



AGENDA
ELGIN CITY COUNCIL
REGULAR MEETING
TUESDAY, JULY 11, 2023
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
6:30 PM

Members of the public may watch the meeting at:

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

I. CALL TO ORDER

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. PUBLIC HEARING

1. PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR EXPANSION OF A DAY CARE CENTER ON A NEIGHBORING LOT & MODIFICATION OF AN EXISTING SPECIFIC USE FOR A DAY CARE CENTER (ORDINANCE 2019-04-02-07) REGARDING THE PARKING LOT LAYOUT ON PROPERTY LOCATED AT 700 BULL RUN (SOPKO & KEELING SUBDIVISION, LOT 1, ACRES 0.8230 & LOT 2, ACRES 0.5510), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND 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. CITY MANAGERS REPORT

1. Consideration Of Ad Hoc Committee Recommendation Regarding Thomas Park Phase 1 Improvements Project And Direction To Staff Regarding Same

Documents:

[EX SUMMARY - THOMAS PARK.PDF](#)

2. Presentation And Review Of Staff Recommendation For The Annual Street Improvements Program

Documents:

[EX SUMMARY - STREET IMP PROG722.PDF](#)
[2023 STREET IMPROVEMENTS - ENGINEERING SERVICES PROPOSAL.PDF](#)

3. Consideration Of A Request To Waive Noise Ordinance Limitations For The Month Of August In Support Of The Elgin Police Department Station Project

Documents:

[EX SUMMARY - WAIVE NOISE ORD EPD.PDF](#)
[BWC NOISE ORDINACE LETTER - CHIEF NOBLE.PDF](#)

4. Review And Discussion Of Upcoming City Council Meeting Schedule

Documents:

[EXSUMMARY - MEETING SCHEDULE3.PDF](#)

5. FY 22-23 3RD QUARTER INVESTMENT REPORT

Documents:

[EX SUMMARY.PDF](#)
[FY22-23 3RD QTR INVESTMENT REPORT.PDF](#)

6. Library Advisory Board Quarterly Report

Documents:

[LIBRARY QUARTERLY REPORT - JUNE.PDF](#)

7. Parks & Recreation Advisory Board Quarterly Report

Documents:

[PARKS ADVISORY BOARD QUARTERLY REPORT72023.PDF](#)

8. General Activity Report And/Or Project Update

Documents:

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

VIII. CONSENT AGENDA

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

1. City Council Regular Meeting Minutes - June 20, 2023

Documents:

[EX SUMMARY- JUNE 20, 2023 REGULAR MEETING MINUTES.PDF](#)
[6-20-2023 CITY COUNCIL REGULAR MEETING MINUTES.PDF](#)

2. City Council Worksession Meeting Minutes - June 20, 2023

Documents:

[EX SUMMARY- JUNE 20, 2023 WORKSESSION MEETING MINUTES.PDF](#)
[6-20-2023 CITY COUNCIL WORKSESSION MEETING MINUTES.PDF](#)

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

Documents:

[EXSUMMARY - AUTH EPD FGMA.PDF](#)
[EPD STATION RES.PDF](#)
[INVOICE 13 - CITY OF ELGIN NEW PS.PDF](#)

IX. NEW BUSINESS

1. A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2023 FIVE-YEAR CAPITAL IMPROVEMENT PLAN, A REPORT ON ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING FOR RELATED MATTERS

Documents:

[EXSUMMARY - 5YRCP .PDF](#)
[RESO5YRCP723.PDF](#)

2. AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR EXPANSION OF A DAY CARE CENTER ON A NEIGHBORING LOT & MODIFICATION OF AN EXISTING

CARE CENTER ON A NEIGHBORING LOT & MODIFICATION OF AN EXISTING SPECIFIC USE FOR A DAY CARE CENTER (ORDINANCE 2019-04-02-07) REGARDING THE PARKING LOT LAYOUT ON PROPERTY LOCATED AT 700 BULL RUN (SOPKO & KEELING SUBDIVISION, LOT 1, ACRES 0.8230 & LOT 2, ACRES 0.5510), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

Documents:

[EX SUMMARY-SPECIFIC USE DAY CARE CENTER.PDF](#)
[DAY CARE CENTER SPECIFIC USE ORDINANCE.PDF](#)
[STAFF REPORT-SPECIFIC USE DAY CARE CENTER.PDF](#)

3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE A SERVICE AGREEMENT WITH BASTROP COUNTY TO PROVIDE DISPATCHING SERVICES TO THE ELGIN POLICE DEPARTMENT; AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENT.

Documents:

[EXECUTIVE SUMMARY FY 23-24 ILA AGREEMENT FOR EMERGENCY COMM SERV BETWEEN BASTROP CO AND ELGIN.PDF](#)
[RES INTERLOCAL AGREEMENT BETWEEN THE CITY OF ELGIN PD AND BASTROP COUNTY.PDF](#)
[CITY OF ELGIN DISPATCH CONTRACT 2023-24 \(002\).PDF](#)

X. EXECUTIVE SESSION

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

XI. RECONVENE

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

XII. ANNOUNCEMENTS

XIII. ADJOURMENT

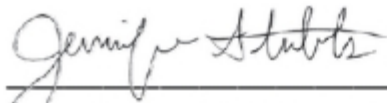
The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code;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

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be

or 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, July 7, 2023, in accordance with Chapter 551 of the Texas Government Code.

A handwritten signature in cursive script, reading "Jennifer Stubbs", is positioned above a horizontal line.

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Public hearing on an ordinance granting a specific use permit for expansion of a day care center on a neighboring lot & modification of an existing specific use for a day care center (Ordinance 2019-04-02-07) regarding the parking lot layout on property located at 700 Bull Run Road (Sopko & Keeling Subdivision, Lot 1 being approximately 0.8230 acres and Lot 2 being approximately 0.5510 acres), City of Elgin, Texas, Bastrop County, Texas; and providing a savings clause and repealing conflicting ordinances and resolutions.

DEPARTMENT: Development Services.

PROPOSED ACTION: No Council action proposed or requested at this time; this item is to allow for public comments on the proposed ordinance in accordance with State law.

BACKGROUND: The Planning & Zoning Commission held the first of two public hearings on the requested specific use on June 26, 2023.

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: Consideration of Ad Hoc Committee recommendation regarding Thomas Park Phase 1 Improvements Project and direction to staff regarding same.

DEPARTMENT: City Manager/Director of Community Development

PROPOSED ACTION: This item is for Council to review and consider a recommendation from an Ad Hoc Committee previously appointed by Council as to the desired capital improvement elements in the pending Thomas Park Phase 1 Project.

BACKGROUND:

Discussed at previous meetings; The City Council approved the issuance the 2021A Certificates of Obligation of \$12.5M to provide funding for a wide range of capital improvement projects, including the construction of a new City of Elgin Police Department Station and County Line Road Phase 1.

The conceptual plans for additional capital improvements funded by the COs included a new/expanded parking lot and entrance to Thomas Park; and the Council approved an additional \$300,000 in funding from American Rescue Plan Act funds for Thomas Park in December 2022.

As the parking expansion project progressed, however, current cost estimates (\$325K) have far exceeded the original planned investment (\$150k). Accordingly, the staff paused on the project to determine whether an investment of this amount could be better used on different improvements to Thomas Park than the initial plans.

Staff proposed consideration of an alternative Phase 1 Project that would include a new basketball court, playground, and shade structure that is affordable with the available \$450,000. This alternate plan was supported by community input and the Parks Recreation and Open Space Master Plan.

The Mayor and City Council created an Ad Hoc Committee of Councilmembers and community leaders from the Thomas Park area to assist in determining the best plan for these initial Thomas Park improvements. Said Committee has since met and has **unanimously** recommended that the Phase 1 Project be revised to include a new basketball court, playground, and shade structure as discussed.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and discussion as described above; and direction to staff, if any, as appropriate.

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: Presentation and review of staff recommendation for the Annual Street Improvements Program

DEPARTMENT: Director of Public Works/City Engineer

PROPOSED ACTION:

Review and consideration of recommended improvements to various city streets through the Annual Street Improvements Program and as funded in the FY22-23 Annual Budget.

BACKGROUND:

Discussed during the budget development process; This program represents a continuing commitment to greatly enhanced effort focused on improving and maintaining existing city streets.

The approved FY22-23 Annual Budget includes a \$1.06M investment in street maintenance and/or improvements. This amount represents one of the highest one-year funding commitments to street maintenance ever made by the City from operating revenues.

The attached report lists those streets proposed for upgrade under this year's program, and the recommended level of improvement.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Review and consideration of recommended Annual Street Improvements Program as described; and routine direction to staff, if any (The plan will be formally approved by a vote of the City Council at a future meeting)

ATTACHMENTS: Staff Report

{ } 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.



505 East Huntland Drive
Suite 250
Austin, Texas 78752

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

June 27, 2023

Mr. Michael Gonzalez, Public Works Director
City of Elgin
P.O. Box 591
Elgin, Texas 78621

**RE: Elgin 2023 Street Improvements
Engineering Services Proposal**

Dear Mr. Gonzalez:

At the request of the City of Elgin, this letter represents TRC's engineering services proposal for the preparation and submittal of chip seal, overlay plans, traffic markings, design drawings for curb and gutter, drainage inlets, pavement, and specifications for the City of Elgin in its upcoming 2023 maintenance schedule for improving select roadways.

ENGINEERING SCOPE OF WORK:

1. This project will consist of the following work tasks:
 - a) Initial site visit with the City of Elgin Public Works Director to determine the streets needing improvements and exact dimensions of the area.
 - b) Overall city map showing limits of 2" overlay of asphalt, chip seal, and traffic markings replacement.
 - c) Drawings showing curb and gutter, drainage inlets, and pavement improvements.
 - d) Project construction plans and specifications.
 - e) Bidding phase services including: advertisement for bids, issuing addendums, bid openings, bid tabulations, and contractor recommendation letters.
 - f) Construction phase services including submittal review, one site visit, punch list, final walk-through, and certificate of completion.
2. The following deliverables will be included:
 - a) Two copies of the approved plans and bidding specifications.

ASSUMPTIONS:

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

- a) The following streets will be designed to have 2" overlay of asphalt:

Street	Location
E 3 rd Street	N Ave F to dead end
Avenue J	2 nd Street to Q.S. Goins
Depot Street	Avenue B to Avenue C
Avenue B	Depot Street to 2 nd Street
Zaragoza Street	In its entirety
Monterrey Street	201 Monterrey to FM1704
Old McDade Road	Y at Brenham Street to MLK
E 1 st Street	Main to the railroad tracks
E 4 th Street	N Avenue E to N Avenue G
N Avenue E	Lexington Rd to E 7 th Street
E 7 th Street	N avenue E to N Avenue F

- b) The following streets will have chip seal:

Street	Location
Elgin Meadows Subdivision	Entire sub (4 streets)

- c) The following streets will have curb and gutter, drainage inlets and pavement:

Street	Location
Avenue C storm inlet	2 locations
E 1 st Street inlets	At railroad tracks
Church Street	At MLK (including new valley gutter)

2. There will be no further changes in the proposed areas after the project has been advertised for bids.

EXCLUSIONS:

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

1. Design of improvements of relocations for gas lines, telephone lines or other franchise utilities.
2. Construction staking.
3. Continuous construction inspection.
4. Detailed title search or title policy.
5. Easements or plat documents, landowner contact or easement negotiations.
6. Archaeological surveys.
7. Any other services not identified in the Scope of Work.

Mr. Michael Gonzalez, Public Works Director
City of Elgin
June 27, 2023
Page 3 of 3

COMPENSATION FOR SERVICES:

TRC Engineers, Inc. will provide the professional engineering services as outlined in the Scope of Work and the Master Services Agreement, for a total lump fee of:

Engineering Design:	\$ 38,600.00
Bidding Services:	\$ 4,650
Construction Administration:	\$ 13,200
Total:	\$ 56,450

Changes in scope, including additional scenarios or modifications to the scope of work identified above will be evaluated for additional services and/or materials cost through a formal change order process, which shall result in approval of the additional cost prior to executing the additional work.

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

The services will be provided under the Master Services Agreement executed by the City and TRC. The opportunity to provide this proposal is greatly appreciated. If you have any questions regarding this information, please feel free to contact this office.

Sincerely,

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

City of Elgin

Date

Date





Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Consideration of a request to waive noise ordinance limitations for the month of August in support of the Elgin Police Department Station Project

DEPARTMENT: City Manager

PROPOSED ACTION:

This item is a request from city staff to waive noise ordinance limitations for the month of August in support of the Elgin Police Department Station Project.

BACKGROUND:

As the new City of Elgin Police Department Station Construction Project progresses, we now anticipate pouring of the building's concrete slab to occur in August. Given current weather conditions – and consistent with standard practice at this time in Central Texas – the pouring of the slab must occur in the early morning hours when temperatures are lower. The work will commence prior to 6AM, which is prohibited under city ordinance unless otherwise authorized by City Council:

Sec. 16-82. - Noise disturbances.

The following acts, among others, are declared to be per se violations of this article. . :

(4) Construction work:

- a. Construction work during the hours of 9:00 p.m. and 6:00 a.m. in or adjacent to any residential district.

Sec. 16-84.1. - Temporary noise exemption permits.

- (a) A person or organization may apply for a permit to engage in any activity that creates a noise that would otherwise constitute a nuisance or be in violation of this article.
- (b) Any application for a noise exemption permit must be made in writing . . . for placement on the agenda of the next regularly scheduled meeting of the city council.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Approval of a request to waive noise ordinance limitations for the month of August in support of the Elgin Police Department Station Project.

ATTACHMENTS: Application

{ } 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.

BAIRD/WILLIAMS CONSTRUCTION, LTD.

July 6, 2023

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

RE: New Police Station
204 Depot Street, Elgin, TX

Dear Chief Noble,

This request is to Waive the Noise Ordinance for the Month of August from Midnight to 7:00 AM in Support of The New Elgin Police Station Project.

Please contact me if you have any questions or concerns.

Sincerely,

Cody Brooks

Vice President of Project Management

BAIRD/WILLIAMS CONSTRUCTION, LTD



900 W. Irvin | Temple, Texas 76501

Office: 254.773.3499 ext. 207

Cell: 254.295.3967

Email: cody@bwconst.com

900 West Irvin, Temple Texas 76501 - PO Box 917, Temple, Texas 76503
(254)773-3499 Office - (254)773-3548 fax



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: Review and discussion of upcoming City Council Meeting Schedule

DEPARTMENT: City Manager

PROPOSED ACTION:

Review and discussion of Council Meeting schedule for July and August; and direction to staff regarding same.

BACKGROUND:

The schedule for City Council Meetings has been somewhat offset by the Regular City Council Meeting being moved to July 11 (due to the routine schedule conflicting with the 4th of July city holiday).

If we are to have a second Council meeting in July this year, it will have to occur in back-to-back weeks (either the 11th and the 18th or the 25th and 8/1). It's also worth mentioning that we begin budget season next month where we already have four (4) Council Meetings tentatively scheduled:

Tuesday, August 1, 2023..... Presentation of Proposed FY2023-24 Annual Operating Budget to Mayor & City Council by City Manager
(Regular Council Meeting)

Tuesday, August 8, 2023..... Council Budget Review/ Work Session (*tentative*)

Tuesday, August 15, 2023
(Regular Council Meeting)

Tuesday, August 22, 2023..... Council Budget Review/ Work Session (*tentative*)

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Consider cancelling the second City Council Meeting for July and/or further direction to staff as applicable regarding the July/August Council Meeting Schedule.

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: FY 22-23 3RD QUARTER INVESTMENT REPORT

DEPARTMENT: FINANCE

PROPOSED ACTION: REVIEW AND ACCEPT REPORT

BACKGROUND: Section 2256.005 of the Texas Government Code requires that not less than quarterly, the Investment Officer shall prepare and submit to the City Council, a written, signed, investment report demonstrating a list of investment transactions for the preceding reporting period, in accordance with the Act. Reports will include the following: 1.) For each pooled fund group: a beginning book value and market value, book and market value additions and changes, and ending book and market value. 2.) The book value and market value of each investment at the beginning and end of the period by type of asset and fund type invested. 3.) The maturity date of each investment. Detailed and summary reports will be prepared and presented to the City Council and Mayor not less than quarterly. The attached Report complies with this requirement of the ACT and the City's Investment Policy.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: Belen Pena Date: 7/5/2023

RECOMMENDATION: REVIEW AND ACCEPT REPORT

ATTACHMENTS: INVESTMENT REPORT

- ☐ 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.

3rd Quarter Investment Report- Fiscal Year 2022-2023

OPERATING ACCOUNTS

Financial Institution	Fund	Account Name	Beginning 4/1/2023	Deposits/(Withdrawals)			Total Deposits / (Withdrawals)	Interest			Total Interest	Ending 6/30/2023	Int. Rate
First National Bank				April	May	June		April	May	June			
	999	Main Checking	4,001,749.67	(314,555.77)	(1,268,878.57)	(642,109.28)	(2,225,543.62)	17,187.87	13,469.30	9,387.48	40,044.65	1,816,250.70	5.18%
	110	Police Seizure Chapter 59	5,520.67	-	-	-	-	22.53	24.45	23.72	70.70	5,591.37	
	430	Money Market TIRZ 1	807,828.70	-	-	-	-	3,297.27	3,577.18	3,470.86	10,345.31	818,174.01	
	110	Money Market General Operations	188.16	-	-	-	-	0.72	0.88	0.81	2.41	190.57	
Sub-total			4,815,287.20				(2,225,543.62)				50,463.07	2,640,206.65	
TOTAL - DEPOSITS			4,815,287.20				(2,225,543.62)				50,463.07	2,640,206.65	

CAPITAL IMPROVEMENT FUNDS

Financial Institution	Fund	Account Name	Beginning 4/1/2023	April	May	June	Total of Deposits / (Withdrawals)	April	May	June	Interest	Ending 6/30/2023	WAM*
Logic	150	CO Series 2015- Proceeds	1.67	-	-	-	-	-	-	-	-	1.67	
	250	CO Series 2016 - Proceeds	2,826,489.90	-	-	-	-	11,605.61	12,501.91	12,313.15	36,420.67	2,862,910.57	
	210	CO Series 2019A - Proceeds	307,839.84	-	-	-	-	1,264.01	1,361.62	1,341.05	3,966.68	311,806.52	
	430	CO Series 2019B(TIRZ) Proceeds	151.88	-	-	-	-	0.60	0.65	0.64	1.89	153.77	
	110	General Fund Reserves	10,803,511.87	-	-	-	-	44,359.46	47,785.32	47,063.86	139,208.64	10,942,720.51	
	110	Unencumbered Reserves	257,423.24	-	-	-	-	1,057.00	1,138.62	1,121.40	3,317.02	260,740.26	
	210	CO Series 2021 - Proceeds	6,310,551.25	-	-	-	-	25,911.27	27,912.38	27,490.96	81,314.61	6,391,865.86	
	110	CLFRF Proceeds	1,315,301.23	-	-	-	-	5,400.67	5,817.74	5,729.90	16,948.31	1,332,249.54	
	150	CO Series 2021A	11,365,746.41					46,667.99	50,272.15	49,513.14	146,453.28	11,512,199.69	
Sub-total			33,187,017.29				-				427,631.10	33,614,648.39	5.26%
TOTAL - INVESTMENTS			33,187,017.29				-				427,631.10	33,614,648.39	
TOTAL - DEPOSITS AND INVESTMENTS			38,002,304.49				(2,225,543.62)				478,094.17	36,254,855.04	

* Weighted Average to Maturity (WAM)

Belen Peña

Finance Director

Library Advisory Board Quarterly to City Council June 29, 2023

Heather Fowler, Interim librarian

The Library Advisory Board includes Chair Yenifer Ibarra, Vice-Chair Janet Gudenkauf, Nicole Rooch, Mary Ann Clark, Denise Halter and Barbara Leeper.

Board members are the vital link between the library and its community. Members serve as representatives of the interests and needs of the community regarding the services provided by the library. The members aid in the development of services and assist in problem-solving and are a forum for presenting multiple viewpoints. Members review library procedures, guidelines and fees to make recommendations. They assist the librarian in creating goals for the library to meet the needs of the community. They have a role in determining the mission of the library and setting the policy that governs the library.

Summary overview for this past quarter:

- Voted to rename Room 114 – Meeting Room to the Al Guerrero Memorial Board Room. Al Guerrero served as president of the Friends of the Elgin Library and played a key role in the construction of the current library building.
- Began updating the long-range plan to include a strategy to address and recognize the needs of the teens based off our teens assessment. The library had the privilege of having a Capstone student volunteer several hours to develop a teen survey. This is an ongoing process.
- Began the process of updating the collection development policy.

Summary of Proposed Activities:

- Complete the Elgin Public Library's Collection Development Policy to ensure information is current and policies accurately reflect the mission of the library. Due to continual growth and changes of the community, it is vital to update the policy. The current Collection Development Policy was approved in March of 2015.
- Update the long-range plan to implement a strategy to address the needs of the teens based on the teen assessment.
- Create an evening book club or Saturday book club. This would accommodate individuals in the community that work through the week or during daytime hours.

Parks Advisory Board Report to City Council
Elizabeth Marzec, Program Manager

June 29th, 2023

The Parks Advisory Board includes Chair Anthony Bullara, Vice-Chair Valerie Tamburri, Tiffany Finley, Corinne Shigemoto, Jennifer Johnson, and Charles Brown. There is one vacancy on the Parks Advisory Board.

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

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

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

Reviewed and approved the Morris Memorial Park playground replacement based on community input.

Reviewed and approved the painting of the Elgin Memorial Park Main Pavilion's walls, and the acquisition of the Elgin Sesquicentennial Mural from Advocacy Outreach, painted by Tom Besson, to be affixed to the wall of the pavilion.

Reviewed and approved the proposed improvements for Thomas Memorial Park and prioritized the Thomas Memorial Park playground replacement based on community input.

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

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

The Thomas Memorial Playground design and associated community input will be reviewed in July for recommendation to City Council.

National Parks & Recreation Month Events Sponsored or Supported by Parks & Recreation, in addition to regular programming and events include:

- Game Night at the Elgin Recreation Center – July 7th
- Family Free Swim Summer Party at Morris Memorial Pool – July 14th
- Picnic in the Park at Elgin Memorial Park – July 21st
- Water Play in the Park at Thomas Memorial Park – July 28th



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 – June 20, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Regular Meeting Minutes- June 20, 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- June 20, 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
June 20, 2023

CALL TO ORDER

Mayor McShan called the meeting to order at 6:31 p.m.

Roll Call

Present:

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

Absent:

YaLecia Love, Council Member

Staff:

Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Amy Miller, Community Services Director
Belen Pena, Finance Director
Chris Noble, Chief of Police
Pam Sanders, Human Resources Director
Michael Gonzalez, Public Works Director
Sonia Browder, Media Specialist

INVOCATION

Mr. Dennis provided the invocation.

PLEDGE OF ALLEGIANCE

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

PUBLIC HEARING

1. Public Hearing On The Proposed 2023 Five-Year Capital Improvement Plan

Mr. Mattis provided comments and stated the Public Hearing was for action later in the meeting. The property owner requested the zoning change. There were no public hearing comments.

PUBLIC COMMENT

Tammy Stuart, 14032 Ballast Dr., stated that she submitted petitions for two items and that she and Mr. Campbell were neighbors. She stated that her neighbors in Peppergrass would like a sound wall or a row of trees by the roads where construction occurs to help the traffic noise.

A.J. Campbell, 14028 Ballast Dr., stated that he would like two stop signs on Bear Grass Drive because people were speeding near homes with children. He provided more information on the intersection locations for the requested stop signs.

CITY MANAGER'S REPORT

1. General Activity Report and/or Project Update

Mr. Mattis stated that the main projects continue to progress, and he provided some updates. He stated that there were a couple of issues on County Line Road, and repairs were addressed quickly. Mr. Mattis noted that things were operating smoothly. Mayor McShan asked about the corresponding Elgin ISD projects. Mr. Mattis stated that Elgin ISD was making significant progress on its projects. Mr. Dennis thanked the school district for working to mitigate the drainage issues and stated that this project would be a huge improvement.

CONSENT AGENDA

1. City Council Regular Meeting Minutes - June 6, 2023

The minutes passed on the consent agenda.

2. A RESOLUTION OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH TRC ENGINEERS INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT; AND MAKING CERTAIN FINDINGS RELATED THERETO

The resolution passed on the consent agenda.

Mr. Swain made a motion to approve the consent agenda. Mayor Pro Tem Brashar 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. Stubbs encouraged the public to apply for Boards and Commissions. Ms. Miller stated that the applications were available online. She stated that many activities and programs were available at the Library and the Recreation Center this summer. Mr. Mattis stated that citizens were welcome to cool off at the Recreation Center or the Library. Ms. Miller stated that it was Western Days Festival week and provided more details. Mr. Rodriguez stated that there was a job fair in the hope of hiring teachers from 11:00 a.m. to 1:00 p.m. at Elgin Middle School.

ADJOURNMENT

Mayor McShan adjourned the meeting at 6:48 p.m. and gave the council a ten minute recess before heading into the worksession.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: City Council Worksession Meeting Minutes – June 20, 2023

DEPARTMENT: Administration

PROPOSED ACTION: Approval of the City Council Worksession Meeting Minutes- June 20, 2023

BACKGROUND: N/A

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ **Date:** _____

RECOMMENDATION: Approval of the City Council Worksession Meeting Minutes- June 20, 2023

ATTACHMENTS: Minutes

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

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

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

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

MINUTES
ELGIN CITY COUNCIL WORKSESSION MEETING
ELGIN PUBLIC LIBRARY ANNEX CITY COUNCIL CHAMBERS
404 NORTH MAIN STREET
June 20, 2023

CALL TO ORDER

Mayor McShan called the meeting to order at 6:57 p.m.

Roll Call

Present:

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

Absent:

YaLecia Love, Council Member

Staff:

Thomas L. Mattis, City Manager
Jennifer Stubbs, City Secretary
Amy Miller, Community Services Director
Belen Pena, Finance Director
Chris Noble, Chief of Police
Beau Perry, City Engineer
Pam Sanders, Human Resources Director
Michael Gonzalez, Public Works Director

GENERAL DISCUSSION

1. Discussion On The Proposed 2023 City Of Elgin Five-Year Capital Improvement Plan

Mr. Mattis commented that the staff's plates were currently full of projects. He stated that some of the projects can have grant funding or additional funding. Mr. Mattis asked the council to decide which projects were their priorities. Ms. Miller updated the council about the neighborhood meeting regarding the Thomas Memorial Park options. She stated that the consensus was to move forward with the shaded playground and surfacing. Ms. Miller stated that the parking lot still needs

to be redone. Mr. Mattis addressed some staffing challenges and concerns. Ms. Casnovsky stated there could be cost savings if we had staff who could work on this project. Mr. Mattis stated that the city was actively recruiting for laborer-type positions, but taking on side projects would be limited due to the current workload. Mayor Pro Tem Brashar left the dais and returned at 7:06 p.m. Discussion followed. Mr. Perry mentioned collecting park fees and allocating the funds toward specific projects. Ms. Casnovsky asked if a shaded structure could be placed over the existing playground for cost savings. Mr. Mattis stated that this was possible and expressed some concerns. Discussion followed. Mr. Mattis mentioned that ranked item number 2 regarding city hall was for the exterior focus only. The request for pickleball courts was new, and the other projects had been planned for several years. Discussion took place on the Brickston development and purchasing property for a new plant. Mr. Swain asked about the Kennedy Street flooding. Mr. Perry stated that Kennedy Street was under design, and the property acquisition needed to occur. He stated that the project was part of County Line Road Phase 3, and both would be a part of one large project. He talked to the grant writer, and they anticipated the idea that the project would be ready to bid by the end of the calendar year. Mr. Swain asked if we could start looking more into the city hall project. Mr. Mattis stated that staff in the past drew up a public/private partnership plan to extend downtown and combine a city hall with commercial uses. Discussion followed. Mayor McShan asked Ms. Stubbs to send the ranking forms and to include instructions.

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.

ADJOURNMENT

Mayor McShan adjourned the meeting at 8:14 p.m.

Theresa Y. McShan, Mayor

ATTEST:

Jennifer Stubbs, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

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

DEPARTMENT: City Manager/EPD

PROPOSED ACTION: Approval of a Resolution authorizing the City Manager to remit payment for professional services fees in the amount of \$10,127.00 from April 29, 2023, to May 26, 2023 as associated with the City of Elgin Police Station Project.

BACKGROUND:

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

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

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

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

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

ATTACHMENTS: (1) Resolution (2) Invoice

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

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

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

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

RESOLUTION NO. _____

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

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

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

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

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

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

Section 2. Authorization. The City Manager is hereby authorized to execute a dollar amount of \$10,127.00 from April 29, 2023, to May 26, 2023, for professional services fees associated with the City of Elgin Police Department Station Project.

Section 3. 2021A Certificates of Obligation Funding. The City Council does also hereby expressly approve the utilization of proceeds from the 2021A Certificates of Obligation debt issuance in support of the project that is the subject matter of this Resolution; and does further acknowledge that an amendment to the *FY22-23 City of Elgin Annual Operating Budget* may be required at a future date to formally appropriate funds for this item.

Section 4. Open Meetings. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 5. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 11th day of July 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

FGMA_{ARCHITECTS}

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

June 15, 2023

Invoice No: 22-3415.01 - 13

Project 22-3415.01 Elgin TX New Police Station

Professional Services from April 29, 2023 to May 26, 2023

Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Initial Conceptual Design	35,430.00	100.00	35,430.00	35,430.00	0.00
Programming/Schematic Design	40,522.00	100.00	40,522.00	40,522.00	0.00
Design Development	101,270.00	100.00	101,270.00	101,270.00	0.00
Construction Documents	202,540.00	100.00	202,540.00	202,540.00	0.00
Bidding	25,318.00	100.00	25,318.00	25,318.00	0.00
Construction Administration	101,270.00	20.00	20,254.00	10,127.00	10,127.00
Total Fee	506,350.00		425,334.00	415,207.00	10,127.00
Total Fee					10,127.00
TOTAL CURRENT INVOICE					<u><u>\$10,127.00</u></u>

Billings to Date

	Current	Prior	Total	Received	A/R Balance
Basic Services	10,127.00	415,207.00	425,334.00		
Consultant	0.00	654.50	654.50		
Expense	0.00	1,761.73	1,761.73		
Totals	10,127.00	417,623.23	427,750.23	417,623.23	10,127.00

Please remit to:

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

630.574.8300



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING AND ADOPTING THE 2023 FIVE-YEAR CAPITAL IMPROVEMENT PLAN, A REPORT ON ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING FOR RELATED MATTERS

DEPARTMENT: City Manager

PROPOSED ACTION:

Consideration and adoption of Resolution approving 2023 Five-Year Capital Improvement Plan (5YRCP).

BACKGROUND:

Discussed at previous meetings; This action was scheduled as part of the Budget Development Calendar and represents a formative step in the final development of the FY2023-24 Annual Budget.

The 5YRCP is a comprehensive financial planning document describing all currently proposed capital expenditures within all city departments and operations for each of the next five years. The 5YRCP is designed to provide operations managers with the opportunity to look beyond the standard 12-month governmental funding cycle; while also providing Council and the administration with information necessary to achieve effective long-term financial planning.

The City Council conducted a Public Hearing and Work Session to review the proposed 5YRCP on June 20.

BUDGET/FINANCIAL IMPACT:

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

RECOMMENDATION:

Adoption of the Resolution approving 2023 Five-Year Capital Improvement Plan (5YRCP), as may or may not be amended.

ATTACHMENTS:

None (*Council has already been provided copies of the 5YRCP. Copies are available for review by the public at City Hall or the Elgin Public Library or on the city website.*)

{ } 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
APPROVING AND ADOPTING THE 2023 FIVE-YEAR
CAPITAL IMPROVEMENT PLAN, A REPORT ON
ANTICIPATED CAPITAL EXPENDITURES AND PROJECTS
FOR ALL MUNICIPAL OPERATIONS; AND PROVIDING
FOR RELATED MATTERS**

WHEREAS, the City Manager has prepared and submitted the proposed *City of Elgin 2023 Five-Year Capital Improvement Plan* describing projected capital improvement expenditures and/or projects for all municipal operations the next five years ensuing; and,

WHEREAS, the Mayor and City Council has considered and reviewed this proposal, and conducted a Public Hearing to review the plan; and,

WHEREAS, the Mayor and City Council has amended the program as deemed appropriate and has now determined same to be an effective and accurate current projection of anticipated capital expenditures for the next five years.

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. Adoption. The *City of Elgin 2023 Five-Year Capital Improvement Plan* is hereby approved and adopted, a copy of which is to be attached hereto marked “Exhibit A” and made part of this Resolution as if copied verbatim herein.

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

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

PASSED AND ADOPTED this 11th day of July, 2023

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary



Elgin City Council Meeting Agenda Item Executive Summary

ITEM: AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR EXPANSION OF A DAY CARE CENTER ON A NEIGHBORING LOT & MODIFICATION OF AN EXISTING SPECIFIC USE FOR A DAY CARE CENTER (ORDINANCE 2019-04-02-07) REGARDING THE PARKING LOT LAYOUT ON PROPERTY LOCATED AT 700 BULL RUN ROAD (SOPKO & KEELING SUBDIVISION, LOT 1, BEING APPROXIMATELY 0.8230 ACRES AND LOT 2 BEING APROXIMATELY 0.5510 ACRES), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

DEPARTMENT: Development Services.

PROPOSED ACTION: Discussion, consideration, and action on an ordinance to grant expansion of a child care center on a neighboring lot & modification of an existing specific use for a day care center (Ordinance 2019-04-02-07) regarding the parking lot layout on property located at 700 Bull Run Road.

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 approval of this item at their June 26, 2023 meeting.

ATTACHMENTS: Staff Report, Application, Ordinance, Staff added Zoning Map.

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

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

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

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

ORDINANCE NO.

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR EXPANSION OF A DAY CARE CENTER ON A NEIGHBORING LOT & MODIFICATION OF AN EXISTING SPECIFIC USE FOR A DAY CARE CENTER (ORDINANCE 2019-04-02-07) REGARDING THE PARKING LOT LAYOUT ON PROPERTY LOCATED AT 700 BULL RUN (SOPKO & KEELING SUBDIVISION, LOT 1, ACRES 0.8230 & LOT 2, ACRES 0.5510), CITY OF ELGIN, TEXAS, BASTROP COUNTY, TEXAS, AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow an expansion of a day care center on a neighboring lot & modification of an existing specific use for a day care center, in a commercial district at the property described in this Ordinance; and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on June 26, 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 a specific use permit be granted allowing an expansion of a day care center on a neighboring lot & modification of an existing specific use for a day care center, in a commercial district as shown in documents attached hereto as Exhibit "A"; and

WHEREAS, on the 11th day of July 2023, after proper notification, the City Council held a public hearing on the requested application, and

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

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

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

I.

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

II.

The Zoning District for the Property shall remain C-3 Highway Commercial District, and the Ordinance granting a Specific Use Permit for the specific use on the property to allow an expansion of a day care center on a neighboring lot & modification of an existing specific use for a day care center, is hereby adopted.

III.

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

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

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

READ, PASSED, and ADOPTED on first reading this the 11th day of July 2023.

THERESA Y. MCSHAN, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

Exhibit "A"

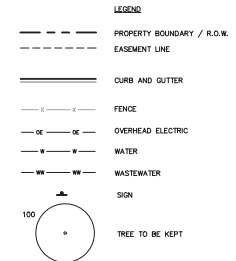
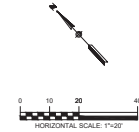
CIVIL ENGINEER
MANDEEP YARLAGADDA (SOUTHWEST ENGINEERS)
704 MAIN STREET #101
BASTROP, TX 78602
PHONE: (512) 985-9759 EXT. 315
EMAIL: MANDEEP.YARLAGADDA@SWENGINEERS.COM

OWNER/DEVELOPER INFORMATION
NEW BEGINNINGS CHILD DEVELOPMENT CENTER, LLC
700 BULL RUN
ELGIN, TX 78621
REPRESENTATIVE: LAURA BATHKE
PHONE: (512) 474-8548 X308
EMAIL: LAURABATHKE@HUOARCHITECTS.COM

SURVEYOR INFORMATION
ALL STAR LAND SURVEYING
9025 ANDERSON MILL RD
AUSTIN, TX 78729
PHONE: (512) 249-8149
INFO@ALLSTARLANDSURVEYING.COM

PARKING CALCULATIONS						
Area (ac.)	Buildings	Unit (SF)	Requirement	Number of Employees	Parking Required	Parking Provided
1.374	Existing Building - Storage	2,496	N/A	-	-	-
	Existing Building - Day Care	3,158	1 space per Employee	15	15	15
	Proposed Building - Storage	3,222	N/A	-	-	0
-	Proposed Building - Day Care	16,089	1 space per Employee	9	9	9
-	Total	20,925	-	-	24	24

PARKING PROVIDED	
Standard:	22
Compact:	0
Parallel:	0
Accessible:	2
Total:	24
Accessible Spaces Required:	2
Bicycle Spaces Provided:	0



- NOTES:**
- 1) THE NUMBER OF PERMANENT FULL-TIME EMPLOYEES IS LIMITED TO TWENTY-FOUR (24).
 - 2) THE DRIVEWAY TYPE WILL BE ASPHALT WITH CRUSHED BASE UNLESS OTHERWISE COORDINATED AND APPROVED WITH THE CITY OF ELGIN.

NOTE: APPROVAL OF THESE PLANS BY THE CITY OF ELGIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. APPROVAL BY OTHER GOVERNMENTAL ENTITIES MAY BE REQUIRED PRIOR TO THE START OF CONSTRUCTION. THE APPLICANT IS RESPONSIBLE FOR DETERMINING WHAT ADDITIONAL APPROVALS MAY BE NECESSARY.

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEER.

TEXAS ONE CALL SYSTEM
1-800-241-4545
UNDER PENALTY OF LAW, THE CONTRACTOR IS REQUIRED TO CONTACT THE TEXAS ONE CALL SYSTEM AT LEAST 48 HOURS BEFORE STARTING EXCAVATION.

NOTE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARES THEM. IN APPROVING THESE PLANS, THE CITY OF ELGIN MUST RELY UPON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.

CAUTION - ELECTRICITY PRESENT
THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS THAT ENTER OR WORK ON THIS PROJECT ARE RESPONSIBLE FOR LOCATING, USING ONE-CALL OR THE ELECTRIC UTILITIES THEMSELVES, ALL OVERHEAD AND UNDERGROUND ELECTRICAL OF ANY NATURE AND FOR SAFEGUARDING ALL PERSONNEL ON THIS PROJECT, INCLUDING ANY OFF-SITE WORK AREAS SHOWN ON THE PLAN, FROM ANY INTERFERENCE WITH THE ELECTRICAL LINES OR FROM DAMAGING, DRIVING UP OR UNCOVERING THE ELECTRICAL LINES, GETTING A LADDER IN HARM'S WAY OR ANY OTHER ACTIVITY OF ANY NATURE THAT COULD HARM AN INDIVIDUAL IN ANY MANNER. THIS RESPONSIBILITY HEREBY REMOVES THE ENGINEER AND THE OWNER FROM ANY LIABILITY OF ANY NATURE.

O:\Common\Drawn\Drawn\1065 - New Beginning CDC Site Expansion\CAD\Utilities\1065-001_SUPERCISE USE PLANS.dwg -- Layout: "2911" -- Mon, May 15, 2023, 3:58pm, By: glabachoddy

NO.	REVISION	DATE



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY MANDEEP YARLAGADDA, PE #276482 ON THE DATE INDICATED. ANY ALTERATIONS OF THIS SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.



TBPE NO. F-9509
www.swestengineers.com

HEADQUARTERS
307 Saint Lawrence Street, Gonzales TX 78029
P: 512-670-7546 F: 512-670-2024

CENTRAL TEXAS
202 Cinnamon Park Loop, Ste. B, Buda TX 78610
P: 512-314-4339

WARNING
IF THIS BAR DOES NOT MEASURE 1", THE DRAWING IS NOT TO SCALE

DRAWN BY: P.S.

CHECKED BY: G.H.

SPECIFIC USE PLAN

NEW BEGINNINGS CDC
700 BULL RUN
ELGIN, BASTROP COUNTY, TEXAS

PROJECT NO. 1065-001-22

DRAWING NO. _____

SHEET 1 OF 1



Development Services Department

STAFF REPORT

Specific Use Permit for expansion of day care center on a neighboring lot & modification of existing specific use regarding the parking lot layout.

File #: 202300004

Date: June 4, 2023

Applicants: Martha Flores c/o New Beginnings CDC, LDC

Representative: Southwest Engineers, Inc.

Hearing Dates: Planning & Zoning Commission – June 26, 2023.
City Council – July 11, 2023.

Location: 700 Bull Run

APPLICATION SUMMARY

Recommendation of the Planning & Zoning Commission and consideration (action) of the City Council of a Specific Use Permit to allow an expansion of a day care center on a neighboring lot & modification of an existing specific use for a day care center, in a commercial district.

DEPARTMENT COMMENTS

The current zoning on the lot is C-3, which is a commercial zoning. Under Sec. 46-138 a childcare center (including an expansion) requires the granting of a new specific use for the Use. Also, the parking field on the existing granted Specific Use (see attachment 5) will be changing on the existing site which requires the granting of another specific use to change the parking area. This layout was originally never built and does not exist on the site.

The original Specific Use was granted for a childcare center on April 12, 2019, which consisted of a 2,496 square foot single story, 3,158 square foot two (2) story, & thirteen (13) parking spaces on one (1) lot (see attachment 5). This was recommended for approval by the Planning & Zoning Commission on March 25, 2019 & approved by the Council on April 19, 2019.

This new Specific Use will modify the parking layout to reduce the parking stalls to the minimum Code standards of 9' x 18' stalls, remove a required tree island (Code requires one tree island every 12 parking spaces), and reoriented travel from north to south through the access lane. This will be extended to the new lot. Also, they will retain the parking standards of one (1) space for each employee and this will increase the minimum parking from thirteen (13) to twenty-four (24) spaces (see attachment 3).

Also their will be a new 14,049 square foot single story day care building to expand the existing childcare business built on the lot (see attachment 3).

STAFF ANALYSIS

The area in which the Use will be expanded is a mixture of C-3 zoning (which is our highest commercial zoning category) and I zoning (which is industrial). Also, the childcare center exists in part of this area. It is not anticipated the modification or expansion will substantially impact on the area.

Also, Bull Run itself only has this business and the Bastrop Co. Road and Bridge facility. So any traffic impacts should be minimal as there is not significant traffic on the roadway from this business.

Also, the City's Codes have changed since the original granting of the original Specific Use. If this is granted by the City Council, we are required under Ch. 48, City Code to compel the applicant to complete a Site Development Application for the external parking lot improvements. This will need to be approved by the City and built to standard before we will grant a new Certificate of Occupancy for the new building.

Staff has no issues or concerns related to the proposal.

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

ATTACHMENTS

Additional information is provided through the attached Exhibits.

1. Application.
2. Staff added zoning map.
3. Ordinance with Exhibit.
4. 200' Notice Map.
5. Ordinance 2019-04-02-07.

Attachment 1

Application

SPECIFIC USE APPLICATION

Date: 01/03/2023

SITE INFORMATION

Project Address: 700 Bull Run, Elgin, Texas 78621

Parcel Identification Number (if no address): _____

APPLICANT

Name: Martha Flores (New Beginnings CDC, LLC - Elgin)

Postal Address: 1001 Schley Street, Eagle Lake, Texas 77434

E-Mail Address: newbegcdllc_andrea@yahoo.com; Phone Number: 512-285-6337

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.

Martha M. Flores Martha M. Flores 1/3/23
Signature Printed Name Date

Project Description:

Expansion to the existing Child Care Facility business to include a new 15,000-16,000 SF
building with associated parking and drives



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



(512) 281-0119



www.elgintx.com

January 3rd, 2023

David Harrell, Planning and Development Director
City of Elgin
310 North Main Street
Elgin, Texas 78621

Re: Agent Authorization Letter
New Beginnings Child Care Development Center, LLC
1001 Schley Street
Eagle Lake, TX 77434

To Whom It May Concern:

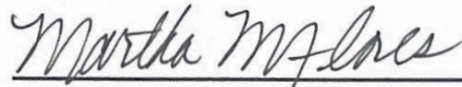
As the owner of the above-referenced property, this letter authorizes Southwest Engineers, Inc. the right to act as Authorized Agents on development applications associated with this property. This includes, but is not limited to, submittal of Specific Use Application, Site Development Application, and any other related applications as may be required.

New Beginnings CDC, LLC
A Texas Limited Liability Company

By:

Name:

Title:

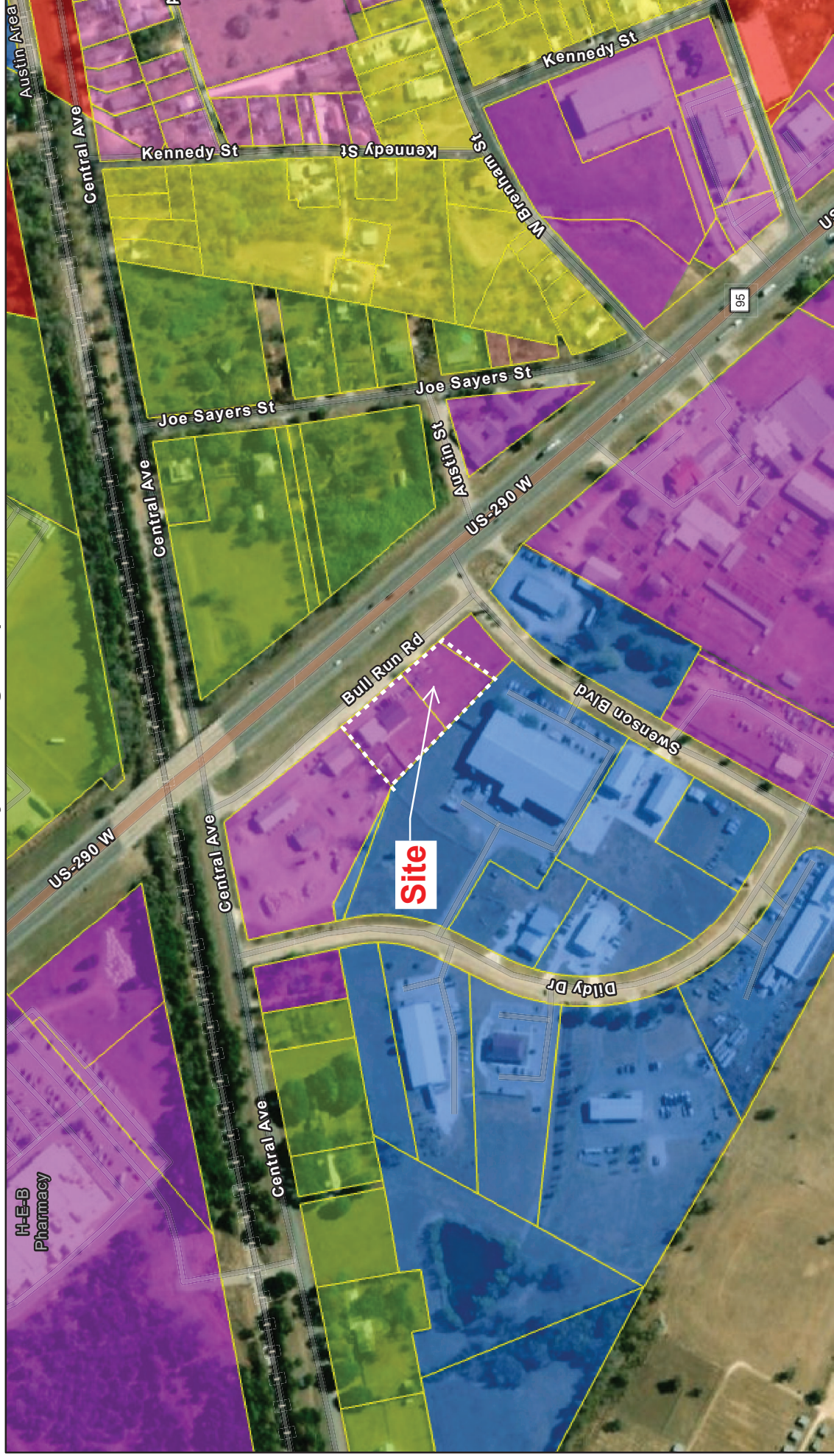
A handwritten signature in cursive script, appearing to read "Martha Flores", is written over a horizontal line.

Martha Flores

Owner

Attachment 2
Staff Added Zoning Map

City Zoning Map



6/4/2023, 2:54:32 PM

Bastrop Parcels April 2023

Zoning

- C-1
- C-2
- C-3
- I
- R-1
- R-2
- R-3

1:4,514

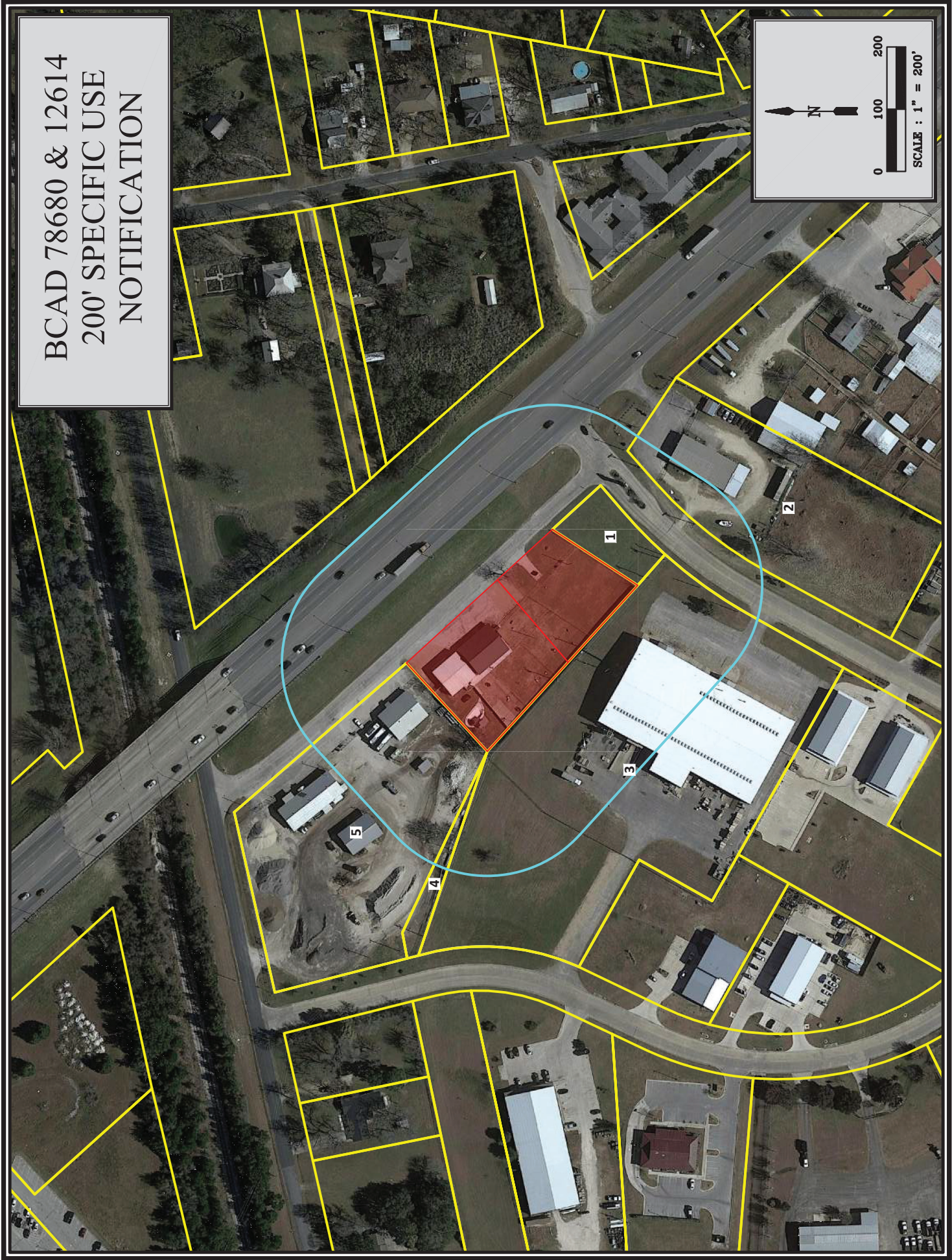
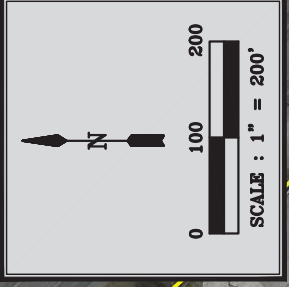
0 0.03 0.07 0.1 0.13 mi

0 0.05 0.1 0.2 km

Esri Community Maps Contributors, Baylor University, City of Austin, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/INASA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

Attachment 4
200' Notice Map

BCAD 78680 & 12614
200' SPECIFIC USE
NOTIFICATION



Attachment 5
Ordinance 2019-04-02-07

ORDINANCE NO. 2019-04-02-07

AN ORDINANCE GRANTING A SPECIFIC USE PERMIT FOR A CHILD CARE CENTER AT THE PROPERTY LOCATED AT 700 BULL RUN ROAD IN SOPKO & KEELING SUBDIVISION, LOT 1, BEING APPROXIMATELY 0.5510 ACRES AND LOT 2 BEING APPROXIMATELY 0.5510 ACRES, CITY OF ELGIN, BASTROP COUNTY, TEXAS; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

WHEREAS, an application has been made to the City Council of Elgin, Texas for a Specific Use Permit to allow a child care center at the property described in Exhibit “A” attached hereto and incorporated herein (“Property”); and

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

WHEREAS, the Planning and Zoning Commission held a public hearing concerning the requested change on March 25, 2019, following lawful publication of the notice of said public hearing; and

WHEREAS, after considering the public testimony received at such hearing, the Planning and Zoning Commission has recommended a specific use permit be granted allowing for a child care center use at the Property for a period of five (5) years and that the owner provide thirteen (13) off-street parking spaces as shown in the 700 Bull Run – Site Parking Requirements document attached hereto as Exhibit “B”; and

WHEREAS, on the 2nd day of April, 2019, after proper notification, the City Council held a public hearing on the requested application, and

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

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

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

I.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this Ordinance implements the vision, goals and policies of the City of Elgin’s Comprehensive Plan and further

finds that enactment of this Ordinance is not inconsistent with or in conflict with any other policies or provisions of the Comprehensive Plan and the City's Code of Ordinances.

II.

The Zoning District for the Property shall remain C-3 Highway Commercial, and the Ordinance granting a Specific Use Permit for the specific use on the property of Child Care Center is hereby adopted with the conditions that (1) the site provide for thirteen (13) off-street parking spaces as show in Exhibit "B," and (2) that the Specific Use Permit have a term of five (5) years from the date this Ordinance is adopted.

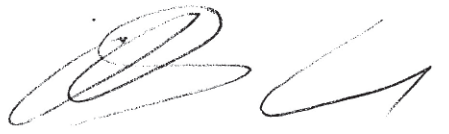
III.

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

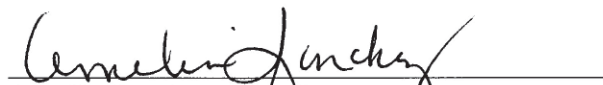
B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

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

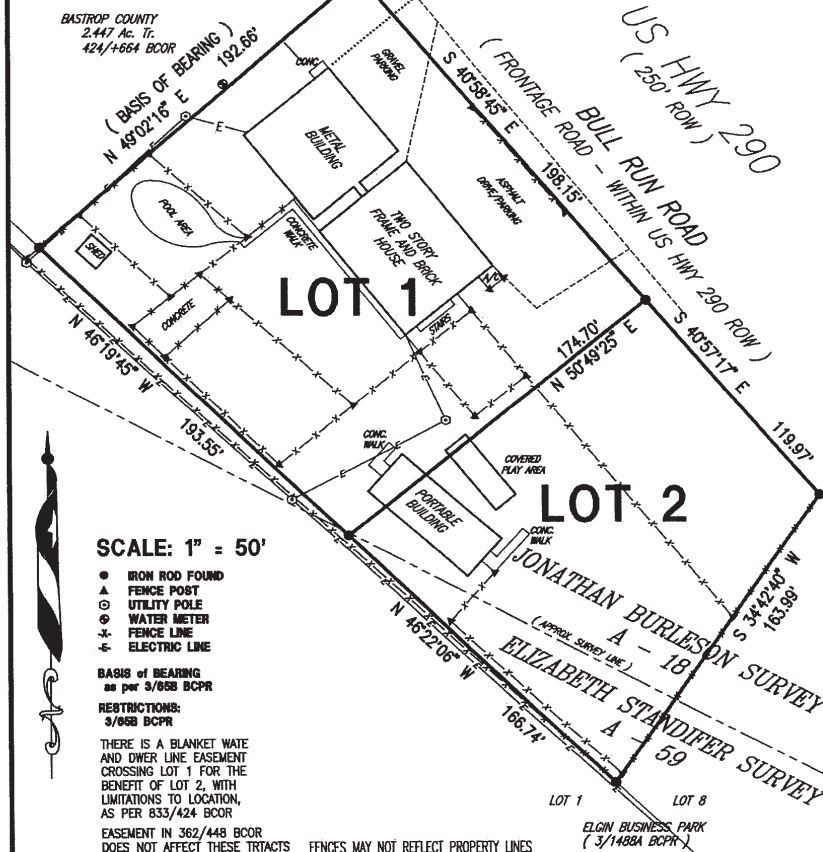
READ, PASSED, and ADOPTED on first reading this the 2nd day of April 2019.


CHRIS CANNON, MAYOR

ATTEST:


Amelia Sanchez, City Secretary

SOPKO & KEELING SUBDIVISION



The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, 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 frontage on a dedicated road way, except as shown hereon.

CERTIFIED COPY ONLY
IF YELLOW SEAL IS PRESENT

DALE L. OLSON

REGISTERED PROFESSIONAL LAND SURVEYOR
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

SURVEY PLAT
of LOTS 1 AND 2, SOPKO &
KEELING SUBDIVISION, as recorded
in Plat Cabinet 3, Page 65B, of the
the Bastrop County Plat Records.

DALE L. OLSON
REG. NO. 1753
DALE L. OLSON SURVEYING COMPANY
DATE: 03/19/15

MICHAEL D. OLSON
REG. NO. 5389

SCALE: 1" = 50'
DRAFTSMAN: K. Gentry
DATE: 03/19/15

TOM HARING and LORI HARING

DESK-FILE 97-236 CHECK 15-47-236 PLAT FILE -0-

Attest:
2/6/17



SCALE: 1" = 50'

- IRON ROD FOUND
- ▲ FENCE POST
- ⊙ UTILITY POLE
- ⊕ WATER METER
- X- FENCE LINE
- E- ELECTRIC LINE

700 Bull Run - Site Parking Requirements

Land Use: Day Care Services (Commercial)
Parking Ratio: 1 space per employee
Parking Spaces Required: 8 employees proposed = 8 spaces
Parking Spaces Provided: 13 (12 Regular & 1 handicapped)

Total Number of Site Handicapped Spaces required: 1 Provided: 1

NOTE: All provided spaces are standard parking spaces at 9'-0" x 20'-0". One handicapped space with one 8'-0" van-accessible aisle is provided. No compact spaces are proposed for this development.

700 BULL RUN RD
PARKING LAYOUT



**AUSTIN CIVIL
ENGINEERING, INC.**

TBPE FIRM # F-001018
 9501 B MANCHACA RD., SUITE. 220
 AUSTIN, TEXAS 78748
 PH: (512) 306-0018



Elgin City Council Meeting Agenda Item Executive Summary

ITEM:

Interlocal Agreement For FY2023-24 For 24-Months Emergency Communications Services Between Bastrop County and the City of Elgin

DEPARTMENT: Police Department

PROPOSED ACTION: Approval of Resolution

BACKGROUND:

In FY 22-23 the City of Elgin entered into an Interlocal Agreement with the Bastrop County Office of Emergency Communication to provide dispatch & emergency communications services to the Elgin Police Department. The agreement was to last 12-months and renew annually unless the terms of the Agreement change. For FY23-24 the agreement will last 24 months and will be renewed on October 1 each year thereafter until modified or terminated by the Parties. The costs for dispatch services to the City of Elgin will decrease by \$38,732.00 annually, thus necessitating a new Agreement.

This Agreement shall be for two (2) years from the effective date thereof and will automatically renew on October 1 every year thereafter until modified or terminated by the Parties. One hundred and twenty (120) days prior to the termination date or anniversary date of this Agreement, the Parties will meet to determine if the Agreement will be continued, modified, or terminated. Notwithstanding anything to the contrary, either Party to this Agreement may terminate this Agreement with no penalty, with or without cause, by providing the other Party with ninety (90) days written notice of its desire and intention to terminate this Agreement.

The City agrees to pay the County the sum of One Hundred Twenty-Four Thousand, Four Hundred and Thirty Six Dollars (\$124,436.00) per year, in quarterly installments of Thirty-One Thousand, One Hundred and Nine Dollars (\$31,109.00), for the term of this Agreement. The installment of quarterly payments by the City shall be due and payable within thirty (30) days of October 1, January 1, April 1, and July 1 of each year thereafter for the term of the Agreement.

BUDGET/FINANCIAL IMPACT:

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

Finance Approval:

Signature: _____ Date: _____

RECOMMENDATION:

ATTACHMENTS: Resolution And Agreement

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

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

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS TO APPROVE A SERVICE AGREEMENT WITH BASTROP COUNTY TO PROVIDE DISPATCHING SERVICES TO THE ELGIN POLICE DEPARTMENT; AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE SAID AGREEMENT.

WHEREAS, the public health and safety of the citizens of Elgin depend at least in part on the constant availability of dispatching services for its Police Department; and

WHEREAS, staffing for round the clock dispatching services is challenging due to Police Department building deficiencies; and

WHEREAS, Bastrop County is in a position to provide and is currently providing dispatching services to the City; and

WHEREAS, both Bastrop County and the City of Elgin desire to establish a fixed schedule for this arrangement by entering into an Agreement to formalize said arrangement.

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

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

Section 2. Authorization. The City Manager is hereby authorized to finalize negotiations and execute an agreement with *Bastrop County* of Bastrop, Texas, in the amount of \$124,436.00 for the Dispatching Services to the City of Elgin Police Department, details of the compensation provided in the Agreement; and made part of this Resolution as if copied verbatim herein.

Section 3. Budget. The City Council does hereby acknowledge that this item was included within the *FY23-24 City of Elgin Annual Operating Budget*.

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 11th day of July 2023

Theresa Y. McShan, Mayor
City of Elgin, Texas

ATTEST:

JENNIFER STUBBS, City Secretary

AGREEMENT FOR EMERGENCY COMMUNICATIONS SERVICES BETWEEN BASTROP COUNTY AND THE CITY OF ELGIN

This Agreement (“Agreement”), effective on October 1, 2023 by and between Bastrop County (the “County”), and the City of Elgin, Texas (the “City”), a Home Rule Municipality incorporated and operating under the laws of the State of Texas, (to be collectively referred to herein as the “Parties,” and individually as “Party”).

WHEREAS, the County of Bastrop and the City of Elgin agree that the availability of police dispatching services to the citizens of Bastrop County and the City of Elgin beneficial to the health and welfare of the citizens of Bastrop County and the City of Elgin; and

WHEREAS, the County of Bastrop has the facilities and personnel necessary to provide dispatching services to the City of Elgin Police Department to serve the residents of the City as well as the County; and

WHEREAS, Bastrop County has the proper equipment, training and personnel, necessary to receive police department assistance requests made by the citizens of the City of Elgin and Bastrop County, and further has the ability to then dispatch City of Elgin Police personnel to respond to such requests; and

WHEREAS, Bastrop County and the City of Elgin have in the past entered into agreements concerning the provision of dispatching service by the County to the City and desire to continue such inter-local contract arrangement related to the provision of police dispatching services to the City of Elgin Police Department by the County.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

ARTICLE I **DEFINITIONS**

As used in the Agreement, the following terms will be defined as follows:

AGREEMENT means this contract between the City and the County related to provisions of dispatching services to the City of Elgin Police Department.

EMERGENCY COMMUNICATIONS SERVICES means the services provided by Bastrop County to the City of Elgin Police Departments, under this Agreement.

BASTROP COUNTY TELECOMMUNICATIONS OPERATOR(S) means the person(s) employed by Bastrop County and trained to process emergency call and dispatch City of Elgin Police Department personnel, pursuant to this Agreement.

ARTICLE II
MUTUAL AGREEMENT OF THE PARTIES

The parties agree to the operation of the Bastrop County Emergency Communications Services, described herein, in furtherance of the Parties' goals to protect the health, safety, and welfare of the residents of the City and the County, and that this service could not be similarly furnished to these citizens by other individuals or entities without this Agreement, and that this service by the County constitutes a public service by a governmental entity with immunity for the City and the County, their employees, agents, contractors, representatives, personnel being invoked to the full extent applicable under the laws of the State of Texas.

The Parties hereby agree and acknowledge that in order to perform the duties envisioned by the terms of the Agreement, the County must employ and train telecommunications operators to meet the emergency communications needs of the City of Elgin Police Department. The Parties further agree that the County will use the quarterly payment made by the City pursuant to the Agreement only to pay the salary and benefits provided to Bastrop County Telecommunications Operator(s) and costs of providing such services.

The Parties agree that at least once a quarter throughout the duration of the Agreement, beginning three (3) months after the effective date of this Agreement, the City of Elgin Chief of Police will meet or otherwise communicate with the County Emergency Communications Director to discuss and determine whether the emergency communications services provided under this Agreement to the City have been sufficient and satisfactory. If it is determined that additional Bastrop County emergency communications personnel are needed to fulfill the needs of the City of Elgin Police Department, the Parties to this Agreement will work together to determine the required staffing increase and to determine what modifications to this Agreement shall be made, if any. If the Parties cannot reach an agreement as to the required staffing, either Party may terminate this Agreement by giving the other Party ninety (90) days written notice of its intention to terminate.

The Parties agree that the scheduling and assignment of the Bastrop County Telecommunicator(s) shall be controlled solely by Bastrop County, provided that emergency communications services shall be provided to City of Elgin Police Department on a continuous, twenty-four (24) hour per day, seven (7) days per week, basis.

ARTICLE III
OBLIGATIONS OF THE COUNTY

Bastrop County through the employees, contractors, agents and/or personnel, agrees to provide emergency communications services to the City of Elgin Police Department in response to requests placed by the citizens of Bastrop County, and the City of Elgin, as follows:

- 1) The County agrees to budget and staff the Emergency Communications Center with a sufficient number of positions for the term of the Agreement and to provide emergency communications services for the City of Elgin Police Department on a continuous 24 hours per day, seven (7) day per week basis, with a minimal staffing of 3 Telecommunicators at all times. Bastrop County will train its Telecommunicators in basic emergency communications operations and services, and will further train its Telecommunicators in procedures related to emergency communications requirements and procedures concerning police dispatching and record keeping for same;

- 2) The parties acknowledge and agree that the Bastrop County Telecommunicator(s) have employment responsibilities and duties to address citizens requests for the County in addition to those required for emergency communications services to the City of Elgin Police Departments;
- 3) The Bastrop County Telecommunicator(s) will service requests directed to the Bastrop County Communications Center by citizens of Bastrop County and the City of Elgin;
- 4) The Bastrop County Telecommunicator(s) will dispatch City of Elgin Police Department personnel, according to their training, instruction, procedures and policies, agreed upon by the City of Elgin Chief of Police and Bastrop County, in accordance with generally excepted industry standards;
- 5) The County will be solely responsible for scheduling and maintaining a twenty-four (24) hour, seven (7) days per week, communication/dispatch center to receive requests for service and dispatch City of Elgin Police Department personnel to respond to service request, at all times during the term of this Agreement and any extensions thereof, beginning immediately after the effective date noted in the agreement;
- 6) The County shall provide and pay all costs associated with the purchase and/or installation of all radio communication equipment to be located at the Bastrop County Communications Center, which the City and the County agree is sufficient for emergency communications between the Bastrop County Communications Center and the City of Elgin Police Department. The required equipment shall remain the property of the County and may be removed by the County, at its sole expense, in the event of expiration or termination of the Agreement;
- 7) Unless otherwise required by law, no information regarding service requests dispatched by the County will be given to third parties, without consent of the City of Elgin Police Department;
- 8) The Parties acknowledge and agree that the services to be provided by the County under this Agreement are contingent upon service demands, public convenience, and existing needs and necessity of the citizens of Bastrop County and the City of Elgin, and that if such demands change in the future, amendments to this Agreement may be required;
- 9) At the discretion of the Bastrop City Manager, the City of Elgin Chief of Police will act as the City's contact and contract administrator concerning this Agreement;
- 10) Bastrop County agrees to provide the City of Elgin Police Department with access to computerized records, reports, literature, and/or documentation that memorialize the services provided by the County under this Agreement and conformance with the County's requirements, the City's requirements, and/or any other applicable regulatory requirements;

- 11) All emergency communications calls dispatched by the County to the City shall be dispatched on frequencies approved by the City, unless it is not possible to do so because of emergency circumstances;
- 12) The County shall provide, at no additional cost to the City, all emergency communications training required by any Bastrop County employees, contractors, representatives, agents, or personnel who act as Bastrop County Telecommunicator(s) pursuant to this Agreement;
- 13) The Parties agree that all telephone lines into the Bastrop County Communications Center remain the property of the entity that purchases and initiates service of the lines. Each respective entity shall be responsible for all maintenance on their respective telephone lines;
- 14) The Parties agree that in the event the Bastrop County Communications Center is relocated from its current location, during the term of this Agreement or any extension to such term, the parties shall work together to coordinate the equipment relocation and emergency communications services transition in a manner that ensures minimal disruption or alteration of all emergency communications services.

ARTICLE IV OBLIGATIONS OF THE CITY

The City of Elgin, through its Police Department, employees, contractors, agents, and/or personnel, agrees to receive Emergency Communications Services from Bastrop County in response to requests placed by the citizens of Bastrop County and the City of Elgin, as follows:

- 1) The City agrees to be responsible for providing and maintaining all communications equipment necessary to receive radio communications from the Bastrop County Communications Center, and for communicating with the Bastrop County Communications Center and between the City's personnel.
- 2) The City shall be responsible for purchasing, maintaining, and repairing the City of Elgin Police Department's base, mobile, and portable communications equipment including pagers and computers.
- 3) The City agrees to save and hold harmless the County from all claims and actions for liability arising from unlawful arrest, unlawful imprisonment, or any other claims resulting from the City's warrants being entered into TCIC/NCIC.

ARTICLE V
COMPENSATION

As compensation from the Emergency Communications Services provided by the County, pursuant to the terms of this Agreement, the Parties agree to the following:

- 1) The City agrees to pay the County the sum of **One Hundred Twenty-Four Thousand, Four hundred and Thirty-Six Dollars (\$124,436.00)** per year, in quarterly installments of **Thirty-One Thousand, One Hundred and Nine Dollars (\$31,109.00)**, for the term of this Agreement. The installment of quarterly payments by the City shall be due and payable within thirty (30) days of October 1, January 1, April 1, and July 1 of each year thereafter for the term of the Agreement.
- 2) In the event this Agreement is extended by the mutual consent of the Parties on a month-to-month basis payments shall continue to be made by the City to the County on or before the 15th calendar day of each month, in a monthly pro-rated amount, unless the Parties agree to a modification in compensations for the month-to-month extension of services.
- 3) The cost of providing communication services to the City shall be reviewed annually prior to the City adopting its final budget. This review process will involve at a minimum the Bastrop County Judge, the Bastrop County Communications Center Director and the City of Elgin Chief of Police. This group will be a part of the process utilized to determine needed improvements, expansion of services and the future cost of providing those services.

ARTICLE VI
MISCELLANEOUS PROVISIONS

Term of Agreement, Termination, and Renewal. This Agreement shall be for **Two (2) years** from the effective date hereof and will automatically renew on **October 1 each year thereafter** until modified or terminated by the Parties. One hundred and twenty (120) days prior to the termination date or anniversary date of this Agreement, the Parties will meet to determine if the Agreement will be continued, modified, or terminated. Notwithstanding anything to the contrary, either Party to this Agreement may terminate this Agreement with no penalty, with or without cause, by providing the other Party with ninety (90) days written notice of its desire and intention to terminate this Agreement.

Force Majeure. If either Party is rendered unable, wholly or in part, by force majeure to carry out any of its obligations under the Agreement other than an obligation to pay or provide money, then such obligations of that Party to the extent affected by such force majeure and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of any inability so caused to the extent provided but for no longer Period. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term "force majeure", as used herein, shall mean acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind of any governmental entity or any civil or military authority, acts, orders or delays thereof of any regulatory authorities with jurisdiction over the Parties, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or

canals, or any other conditions which are not within the control of such Party. It is understood and agreed that the settlement of strikes and lockouts shall be entirely within the discretion of either Party hereto, and that the above requirements that any force majeure shall be remedied with all reasonable dispatch shall not require the settlement of strikes and lockouts by acceding to the demand at the opposing Party or Parties when such settlement is unfavorable to it in the judgment of either Party hereto.

Severability. The provisions of the Agreement are severable, and if any provision or part of the Agreement or the application thereof to any person or circumstance shall ever be held by any agency or court of competent jurisdiction to be void, invalid or unenforceable for any reason, the remainder of the Agreement and the application of such provision or part of the Agreement to other persons or circumstances shall not be affected thereby.

Modification. This Agreement shall be subject to change, amendment or modification only with the mutual consent of the city and the county. All modifications shall be memorialized in writing between the Parties.

Addresses and Notices. Unless otherwise notified in writing by the other, the addresses of the County and the City are and shall remain as follows:

Bastrop County

Bastrop County
Attn: Bastrop County Judge
804 Pecan Street
Bastrop, Texas 78602

Bastrop County Communications Director
Bastrop County Emergency Communications
1501 Business Park Dr.
Bastrop, Texas 78602

With copy to: District Attorney
804 Pecan Street
Bastrop, Texas 78602

The City of Elgin

Attn: Mayor

With copy to:
City Attorney of the City of Elgin

Authority of Parties Executing Agreement. By their execution hereof, each of the undersigned Parties represents and warrants to the Parties to this document that he or she has the authority to execute the document in the capacity shown on this document.

Captions. The captions appearing at the first of each numbered section or paragraph in the Agreement are inserted and included solely for convenience and shall never be considered or given any effect construing this Agreement.

Assignment. This Agreement may not be assigned by the County or the City to any other Party without the express written consent of the other Party. Any permitted assignee of the County shall be

obligated by contract with the County and the City to honor the County's obligations to the City under the terms of the Agreement.

Successor Rights and Responsibilities. In the event of any occurrence which renders the County incapable of performing under this Agreement, any successor of the County, whether the result of legal process, assignment, or otherwise, shall succeed to the rights and obligations of this Agreement. In the event of any occurrence which renders the City incapable of performing under the Agreement, any successor of the City, whether the result of legal process, assignment or otherwise, shall succeed to the rights and obligations of the Agreement.

Non-Waiver. Any waiver at any time by either Party to this Agreement of rights under this Agreement shall not constitute and shall not be deemed to be a waiver of any other rights held by either Party.

Scope of the Agreement. This is the entire Agreement between the Parties hereto. There are no other conditions, agreements or representations between the Parties except as expressed herein. This Agreement may not be amended except by written instrument executed by both Parties.

Release By County. For good and valuable consideration, the receipt of which is hereby acknowledged, including specifically entering into this Agreement, the County hereby releases, dismisses, and forever, discharges the City Police Department, the city, it's officers, representatives, affiliates, agents, employees, attorneys, successors, and assigns from any and all manner of actions or causes of action, liabilities, suits, debts, costs (including, but not limited to, defense costs, and attorneys' fees), claims, strict liability, and demands of every kind and nature, whether arisen or not, and whether known or unknown to the County, which the County may now have or hereafter claim to have, resulting from arising out of, associated with, or in any way related to this Agreement. The County agrees to release the City from any and all liability including, but not limited to, the following:

- (1) Liability caused by the County's employees, contractors, subcontractors, or agents for all injuries and damage to property of the County, the City or third parties that is caused by the County, it's employees, contractors, subcontractors or agents actions, omissions or negligence, or by the failure of the County, it's employees, contractors, subcontractors or agents to comply at any time with the terms of this Agreement, except that which is caused in the majority by the acts and/or omissions of the City.
- (2) Liability for such injuries to the County, it's employees, contractors, subcontractors or third parties, or for damages to the County, it's employees, contractors, subcontractors or third parties property, which may be caused by the concurrent negligence of both Parties, except that which is caused in the majority by the acts and/or omissions of the City.
- (3) Liability for any damages to any of the County's property which may be caused by any action or omission of any Party, including but not limited to removal, maintenance, repairs, relocation or exchange of equipment, except that which is caused in the majority by the acts and/or omissions of the City.

- (4) Liability resulting from natural damage or man-made causes, including any liability due to lightning strikes, vehicle collision, maintenance or any other use by the City of any equipment, policies, procedures, maps, routing information, or templates provided by the County, except that which is caused in the majority by the acts and/or omissions of the City.
- (5) Liability caused by trespass by the County, its employees, agents, contractors, or subcontractors.

Release By City. For good and valuable consideration, the receipt of which is hereby acknowledged, including specifically entering into this Agreement, the City hereby releases, dismisses, and forever discharges the County, its officers, representatives, affiliates, agents, employees, attorneys, successors, and assigns from any and all manner of actions or causes of action, liabilities, suits, debts, costs (including, but not limited to, defense costs, and attorneys' fees), claims, strict liability, and demands of every kind and nature, whether arisen or not, and whether known or unknown to the city, which the city may now have or here after claim to have, resulting from arising out of, associated with, or in any way related to this Agreement. The City agrees to release the County from any and all liability including, but not limited to, the following:

- (1) Liability caused by the City's employees, contractors, subcontractors, or agents for all injuries and damage to property of the City, the County or third parties that is caused by the City, its employees, contractors, subcontractors or agents actions, omissions or negligence or by the failure of the City, its employees, contractors, subcontractors or agents to comply at any time with the terms of the Agreement, except that which is caused in the majority by the acts and/or omissions of the County.
- (2) Liability for such injuries to the City, its employees, contractors, subcontractors or third parties, or for damages to the City, its employees, contractors, subcontractors, or third parties property, which may be caused by the concurrent negligence of both Parties, except that which is caused in the majority by the acts and/or omissions of the County.
- (3) Liability for any damages to any of the City's property which may be caused by any action or omission of any Party, including but not limited to removal, maintenance, repairs, relocation or exchange of equipment, except that which is caused in the majority by the acts and/or omissions of the County.
- (4) Liability resulting from natural damage or man-made causes, including any liability due to lightning strikes, vehicle collision, maintenance or any other used by the County of any equipment, policies, procedures, maps, routing information, or templates provided by the City, except that which is caused in the majority by the acts and/or omissions of the County.
- (5) Liability caused by trespass by the City, its employees, agents, contractors, or subcontractors.

Dispute Resolution. Any dispute arising from or related to this Agreement shall be addressed through mediation, prior to the filing of any civil action. Only if such alternative dispute resolution efforts fail shall the Parties seek redress of complaints through civil suit.

Emergency Communications Services Contract – Bastrop County and City of Elgin

GOVERNING LAW AND JURISDICTION: The parties agree that this agreement is construed under Texas law and that jurisdiction and venue are proper in Bastrop County, Texas or in the United States District Court, Western District of Texas, Austin Division.

Construction of Agreement. The Parties acknowledge that each, and if it so chooses, it's legal counsel has reviewed the Agreement and that the normal rule of construction, to the effect that ambiguities are to be resolved against the drafting Party, shall not be employed in the interpretation of this Agreement or its amendments or exhibits.

IN WITNESS WHEREOF, The Parties hereto have executed this Agreement in multiple copies, each of which shall be deemed to be an original and of equal force and effect, and have agreed that the Agreement shall be effective when signed by a duly authorized representative of each Party, and on the latest date shown under the signature lines below.

THE CITY OF ELGIN

ATTEST:

By: _____
Theresa McShan, Mayor

By: _____
City Secretary

Date: _____

BASTROP COUNTY

ATTEST:

By: _____
Gregory Klaus, County Judge

By: _____
County Clerk

Date: _____

Approved as to form:

Greg Gilleland
First Assistant Criminal District Attorney
Bastrop County, Texas
SBOT #07923050