet and a chord bearing N 72°32'34" E, a chord length of 776.60 feet to a 60D nail set in County Line Road for the northeasterly corner hereof;

THENCE S 27°24'23" W a distance of 112.41 feet along County Line Road to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northeast corner of that certain 0.60 acre tract of land conveyed to AQUA WSC by deed recorded in Volume 3824, Page 414 of said official records;

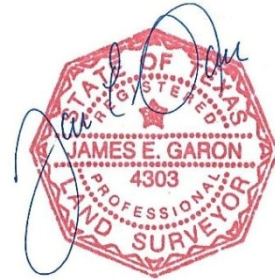
THENCE with said AQUA WSC 0.60 acre tract the following three (3) calls:

1. N 62°37'19" W a distance of 49.98 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northwest corner;
2. S 27°26'53" W a distance of 50.02 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southwest corner;
3. S 62°37'34" E a distance of 50.03 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set in the west line of County Line Road for the southeast corner of said 0.60 acre tract;

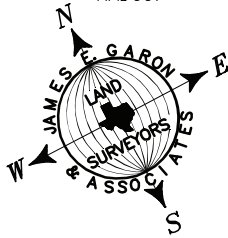
THENCE S 27°24'02" W a distance of 499.97 feet along County Line Road to the **POINT OF BEGINNING**, containing 4.096 acres of land, more or less, and as shown on map of survey prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor
co\Travis\sur\Henry Martin a518\29222 LEGAL



BEARINGS SHOWN ARE GRID NORTH BASED
ON GPS OBSERVATIONS FOR TEXAS STATE
PLANE COORDINATE SYSTEM "CENTRAL ZONE"
NAD83.



SCALE: 1" = 100'

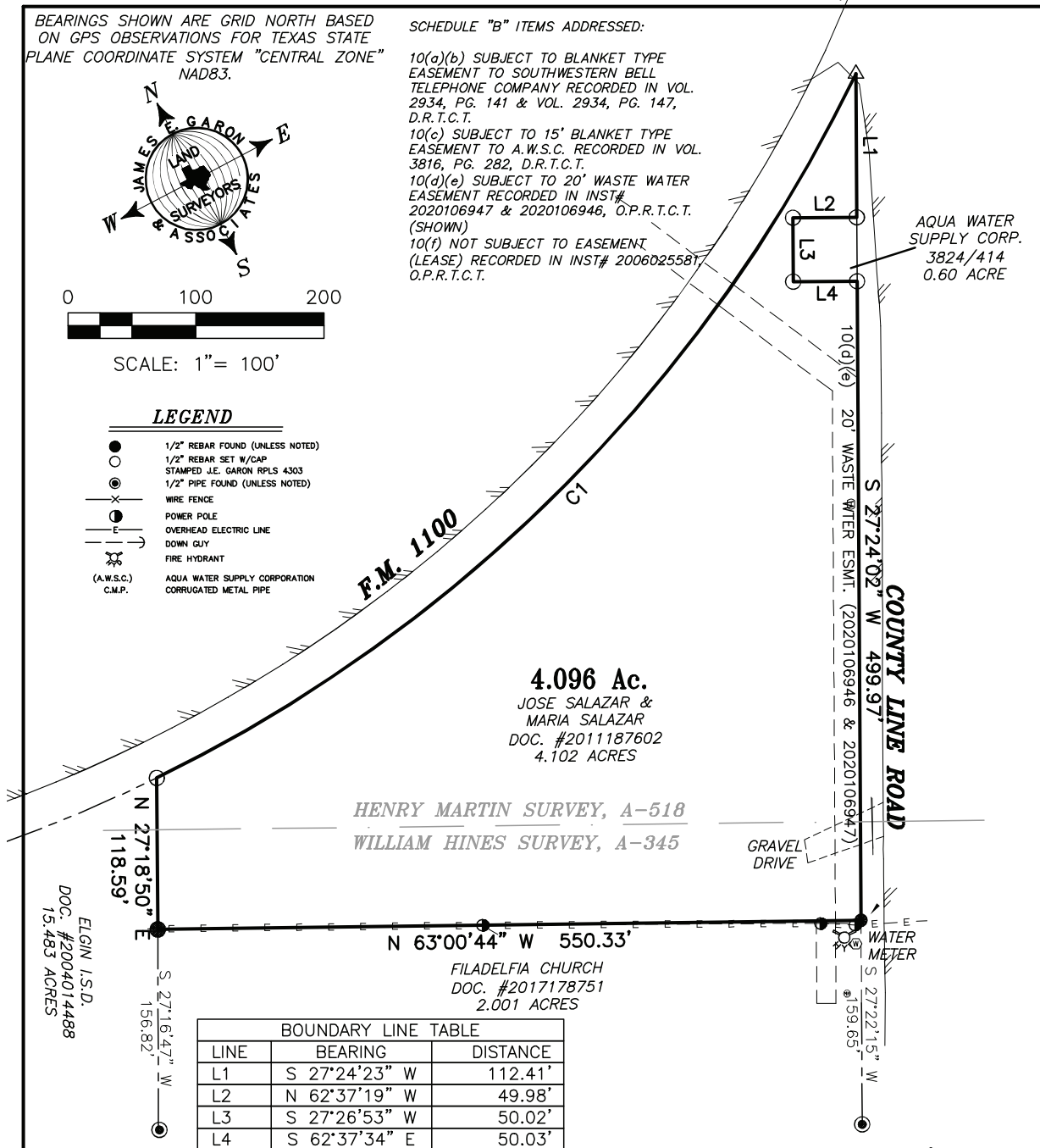
LEGEND

- 1/2" REBAR FOUND (UNLESS NOTED)
- 1/2" REBAR SET W/CAP
- ⊙ STAMPED J.E. GARON RPLS 4303
- ⊙ 1/2" PIPE FOUND (UNLESS NOTED)
- X — WIRE FENCE
- ⊙ POWER POLE
- — — OVERHEAD ELECTRIC LINE
- GUY — DOWN GUY
- ⊙ FIRE HYDRANT
- ⊙ (A.W.S.C.) AQUA WATER SUPPLY CORPORATION
- ⊙ C.M.P. CORRUGATED METAL PIPE

SCHEDULE "B" ITEMS ADDRESSED:

- 10(a)(b) SUBJECT TO BLANKET TYPE EASEMENT TO SOUTHWESTERN BELL TELEPHONE COMPANY RECORDED IN VOL. 2934, PG. 141 & VOL. 2934, PG. 147, D.R.T.C.T.
- 10(c) SUBJECT TO 15' BLANKET TYPE EASEMENT TO A.W.S.C. RECORDED IN VOL. 3816, PG. 282, D.R.T.C.T.
- 10(d)(e) SUBJECT TO 20' WASTE WATER EASEMENT RECORDED IN INST# 2020106947 & 2020106946, O.P.R.T.C.T. (SHOWN)
- 10(f) NOT SUBJECT TO EASEMENT (LEASE) RECORDED IN INST# 2006025581, O.P.R.T.C.T.

AQUA WATER
SUPPLY CORP.
3824/414
0.60 ACRE



4.096 Ac.

JOSE SALAZAR &
MARIA SALAZAR
DOC. #2011187602
4.102 ACRES

HENRY MARTIN SURVEY, A-518

WILLIAM HINES SURVEY, A-345

GRAVEL
DRIVE

COUNTY LINE ROAD

ELGIN I.S.D.
DOC. #2004014488
15.483 ACRES

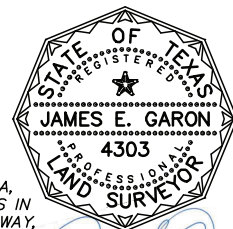
BOUNDARY LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 27°24'23" W	112.41'
L2	N 62°37'19" W	49.98'
L3	S 27°26'53" W	50.02'
L4	S 62°37'34" E	50.03'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	BEARING	CHORD
C1	791.19'	1185.91'	38°13'31"	N 72°32'34" E	776.60'

TO THE OWNERS, LIEN HOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X" AND IS NOT WITHIN A 100-YEAR FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48453C0510H, EFFECTIVE SEPTEMBER, 26, 2008.



APRIL 1, 2022



JAMES E. GARON & ASSOC.

LAND SURVEYORS & CIVIL ENGINEERS
Firm Reg. #10058400 & F-20386
185 McAllister Road
Bastrop, Texas 78602
(512) 303-4185
jgaron@austin.rr.com
www.jamesegaronsurvey.com

REFERENCE: ISAURO VARGAS VILLAFANNA

G.F. NO.: 2208664-RQL

ADDRESS: 13807 COUNTY LINE ROAD, ELGIN, TEXAS.

LEGAL DESCRIPTION: 4.096 ACRES IN THE HENRY MARTIN SURVEY, ABSTRACT 518 & WILLIAM HINES SURVEY, ABSTRACT 345, TRAVIS COUNTY, TEXAS.

FIELD BOOK: B-681/21

FILE: S:\Counties\Travis\Surveys\Henry Martin Sur A-518\29222.dwg

Attachment 5
200' Notice Letter and Map



April 11, 2023

NOTICE OF A REZONING REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The map on the back of this page shows the lot making the request (red solid shape) and your lot within the notice area (blue line). This notice is to inform you of a public hearing to be held by the Planning & Zoning Commission and the City Council on the item as denoted below:

Project #202300055: An ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2012 and making this amendment a part of said official zoning map to wit: To rezone land from "R-1" Single-Family Dwelling District to "C-3" Highway Commercial District on Travis Co. Appraisal District (TCAD) Parcel 815585 (BEING 4.096 ACRES OF LAND, OUT OF THE HENRY MARTIN SURVEY 65, ABSTRACT NO. 518 IN TRAVIS CO., TX) being more described in Exhibit "A"; and providing for a savings clause and repealing conflicting ordinances and resolutions.

With public hearings as below:

By the Planning & Zoning Commission for a recommendation on April 24, 2023 and the City Council for a consideration on May 16, 2023, both meetings beginning at 6:30 P.M. Central Standard Time. These meetings are to be held at Elgin Public Library Annex (Civic Center) located at 404 N. Main St. Elgin, TX, 78621, U.S.A.

The public is welcome to attend the meeting and may give a public comment on this item. Any person may be represented by an attorney.

Any interested person may also express written comments by emailing the Development Services Department at planninganddevelopment@elgintexas.gov or by postal mail at the following:

City of Elgin
Development Services Department
P.O. Box 591
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to planninganddevelopment@elgintexas.gov or to (512) 281-0119.

TCAD 815585
200' REZONING
NOTIFICATION

