



CITY COUNCIL SPECIAL MEETING

December 11, 2023 at 7:00 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

AGENDA

Steve Fortenberry, Mayor, Ward 3

Erica Bruce, Mayor Pro Tem, Ward 3 – **Michael S. Bancale**, Council Member, At-Large

Johnny Stephens, Council Member, Ward 1 – **Johnny Price**, Council Member, Ward 2

Bob Potter, Council Member, Ward 2 – **Brad Turner**, Council Member, Ward 1

The meeting will be streamed live on the city's website at www.cityofhewitt.com/790/Hewitt-TX-TV.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

SPECIAL MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic not already scheduled for a public hearing. The Texas Open Meetings Act prohibits the Council from discussing, responding to, or acting on any comments or items not properly posted on the agenda. (Note: Members of the public who wish to speak must complete a "Public Comment Form" and present it to the City Secretary before the meeting.)

PUBLIC HEARING(S) AND RELATED ACTION

1. Public hearing and possible action on **Resolution No. 2023-17** approving a request for a special permit for a daycare facility located at 425 Sagewood Drive, Hewitt, TX, also known as Lot 7, Block 4, Chapman Farm Addition Phase II as prescribed in Part 4 of Appendix-A Zoning of the Code of Ordinances of the City of Hewitt.

SPECIAL PRESENTATION(S) AND RECOGNITION(S)

2. Special presentation on 2022/2023 Water Operations Report.

REGULAR AGENDA ITEMS

3. Approval of minutes for the Special Meeting of November 27, 2023.
4. Presentation of the report from the City Engineer Miles Whitney, P.E.
 - Update on pending utility projects
 - Update on pending street projects
 - Update on pending drainage projects.
5. Discussion and possible action on an appointment to the Parks and Beautification Committee.
6. Discussion and possible action on the reappointment(s) to the Parks and Beautification Committee.
7. Discussion and possible action on the reappointment(s) to the Library Board.
8. Discussion and possible action to approve the expenditure of \$81,276 for the purchase of a 2024 Dodge Durango Pursuit AWD vehicle for the Police Department.
9. Discussion and possible action to ratify the purchase of a 2023 F150 4x4 from Apple Sport Ford for the Utility Department.
10. Discussion and possible action authorizing the City Manager to reimburse Turner Brothers for costs to upsize water and sewer lines not to exceed \$209,229.61.
11. Discussion concerning the City Council meetings scheduled for January 2024 (January 8 and 22, 2024).

ADJOURNMENT

I certify that the above notice of meeting was posted on the Public Notice Board located in front of City Hall on **December 6, 2023**, by 5:00 PM.

CITY OF HEWITT

Lydia Lopez

Lydia Lopez, TRMC/CMC
City Secretary

In compliance with the Americans with Disabilities Act, the City of Hewitt will provide reasonable accommodations for persons attending and/or participating in City Council meetings. The facility is wheelchair accessible, with accessible parking available at the front of the building. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting by calling the City Secretary at 254.296.5602 or by fax at 254.666.6014.



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 1.

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and possible action on **Resolution No. 2023-17** approving a request for a special permit for a daycare to be located at 425 Sagewood Drive, Hewitt, TX, also known as Lot 7, Block 4, Chapman Farm Addition Phase II, as prescribed in Part 4 of Appendix-A Zoning of the Code of Ordinances of the City of Hewitt.

STAFF RECOMMENDATION/ITEM SUMMARY:

This request is for a Special Permit by Indiana Cahill for a daycare to be located at 425 Sagewood Drive. The Planning and Zoning Commission met on Tuesday, December 5, 2023, to consider the request. After a public hearing and deliberation, the P&Z Commission recommends approving the request. The Commission approved by a vote of 7 to 0. Attached is a copy of the minutes and other backup material.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move to approve **Resolution 2023-17** authorizing a Special Permit request by Indiana Cahill for a daycare to be located at 425 Sagewood Drive.

ATTACHMENTS:

1. PART 4 Special permits
2. PZ Application
3. childcare license
4. Sagewood MCAD Site Plan
5. PZ Meeting Minutes 12052023
6. Resolution 2023-17 Special Permit - 425 Sagewood Daycare

PART 4. - SPECIAL PERMITS

Section 4.1. - Certain uses may be located by special permit.

- Uses listed in section 4.101 may locate in certain zones under certain conditions by a special permit granted by the council after a report and recommendation by the planning and zoning commission. After receiving an application for permit, the planning and zoning commission shall hold a public hearing to determine the effect of such proposed use upon the neighborhood character, traffic, public utilities, public health, public safety, and general welfare. Such public hearing shall be substantially the same and notices shall be given in accordance with state statutes and city ordinances regulating the rezoning of property. After receiving the report and recommendation of the planning and zoning commission, the city council shall also hold a public hearing to be substantially the same required by state statute and city ordinance regulating the rezoning of property.

Section 4.101. - [Specific uses and conditions.]

- Uses for which special permits must be secured, conditions that must be observed, and districts in which use may be allowed are:

Use	Specific Conditions	District
Electric substations, gas odorizing stations and gate stations	As prescribed by the planning and zoning commission and approved by the city council	Any
Heliport	As prescribed by the planning and zoning commission and approved by the city council with prior approval of Civil Aeronautics Admin	C-1, C-2, C-O, M
Telecommunication towers	As prescribed by planning and zoning commission and approved by city council and FCC	Any
Model homes sales office	As prescribed by planning and zoning commission and approved by city council	R-1, R-2, R-3, R-4 and R-5
Nursery, pre-kindergarten, kindergarten, play, day care, special and other private schools*	As prescribed by planning and zoning and approved by city council following a favorable response of 60% of the owners of the property located within 200 feet	R-1 and R-2
Temporary fundraising activities by recognized charitable or religious entities, however organized, while conducting said fundraising activities on its own real property	As prescribed by planning and zoning commission and approved by city council	R-1, R-2, R-3, R-4, and R-5

* The keeping of six or less children for compensation, shall be a home occupation and shall be exempt from this section [appendix].

Section 4.102. - Application fees.

- Any application for a special use permit under provisions of this ordinance shall be accompanied by a fee as established by resolution of the city council.

Section 4.103. - Expiration.

- A. Special use permits shall expire at such time as shall be prescribed by the city council.
- B. Shall be reviewed at anytime conditions change or staff recommends.

HEWITT TEXAS

PLANNING AND ZONING SPECIAL PERMIT APPLICATION

Legal Description of Property: Lot (7) in Block (4) of the Chapman Farm addition Phase II to the City of Hewitt, McLennan County.

Describe the location of the property as submitted by this application. This may be in the form of a street address, general description, or nearest intersection.

425 Sagewood Drive Hewitt TX, 76643

Proposed Special Permit: Licensed Child-Care Home

Please describe the interest in property:

We would like to open a licensed child care home to make a difference in children's lives by helping and teaching.

Existing Building(s) on Property: Single Family

Total square feet of all Buildings on Property: 2,240 sqft

Please provide the following recording information and a copy of the document(s) listed below with this application:

Ownership (deed): Doc. #/MCC No.: 2019037497

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): _____

The rezoning application must be completed along with the following information:

1. A notarized letter from the property owner authorizing applicant to present the request, if the property owner will not be presenting the request and stating reasons for request.
2. Submit one (1) PDF file, one (1) hardcopy, one (1) CAD file of plat for review purposes – Must be in State Plane Coordinates using the Texas Central Zone NAD 83.
3. Submit one (1) copy of building plans, if existing building(s) exist.
4. Non-refundable application fee (see Fee Schedule)
5. Application, fee, documents, etc., in completed form must be submitted to the Planning Department before or no later than 12:00 noon on the deadline date (see schedule).

I attest that the above information is true and correct to the best of my knowledge and I am now or will be fully prepared to present the above proposal at the Planning and Zoning Commission hearing. I understand that if any of the above information is found to be wrong or inaccurate that my application may be removed from consideration prior to the time the application is voted upon by the governing body of the City.

I, understand that in the event the undersigned is not present or represented at the public hearing, the Planning and Zoning Commission shall have the power to dismiss this proposal either at the call of the case or after hearing and such dismissal shall constitute a denial by both the Planning and Zoning Commission and the City Council.

I reserve the right to withdraw this proposal. However, written withdrawals filed at any time after the giving of notice to the Planning and Zoning Commission shall constitute a denial by the Commission and City Council. I understand that the filing fee is not refundable upon withdrawal of proposal.

Name of Property Owner:

Indiana Ley Cahill

Telephone Number:

648 wildflower Mcgregor TX 74652

Mailing Address:

786 600 5337

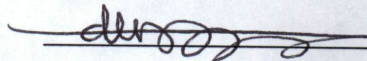
Email Address:

IndianaLey16@gmail.com

Signature of Property Owner:

11/14/2023

Date:



Name of Applicant/Representative:

Marlene Chaviano

Telephone Number:

786 416 4344

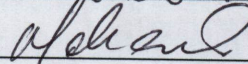
Mailing Address:

428 Segewood Dr Hewitt TX 76643

Email Address:

MarleneChaviano@gmail.com

Signature of Applicant/Representative:



Date:

11/14/2023

TEXAS HEALTH AND HUMAN SERVICES COMMISSION

CHILD CARE LICENSING

This is to certify:

Dream House Childcare

425 SAGEWOOD DR
HEWITT, TX 76643 -3347

has been issued a License to operate as a
Licensed Child-Care Home

Under the provisions of Chapter 42, Human Resources Code.

Located at:

Dream House Childcare

425 SAGEWOOD DR
HEWITT, TX 76643 -3347

Ages:

Toddlers, Pre-Kindergarten, School

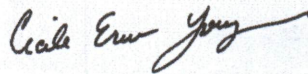
Total Capacity: 12

License Number: 1786587

INITIAL PERMIT

Issuance Date: November 10, 2023

Effective until: May 10, 2024.



Cecile Erwin Young, Executive Commissioner

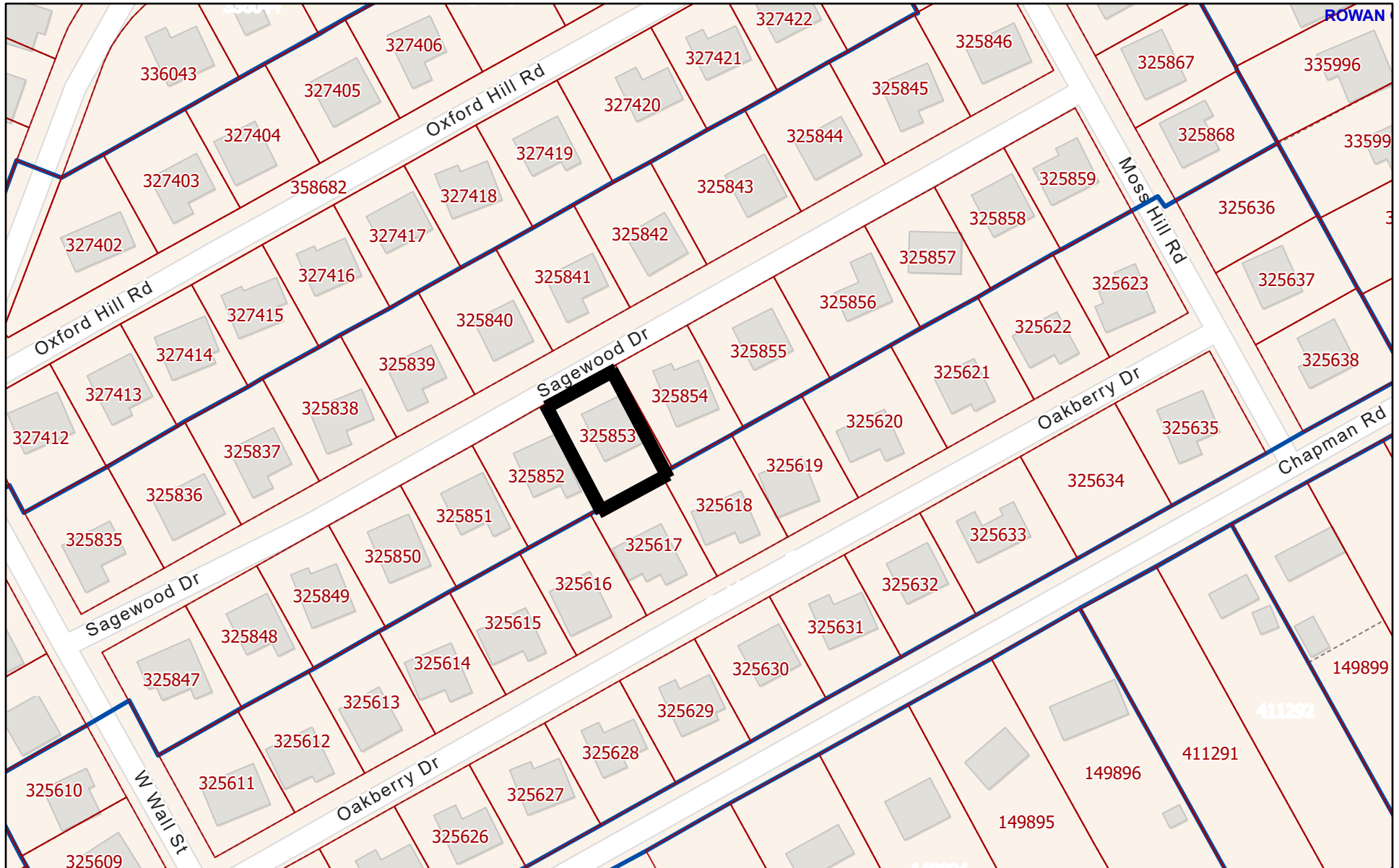
Attention:

- . This permit must be posted in a prominent place on premises where parents and others may see it during operating hours.
- . This permit is non-transferable and shall remain in effect until it expires, the Texas Health and Human Services Commission revokes or suspends it, or the Holder surrenders it.

Parents:

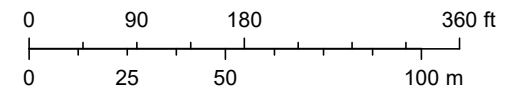
To verify the status of this permit or to check the compliance history, please call your local licensing office or visit www.txchildcaresearch.org.

McLennan CAD Web Map



11/16/2023, 1:14:26 PM

-  Parcels
-  Lot Lines
-  Abstracts
-  McLennan County Boundary
-  Subdivisions



Esri Community Maps Contributors, Baylor University, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, CONANP, Esri, HERE, Garmin, SafeGraph,

McLennan County Appraisal District, BIS Consulting - www.bisconsulting.com

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.



PLANNING & ZONING COMMISSION NOTICE OF MEETING

December 5, 2023 at 6:00 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

MINUTES

Commission: Walter H. Peterson, Chairman

Travis Bailey, Bobby Drake, Dustin Crawford, Brian Dalrymple, Michael Lee Hix, Paul Lasater

City Staff: Bo Thomas - City Manager, Miles Whitney - City Engineer, Tracy Lankford -
Community Development Director, Brittney Cantu - Zoning Secretary

CALL TO ORDER

Members Present: Chairman Walt Peterson, Travis Bailey, Dustin Crawford, Brian Dalrymple, Bobby Drake, Mike Hix, Paul Lasater

Staff Present: Tracy Lankford, Community Development Director
Brittney Cantu, Community Development Coordinator

Chairman Walt Peterson called the meeting to order at 6:00PM.

PUBLIC HEARING(S) AND RELATED ACTION

1. Consider a request by Indiana Cahill for a special permit request for a daycare to be located at 425 Sagewood Drive, more particularly described as Chapman Farms Addition Phase II, Lot 7, Block 4.

Public Hearing opened at 6:01PM. Speaking in favor, applicant Indiana Cahill. Ms. Cahill stated that her and her mother would be running this daycare out of their home from the hours of 6:30AM - 6:00PM, depending on each family's individual needs. They would park their cars in the garage to allow for the driveway to remain empty so that drop off and pick up can be done only in the driveway. Ms. Cahill stated that the state has already approved their childcare license for up to 12 kids. The state will do regular inspections for the first 6 months and then once a year after all initial inspections have been completed. Public Hearing closed 6:09PM.

REGULAR AGENDA ITEMS

2. Consider a request by Indiana Cahill for a special permit request for a daycare to be located at 425 Sagewood Drive, more particularly described as Chapman Farms Addition Phase II, Lot 7, Block 4.

Tracy Lankford spoke to question asked about fire safety. Fire Chief Jonathan Christian is aware of request for daycare. Inspections are required by either Hewitt Fire Department or a third party to ensure safety. A motion was made by Paul Lasater, seconded by Mike Hix, to approve special permit request. All seven in favor, motion to go before City Council Monday, December 11, 2023.

3. Minute Approval

A motion was made by Travis Bailey, seconded by Paul Lasater, to approve the minutes as submitted, but allow for corrections. All seven in favor, motion passed.

ADJOURNMENT

Meeting is adjourned at 6:13PM.

Approved: _____
Chairman

ATTEST:

Brittney Cantu
City of Hewitt Zoning Secretary

Tracy Lankford
Community Development Director

RESOLUTION NO. 2023-17

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS:

That the City Council hereby grants a special permit for a Daycare to be located at 425 Sagewood Drive, Hewitt, McLennan County, Texas and described as Lot 7, Block 4, Chapman Farm Addition Phase II

That the City Council finds that said special permit is warranted based on the following findings:

1. That the proposed use is consistent with the comprehensive plan and the purposes and intent of the Zoning Ordinance.
2. That the proposed use is compatible with the appropriate and orderly development of the area in which it is located.
3. That the proposed use would not be more objectionable to neighboring properties because of traffic congestion, noise, fumes, vibrations or other use characteristics than any use permitted in the zoning district without the grant of a special exception.
4. That available community facilities and services, including the road system providing access to the proposed use, are adequate for the proposed use.

That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public as required law and that public notice of the time, and purpose of said meeting was given as required.

PASSED AND APPROVED this 11th day of December 2023.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Michael W. Dixon, City Attorney



WATER OPERATIONS REPORT

OCTOBER 2022- SEPTEMBER 2023

WATER PRODUCED

- Water pumped from our current 4 wells
- Water purchased from City of Waco
- Water purchased from City of Lorena

WATER ACCOUNTED FOR

- This is the water that is recorded through meters.
- AMI (Automated Meter Information)
- STW billing software
- Manual reads

WATER LOSS

- Water that is produced and or purchased that is not accounted for.

ACCOUNTED FOR WATER LOSS

Definition: water we know we've lost.

1. Theft
2. Fire Department Use
3. Main/Service leaks
4. Meter inaccuracies
5. Flushing

TOTAL WATER ACCOUNTED FOR

- Metered water use
 - Residential, Commercial, and Bulk use
- Water we know we lost
- City use

FIGURING WATER LOSS

- We take the Total Water Produced column and subtract the Total Water accounted for column, this is the number that represents the water lost.
- From there, our spreadsheet automatically figures the percentage of water loss monthly/annually.

WATER OPERATIONS REPORT 2022-2023

	Water From City Wells	Water Purchased from Waco	Water Purchased from Lorena	Total Water Produced	Water Accounted For*	Accounted for Water Loss**	City Used Not Billed	Total Water Accounted For	Produced less Accounted For = Unaccounted	Percentage of Water Loss (goal:<15%) Accounted For/Produced
OCT	50,930,000	2,021,000	7,765,000	60,716,000	56,760,328	8,369,200	531,838	65,661,366	(4,945,366)	-8.15%
NOV	30,183,000		6,716,000	36,899,000	33,659,616	70,000	435,069	34,164,685	2,734,315	7.41%
DEC	30,221,000		7,029,000	37,250,000	33,131,347	25,000	278,712	33,435,059	3,814,941	10.24%
JAN	28,630,000		7,087,000	35,717,000	32,014,789	54,200	120,432	32,189,421	3,527,579	9.88%
FEB	25,132,000		6,387,000	31,519,000	29,947,565	30,000	166,861	30,144,426	1,374,574	4.36%
MAR	32,323,000		7,208,000	39,531,000	35,572,219		125,106	35,697,325	3,833,675	9.70%
APRIL	32,912,000	142,000	7,073,000	40,127,000	38,052,853		435,345	38,488,198	1,638,802	4.08%
MAY	39,902,000		4,411,000	44,313,000	38,974,316	91,130	684,599	39,750,045	4,562,955	10.30%
JUNE	50,885,000		6,749,000	57,634,000	60,383,122	40,000	608,965	61,032,087	(3,398,087)	-5.90%
JULY	49,433,000	27,244,000	6,008,000	82,685,000	71,563,358	280,000	1,024,300	72,867,658	9,817,342	11.87%
AUG	50,059,000	37,631,000	3,295,000	90,985,000	84,122,088	485,000	456,458	85,063,546	5,921,454	6.51%
SEPT	32,855,000	27,603,000	5,828,000	66,286,000	57,515,125	1,134,000	458,982	59,108,107	7,177,893	10.83%
TOTALS				623,662,000	571,696,726	10,578,530	5,326,667	587,601,923	36,060,077	5.78%

5 YEAR WATER LOSS OVERVIEW

2018-2019 % 7.27

2019-2020 % 3.52

2020-2021 % 7.05

2021-2022 % 5.44

2022-2023 % 5.78



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 3.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Approval of minutes for the Special Meeting of November 27, 2023.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a draft copy of the meeting minutes. Please review and advise if any corrections are needed.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move approval of the minutes as presented.

ATTACHMENTS:

1. November 27, 2023 - Workshop Special Meeting



CITY COUNCIL WORKSHOP/SPECIAL MEETING

November 27, 2023 at 6:30 PM

Hewitt City Hall, 200 Patriot Court, Hewitt, TX 76643

MINUTES

Steve Fortenberry, Mayor, Ward 3

Erica Bruce, Mayor Pro Tem, Ward 3 – **Michael S. Bancale**, Council Member, At-Large

Johnny Stephens, Council Member, Ward 1 – **Johnny Price**, Council Member, Ward 2

Bob Potter, Council Member, Ward 2 – **Brad Turner**, Council Member, Ward 1

WORKSHOP MEETING - 6:30 PM

WORKSHOP DECLARATION OF A QUORUM AND CALL TO ORDER

Mayor Steve Fortenberry called the Workshop Meeting to order at 6:30 PM, and announced a quorum was present. Council Member Johnny Price was absent.

WORKSHOP AGENDA

1. Briefing and discussion concerning request for variance to the sign ordinance (Agenda Item 4).
City Manager Bo Thomas introduced Community Development Director Tracy Lankford. Mr. Lankford briefed the Council on the sign variance request and responded to Council questions.
2. Presentation of Department Spotlight.
Human Resources Director Jessica Higgins presented the department spotlight for the Library.
3. Briefing and preview on the website redesign.
City Secretary Lydia Lopez presented a preview of the website redesign project.

WORKSHOP ADJOURNMENT

Mayor Steve Fortenberry adjourned the Workshop meeting at 6:53 PM.

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

Mayor Steve Fortenberry called the Regular meeting to order, and announced a quorum was present. Council Member Johnny Price was absent.

PLEDGE OF ALLEGIANCE

Mayor Steve Fortenberry led the Pledge of Allegiance.

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic not already scheduled for a public hearing. The Texas Open Meetings Act prohibits the Council from discussing, responding to, or acting on any comments or items not properly posted on the agenda. (Note: Members of the public who wish to speak must complete a "Public Comment Form" and present it to the City Secretary before the meeting.)

Mayor Fortenberry read the statement above and inquired if the City Secretary received any public comment forms. The City Secretary received no public comment forms.

PUBLIC HEARING(S) AND RELATED ACTION

4. Public hearing and possible action on **Ordinance 2023-13** granting a request for a variance to the sign ordinance for a sign located at 343 Enterprise Blvd. as prescribed in Chapter 58 Sign Regulations.

City Manager Bo Thomas presented. Mayor Steve Fortenberry opened the hearing at 7:03 PM and called for those wishing to speak in favor. Gregg Murrt, 106 Vintage Park Blvd., Houston, TX, and Tommy Reynolds, 2703 W. Mockingbird Lane, #100, Dallas, TX, appeared in support and to answer questions. Mayor Steve Fortenberry called for those wishing to speak against it. No one appeared. The public hearing was closed at 7:06 PM. Mr. Thomas read the ordinance caption into the record.

MOTION: Council Member Michael Bancale moved to approve **Ordinance No. 2023-13** granting the sign variance request located at 343 Enterprise Drive for a twenty-four-foot-tall pylon sign as presented.

SECOND: Council Member Bob Potter

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

REGULAR AGENDA ITEMS

5. Approval of minutes for the Special Meeting of November 13, 2023.

MOTION: Mayor Pro Tem Erica Bruce moved to approve the minutes as presented but allow for corrections.

SECOND: Council Member Michael Bancale

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

6. Discussion and possible action on **Resolution No. 2023-15** casting votes to elect the Directors for the McLennan Central Appraisal District for the 2024 term.

City Manager Bo Thomas presented. After discussion, the Council agreed to split the city's voting entitlements among the current members at 12 each.

MOTION: Council Member Bob Potter moved to approve **Resolution No. 2023-15**, casting votes to elect the Directors for the McLennan Central Appraisal District by splitting the 64 voting entitlements to current board members at 12 votes for each of the five members.

SECOND: Council Member Michael Bancale

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

7. Discussion and possible action on **Resolution No. 2023-16** approving the renovation and construction of an addition to the McLennan Central Appraisal District Office, and approving the financing arrangement for the renovation and construction of the project.

City Manager Bo Thomas initiated the agenda item and introduced Chief Appraiser Joe Don Bobbitt, R.P.A. Mr. Bobbitt presented the request.

MOTION: Mayor Pro Tem Erica Bruce moved to approve **Resolution No. 2023-16** approving the renovation and construction of an addition to the McLennan Central Appraisal District Office, and approving the financing arrangement for the renovation and construction of the project.

SECOND: Council Member Bob Potter

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

8. Discussion and possible action on renewal of an Agreement with Valley View Consulting, L.L.C., for a period of two years ending December 31, 2025, with the option to extend an additional one or two year increments.

City Manager Bo Thomas presented.

MOTION: Council Member Brad Turner moved that the agreement with Valley View Consulting, L.L.C. be renewed for a period of two years ending December 31, 2025, with the option to extend in additional one or two year increments.

SECOND: Council Member Johnny Stephens

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

9. Discussion and possible action regarding the annual consumer price increase (CPI) to solid waste rates for Republic Services.

City Manager Bo Thomas presented. Republic's Municipal Services Manager Robyn Mota was present to answer questions. A discussion was held regarding the recycling process and ways to save cost.

MOTION: Council Member Bob Potter moved to authorize the CPI increase as requested by Republic Services.

SECOND: Council Member Michael Bancale

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price
MOTION PASSED.

Mayor Steve Fortenberry recessed the Special Meeting at 7:26 PM to convene for the following Executive Session.

EXECUTIVE SESSION Notice is given that a closed meeting will be held pursuant to Section 551.087 of the Texas Government Code (V.T.C.A.) so that the Council may deliberate regarding economic development negotiations, and/or other matters as authorized under the Texas Government Code. (Project Possibility)

Mayor Fortenberry reconvened the Special Meeting at 8:26 PM.

ADJOURNMENT

MOTION: Mayor Pro Tem Erica Bruce moved to adjourn the Special Meeting at 8:26 PM.

SECOND: Council Member Michael Bancale

AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry

NAYES: None

ABSENT: Price

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 4.

SUBMITTED BY: Miles Whitney, P.E.

ITEM DESCRIPTION:

Presentation of the report from the City Engineer Miles Whitney, P.E.

Update on pending utility projects

Update on pending street projects

Update on pending drainage projects.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City Engineer will present and answer any questions regarding the Engineer's report.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

1. Hewitt-PR-12.5.23

HEWITT TEXAS

CITY ENGINEER'S REPORT

December 5, 2023

Utility Projects

Chaparral, Crescent, and Will Boleman

The contractor continues to install the replacement waterlines.

Commerce Park Plant Improvements

- Well
The contractor is currently drilling.
- Plant
 - TCEQ approvals are expected in the coming weeks.

Street/Transportation Projects

Chaparral, Crescent, and Will Boleman

The street portion of the project is to progress after waterlines replacements are completed.

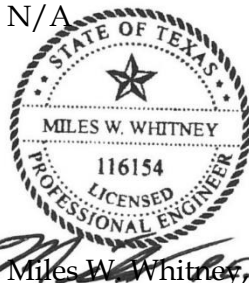
E. Wall and Briarfield

Working through utility design conflicts caused by grading and storm sewer designs.

Drainage Projects

N/A

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 5.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on an appointment to the Parks and Beautification Committee.

STAFF RECOMMENDATION/ITEM SUMMARY:

The Parks and Beautification Committee currently has two existing vacancies. Attached is an application for board and commission service from Nathan Rusterholtz. Mr. Rusterholtz has expressed an interest in serving. He will be present for a brief introduction. This is a two-year term that will expire in December 2025.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move to approve the appointment of Nathan Rusterholtz to the Parks and Beatification Committee, with a term expiring in December 2025.

ATTACHMENTS:

1. Council-Boards- Commissions-Committees list
2. NRusterholtz_volunteer_application_11-17-23

CITY OF HEWITT: COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

City Hall 666-6171 (Fax 666-6014); Community Services 666-2447; Utility Billing 666-3151 (after hrs emergency 666-6272); Police Adm. 666-1661; Drug Tips 666-3333; Animal Control 666-6272; Library 666-2442; Park Reservations 666-6173; Municipal Court 666-1208; Chamber of Commerce 666-1200. City of Hewitt web site: www.cityofhewitt.com; Email: citysecretary@cityofhewitt.com

City Council 2 YR Term – May	Board of Adjustment 2 YR Term – April	Planning & Zoning Commission 2 YR Term – June	Parks & Beautification Committee 2 YR Term – December	Library Board 2 YR Term – December	Civil Service Commission 3 YR Term – December
1 st & 3 rd Monday – 7 PM	3 rd Thursday - 6 PM	1 st Tuesday – 6 PM	3 rd Wed. – 6 PM	Quarterly as needed	Called
Brad Turner Ward 1 (05-2025) 425 W. Chapman Rd. (254) 709-3614	(04-2024) Chair Jim Winton 1136 Heatherwood (254) 857-9436	(06-2024) Paul D. Lasater 1112 Heatherwood (254) 716-0025	(12-2024) Jerry Snider 108 Brenda Dr. (254) 307-0613	(12-2024) Jerry Snider 108 Brenda Dr. (254) 307-0613	(12-2024) Chair Tom Mattern 1204 Ridgeview Cr. (254) 644-9632
Johnny Stephens Ward 1 (05-2024) 305 Travis Ln. (254) 709-3989	(04-2024) Brenda Turner 209 Laredo Dr. (254) 666-0087	(06-2024) Brian Dalrymple 821 Sunny's Halo Dr. (254) 744-9711	(12-2023) Shayla Wicks 1054 Hesselridge (254) 366-5839	(12-2023) Betty J. Smith 709 Seminole Trail (254) 666-7931	(12-2025) Vice Chair Sam MacKinnon 113 Emmalyn Dr. (254) 299-7788
Johnny Price Ward 2 (05-2024) 115 Westchester Way (254) 709-3998	(04-2025) Douglas Bergen 264 Earle Rd. (254) 666-0855	(06-2024) Walter H. Peterson 500 Moss Hill Rd. (254) 757-5128	(12-2023) Casey Lowrey 700 Wind Hill Dr. (254) 424-1266	(12-2024) Julie Holcomb 112 Travis Ln. (972) 935-4528	(12-2026) Sammy L. Thomas 100 Coventry Dr. (254) 749-0800
Bob Potter Ward 2 (05-2025) 409 W Wall St. (254) 709-3666	(04-2025) Royce W. Smith 1128 Regina (254) 652-3099	(06-2025) Dustin Crawford 1001 December Dr. (903) 754-1204	(12-2023) VACANCY	(12-2024) Lydia Dashner 520 Angel Fire Dr. (254) 666-9623	
Mayor Pro Tem Erica Bruce Ward 3 (05-2025) 717 Fieldstone Dr. (254) 709-4050	(04-2025) VACANCY	(06-2025) Bobby Drake 107 Westchester Way (254) 772-7440	(12-2024) Vernon Bailey 301 Tampico Dr. (512) 797-6377	(12-2024) Jennifer Hunt 228 Cross Country Drive (254) 498-0102	
Mayor Steve Fortenberry Ward 3 (05-2024) 701 Oakmont Dr. (254) 709-0030	Alternate (04-2024) VACANCY	(06-2025) Michael Lee Hix 336 Bowie Ln. (254) 723-5071	(12-2024) VACANCY	(12-2023) Delores K. Sincerney 119 Russell Ln. (254) 744-5752	
Michael S. Bancale At-Large (05-2025) 909 Stoneridge Dr. (254) 709-3522	Alternate (04-2025) VACANCY	(06-2025) Travis Bailey 412 Oklahoma Ave. (254) 666-1492	(12-2024) Ryan A. NeGron 137 Bonham Dr. (346) 818-7831	(12-2023) Sally Goldman 132 Texas (254) 666-2436	

Updated: 11/16/2023

APPLICATION FOR BOARDS & COMMISSIONS TO THE CITY OF HEWITT

The City of Hewitt appreciates your interest in serving the community. A listing of the boards and commissions is found behind your application. Appointments are made during the year as vacancies occur. This is great opportunity for you to play a vital role in shaping your community.

NAME OF APPLICANT: Nathan Rusterholtz

HOME ADDRESS: 1200 Dendron Dr.

DAYTIME TELEPHONE NUMBER: 972-978-3202 E-MAIL ADDRESS: nrusterholtz@gmail.com

PLEASE CHECK APPROPRIATE STATEMENTS: ☒ I reside within the city limits of Hewitt, Texas.*

* **IMPORTANT** - - By checking this box and signing this form, you are indicating that your legal residence or domicile - your home and fixed place of habitation to which you intend to return after any temporary absence - is located within the city limits of Hewitt, Texas.

LENGTH OF TIME APPLICANT HAS RESIDED IN THE HEWITT CITY LIMITS: 6 years

PLEASE INDICATE BELOW HOW YOU WOULD LIKE TO SERVE THE CITY OF HEWITT. (**IMPORTANT**: IF MORE THAN ONE AREA IS INDICATED, **NUMBER YOUR PREFERENCES** WITH "1" BEING YOUR FIRST CHOICE, "2" BEING YOUR SECOND CHOICE, ETC.). PLEASE SEE REVERSE SIDE FOR DESCRIPTIVE INFORMATION.

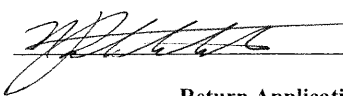
- ☐ Board of Adjustment (must be resident of Hewitt)
☐ Civil Service Commission (must be resident of Hewitt)
☐ Library Board (must be resident of Hewitt)
☒ Parks and Beautification Committee (must be resident of Hewitt)
☐ Planning and Zoning Commission (must be resident of Hewitt)

OTHER WAYS YOU SERVE YOUR COMMUNITY: Volunteer with local running/cycling/triathlon clubs

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: Hiking, traveling, running; trail running, cycling; Gardening and landscaping.

OCCUPATION/EMPLOYER: Time Manufacturing Co. (Versalift)

REFERENCES (MUST BE HEWITT RESIDENTS): Tyler Green TELEPHONE #: 903-806-8993
Erik Romanov TELEPHONE #: 254-644-4220

SIGNATURE OF APPLICANT:  DATE: 11/17/23

Return Application to:
Lydia Lopez, City Secretary
200 Patriot Court
Hewitt, Texas 76643
Phone: 254-296-5602 - Fax: 254-666-6014
Email: citysecretary@cityofhewitt.com

OFFICE USE ONLY
Date interviewed by Council: _____
Date appointed by Council: _____
Date sworn in by Council: _____
Reappointed: _____
Term to expire: _____
Term to expire: _____



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 6.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on reappointments to the Parks and Beautification Committee.

STAFF RECOMMENDATION/ITEM SUMMARY:

The terms of Shayla Wicks and Casey Lowrey expire December 2023. Mr. Lowrey has agreed to serve another two-year term. Ms. Wicks has declined reappointment. Mr. Lowrey is in good standing, and the staff is recommending the approval of his reappointment.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move to approve the reappointment of Casey Lowrey to the Parks and Beautification Committee with a term expiring in December 2025.

ATTACHMENTS:

1. Council-Boards- Commissions-Committees list

CITY OF HEWITT: COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

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Updated: 11/16/2023



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 7.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on the reappointment(s) to the Library Board.

STAFF RECOMMENDATION/ITEM SUMMARY:

The terms of Betty J. Smith, Delores K. Sincerney, and Sally Goldman will expire December 2023. All have committed to serving another two-year term and are in good standing. Staff recommends approval.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move to approve the reappointment(s) of Betty J. Smith, Delores K. Sincerney, and Sally Goldman to the Library Board for a two-year term ending in December 2025.

ATTACHMENTS:

1. Council-Boards- Commissions-Committees list

CITY OF HEWITT: COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

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Updated: 11/16/2023



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 8.

SUBMITTED BY: John McGrath, Police Chief

ITEM DESCRIPTION:

Discussion and possible action to approve the expenditure of \$81,276 for the purchase of a 2024 Dodge Durango Pursuit AWD vehicle for the Police Department.

STAFF RECOMMENDATION/ITEM SUMMARY:

This item is to seek approval to purchase a 2024 Dodge Durango Pursuit AWD vehicle for the Police Department from USA Automotive Partners, LLC located at 2102 Thornton Street, Cameron, TX 76520. The vehicle will be a fully marked emergency response vehicle, upfitted with lights and siren. The cost of the vehicle includes upfitting with lights, siren, and in-car camera. The new vehicle will replace a current unit at end of life. Mobile Data Terminal and radio equipment will be transferred to the new unit. Available police package vehicles, including the Chevrolet Tahoe and Ford Explorer, cannot be located. Discussions with suppliers of those vehicles indicate more than a year before they become available and staff found the most readily available and acceptable option to be the 2024 Dodge Durango. Council approved a budgeted amount of \$95,000.00 for this vehicle for the current fiscal year.

FISCAL IMPACT:

Amount Budgeted - \$95,000.00

Line Item in Budget - Short-term financing

SUGGESTED MOTION:

I move to approve the expenditure in the amount of \$81,276.00 to the USA Automotive Partners, LLC, for a 2024 Dodge Durango for the Police Department.

ATTACHMENTS:

1. Vehicle Quote

CAMERON COUNTRY DODGE
2102 THORNTON, CAMERON, TX 76520-5513
Tarrant County 2023-016

End User: Hewitt Police Department **Caldwell Rep:** David Lowry | Quote #1563
Contact: Heath Vanek **Phone:** (903) 513-2316
Phone/ Email: 254-296-5689 **Date:** Friday, November 10, 2023
Product Description: 2024 Dodge Durango (WDEE75) Pursuit AWD **Email:** dlowry@caldwellcountry.com

A. Bid Series: _____ **A. Base Price:** \$ 49,730.00

B. Published Options [Itemize each below]

Code	Model Vehicle				
WDEE75	2024 Dodge Durango (WDEE75) Pursuit AWD				
Code	Options	Bid Price	Code	Options	Bid Price
UBN	Radio: Uconnect 5 Nav w/10.1 Display"	\$0.00	PXJ	DB Black Clearcoat	\$0.00
RX8	Display Integration Enabler Module	\$0.00	WBN	Wheels: 18 x 8.0" Black Steel"	\$0.00
EZH	Engine: 5.7L V8 HEMI MDS VVT	\$0.00	Z6J	GVWR: 7,100 lbs	\$0.00
CUF	Full Length Floor Console	\$0.00			
ADL	Skid Plate Group	\$0.00			
A7X9	Black, Cloth Bucket Seats w/Rear Vinyl	\$0.00			
22Z	Quick Order Package 22Z	\$0.00			
DFD	Transmission: 8-Speed Automatic (8HP70)	\$0.00			
DPM	3.09 Rear Axle Ratio	\$0.00			
Total of B. Published Options					\$ -

C. Unpublished Options [Itemize each below, not to exceed 25%]

Unpublished Options	Bid Price	Unpublished Options	Bid Price
Total of C. Unpublished Options:			\$ -

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time: _____

E. Upfitter/Quote Number: CAPQ-109784 **\$** 28,900.00

F. Delivery ETA: _____ **\$** -

G. Floor Plan Interest (for in-stock and/or equipped vehicles): **\$** 1,600.00

H. Lot Insurance (for in-stock and/or equipped vehicles): **\$** 400.00

I. Contract Price Adjustment: _____

J. Additional Delivery Charge 82 miles **\$** 246.00

K. Subtotal **\$** 80,876.00

L. Quantity Ordered 1 x **K** = **\$** 80,876.00

M. Trade in: _____

N. Coop Fee per purchase order **\$** 400.00

O. Total purchase price with coop fee (Prices and availability are subject to change without notice) **\$** 81,276.00

DISCLAIMER

PRICES AND AVAILABILITY CAN CHANGE AT ANY TIME WITHOUT FURTHER NOTICE DUE TO SUPPLY CHAIN CHALLENGES. REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. FINAL PRICE IS NOT CONFIRMED UNTIL VEHICLE ORDER IS ACCEPTED BY THE MANUFACTURER. ACKNOWLEDGE BY EMAIL RECEIPT THAT THE PURCHASE ORDER WAS RECEIVED BY USA AUTOMOTIVE PARTNERS, LLC. (CALDWELL COUNTRY CHEVROLET, ROCKDALE COUNTRY FORD



COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 9.

SUBMITTED BY: Kevin Reinke, Utilities Director

ITEM DESCRIPTION:

Discussion and possible action to ratify the purchase of a 2023 F150 4x4 from Apple Sport Ford for the Utility Department.

STAFF RECOMMENDATION/ITEM SUMMARY:

Requested pricing from BK Ford, Stanley Ford in McGregor and Apple Sport Ford in Marlin. I did not receive a call back or email from BK Ford or Stanley Ford. Apple Sport Ford supplied pricing of \$49,995.00 the same day requested. Also, I checked Sykora in West on their website. They did not have a like model shown in stock.

FISCAL IMPACT:

Amount Budgeted -\$41500.00
Line Item in Budget - 20-50615-91-00

SUGGESTED MOTION:

I move approval to ratify the purchase of a 2023 F150 4x4 from Apple Sport Ford.

ATTACHMENTS:

1. Buyers Order

MOTOR VEHICLE BUYERS ORDER

Seller APPLE SPORT FORD Salesperson JAQUELIN Z LANDEROS Buyer/Co-Buyer CITY OF HEWITT
 Buyer/Co-Buyer Phone: Res. _____ Bus. _____ Cell _____ E-mail: _____
 Address _____ City _____ State _____ Zip _____

Expected date of delivery is 11/21/2023 or as soon thereafter as possible. It is agreed that neither the Seller nor the Manufacturer/Distributor is liable for failure to effect delivery.
 Buyer offers to purchase from seller under the terms and conditions specified, the following described motor vehicle.

AT THIS DEALERSHIP

- A customer may obtain their own financing.
- The finance charge may be negotiable.
- The dealership may assign the retail installment contract.
- A person may acquire a retail installment contract or an outstanding balance under a contract from another person on the terms, including the price, to

which they agree. No person acquiring or assigning a retail installment or any balance under a contract, has any duty to disclose to any other person the terms on which a contract or balance under a contract is acquired, including any discount or difference between the rates, charges, or balance under the contract and the rates, charges, or balance acquired. (Finance Code & 348.301)

DESCRIPTION OF SALE UNIT: ☒ New ☐ Demo ☐ Executive/Official ☐ Used ☐ Certified Used (CPO)

Make: FORD Color: OXFORD WHITE Model: F150 SUPERCREW
 Stock No.: FD65770 Cyl.: 8 Upholstery: _____
 Body Style: PICKUP License No.: _____ Odometer Reading: _____
 Year: 2023 VIN: 1FTFW1E56PKD65770 Key Nos. P2361

USED CAR TRADE-IN:

Year: _____ Make: _____ Model: _____
 License No.: _____ VIN: _____

Lienholder: _____

Lienholder Address: _____

Payoff on trade-In: \$ NA (as of _____)

Trade-In Allowance: \$ NA (as of _____)

Net Allowance on Trade-In: \$ NA (as of _____)

TITLE TO TRADE-IN:

Owner / Co-Owner: _____ Odometer: _____

Remarks on _____ (State) Title: _____

☐ Salvage ☐ Rebuilt Salvage ☐ Nonrepairable ☐ Manufacturer Buy-Back ☐ Flood Damage

DISCLAIMER OF WARRANTIES

The above-described vehicle sold by Seller is sold as is, without either express or implied warranties of any kind by Seller, including warranties of merchantability or fitness, and Buyer will bear the entire expense of repairing or correcting any defects that presently exist or that may occur in the vehicle, unless a written warranty by, or service contract with Seller covering the described vehicle is delivered to Buyer in conjunction with or within 90 days following the time of the sale, but such vehicle or any of its components parts may be subject to warranty by the manufacturer therefore.

*A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO BUYERS FOR HANDLING DOCUMENTS RELATING TO THE SALE. A DOCUMENTARY FEE MAY NOT EXCEED A REASONABLE AMOUNT AGREED TO BY THE PARTIES. NOTICE IS REQUIRED BY LAW. UN CARGO DOCUMENTAL NO ES UN CARGO OFICIAL LA LEY NO EXIGE QUE SE IMPONGA UN CARGO DOCUMENTAL PERO ESTE PODRIA COBRARSE A LOS COMPRADORES POR EL MANEJO DE LA DOCUMENTACION EN RELACION CON LA VENTA. UN CARGO DOCUMENTAL NO PUEDE EXCEDER UNA CANTIDAD RAZONABLE ACORDADA POR LA PARTES. ESTA NOTIFICACION SE EXIGE POR LEY.

**The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.

The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provision on the contract of sale. La información que aparece en la ventanilla de este vehículo forma parte de este contrato. La información contenida en el formulario de la ventanilla anula cualquier previsión que establezca lo contrario y que aparezca en el contrato de venta.

If a credit purchase, this is an offer to purchase only. Buyer offers to purchase vehicle on credit on terms described herein and no contractual relationship is created. This order does not constitute an agreement for the extension of credit.

Manufacturer/Distributor reserves the right to change the price of new vehicles to Seller without notice. In the event that the price to Seller of the new vehicle ordered hereunder is changed prior to delivery to Buyer, Buyer agrees and accepts that the cash delivered price will be changed accordingly.

If the Buyer's used car trade-in is not delivered to the Seller until delivery of the new vehicle, the trade-in will be reappraised at that time and Buyer agrees that such reappraised value shall determine the allowance, if any, made for the trade-in.

ARBITRATION PROVISION ARBITRATION OF DISPUTES

Arbitration is a method of resolving a claim, dispute, or controversy (collectively, a "Claim") without filing a lawsuit in court. Either Buyer or Seller may choose at any time, including after a lawsuit is filed, to have any Claim related to or arising out of the transaction identified in this Buyer's Order ("Order"), including the interpretation, scope, or validity of arbitration, decided by arbitration and not by a court action.

When a dispute is resolved by arbitration and not in court, each party gives up the right to a trial by a court or a jury trial. Buyer gives up any right Buyer may have to bring a class-action lawsuit or class arbitration or to participate in either as a claimant. Buyer gives up any right Buyer may have to consolidate or join Buyer's arbitration with the arbitration of others. The information that can be obtained in discovery from either Party or from a third person in arbitration is generally more limited than in a lawsuit. Generally, there is no right to appeal the decision of an arbitrator under the Federal Arbitration Act (9 U.S.C. 1, et seq.) Other rights that Buyer or Seller would have in court may not be available in arbitration.

Either Buyer or Seller may contact one of the following associations to conduct the arbitration and the other Party to start an arbitration: (1) American Arbitration Association ("AAA") at 1-800-778-7879; (2) National Arbitration Forum ("NAF") at 1-800-474-2371. If there is a conflict between the association's rules and this Arbitration Provision will govern. Either Buyer or Seller may request a former or retired judge who served as a judge for at least four years and has not been removed from office or resigned while under investigation for

Buyer agrees to deliver the original bill of sale and the title to any trade-in along with the delivery of the trade-in and further agrees to execute any and all documents necessary or required to transfer legal title and ownership to Seller or its assigns. Buyer warrants the trade-in to be his property and free and clear of all liens and encumbrances except as otherwise noted herein. Buyer further warrants that the trade-in has not been declared rebuilt salvage, reconditioned, non-repairable, or flood damaged and that the emission systems have not been tampered with and are in the condition as originally manufactured, except for ordinary wear, unless so disclosed.

Seller makes no representations concerning fuel economy of the sale unit and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by government agency, upon which Seller has relied.

It is expressly agreed to and understood by Buyer and Seller that in the event of non-credit transaction, Seller retains a security interest in the purchased vehicle until such time as Buyer has paid the Seller for the vehicle.

Buyer agrees to all the above listed charges.

discipline or removal, to conduct the arbitration in lieu of contacting either AAA or NAF to conduct the arbitration.

This Order evidences a transaction involving interstate commerce. Any arbitration under this Arbitration Provision is governed by the Federal Arbitration Act (9 U.S.C. 1, et seq.). Judgment upon the award may be awarded in any court having jurisdiction. No punitive damages may be awarded against either Buyer or Seller.

The arbitration hearing will be conducted in the federal district in which Buyer resides. If Buyer demands arbitration first, Buyer agrees to pay the initial arbitration filing fee or case management fee up to \$125 and Seller will pay any additional initial filing fee or case management fee. Seller will pay the entire filing fee or case management fee if Seller demands arbitration first. Seller will pay the arbitration costs and fees for the first day of arbitration, up to a maximum of 8 hours. The arbitrator shall decide who pays any additional costs and fees.

Notwithstanding the Arbitration Provision, Buyer and Seller and Seller's successors and assignees retain the right to exercise self-help remedies and to seek provisional remedies from a court pending final determination of the dispute by the arbitrator. Neither Buyer nor Seller waive the right to arbitrate by exercising self-help remedies, including repossession, filing suit, or seeking or obtaining provisional remedies from a court.

In consideration of the amounts agreed to be paid by Seller, see above, Buyer agrees to this Arbitration Provision.

If any portion of this Arbitration Provision is unenforceable, it is severed and the remaining provisions shall be enforced.

AS BUYER OF THE ABOVE DESCRIBED VEHICLE, I UNDERSTAND AND AGREE THAT THE SELLER MAY MAKE A PROFIT ON THE SALE OF THE VEHICLE, ANY ADD-ON EQUIPMENT, INSURANCE PRODUCT, FINANCING, WARRANTY OR SERVICE CONTRACT, REPAIR, OR ANY OTHER PRODUCT OR SERVICE SOLD BY SELLER.

Buyer's/Co-Buyer's Signature _____ Date 11/21/2023

Seller's Signature _____ Date 11/21/2023

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: December 11, 2023

AGENDA ITEM #: 10.

SUBMITTED BY: Bo Thomas, City Manager

ITEM DESCRIPTION:

Discussion and possible action authorizing the City Manager to reimburse Turner Brothers for costs to upsize water and sewer lines not to exceed \$209,229.61.

STAFF RECOMMENDATION/ITEM SUMMARY:

Prior to the development of the Bullhide Estates subdivision, the developer and the City, through the Planning and Zoning process had several discussions and negotiations regarding the amount of land removed from a residential zone designation to a commercial zone designation. Included in those discussions was the aspect of upsizing the water and sewer installation in the development to accommodate future developments on either side of Bullhide, both to the east (Warren Brothers) and west (City of Hewitt) tracts of land. The water and sewer mains through the development were upsized from 8" to 12" lines.

Now the developer has come forward requesting reimbursement for the costs associated with upsizing. All releases have been secured and the plat filed regarding the development.

FISCAL IMPACT:

Amount Budgeted -

Line Item in Budget - 20-50423-91-00; 20-50427-91-00

SUGGESTED MOTION:

I move to authorize the City Manager to reimburse Turner Brothers for the upsizing utility line costs not to exceed \$209,229.61.

ATTACHMENTS:

1. Hwt Bull Hide Betterment 9.13.23 Comparison

BULLHIDE DEVELOPMENT; HEWITT BETTERMENTS COMPARISONS

DESCRIPTION OF PROPOSED BETTERMENT;

- * WATERLINE BETTERMENTS, REFER TO ATTACHED EXHIBIT AND REFERENCE RED HIGHLIGHTED LINES.
- * GRAVITY SEWER BETTERMENTS, REFER TO ATTACHED EXHIBIT AND REFERENCE PURPLE HIGHLIGHTED LINE.

NO BETTERMENT DESIGN (NB)

WATER	\$	153,277.92
SEWER	\$	185,848.64
ENGINEERING (N/A)	\$	-
DEVELOPMENT COSTS (N/A)	\$	-

BETTERMENT DESIGN (B)

WATER	\$	232,214.46
SEWER	\$	274,799.06
ADDITIONAL ENGINEERING	\$	16,638.45
ADDITIONAL DEVELOPMENT COSTS	\$	24,704.20

COSTS BEING REQUESTED OF HEWITT: (B - NB)

WATER	\$	78,936.54
SEWER	\$	88,950.42
ENGINEERING	\$	16,638.45
DEVELOPMENT COSTS	\$	24,704.20

COST TOTALS BEING REQUESTED OF THE
CITY OF HEWITT \$ 209,229.61

CITY OF HEWITT
BULLHIDE DEVELOPMENT; WITHOUT HEWITT BETTERMENTS

CONSTRUCTION COST:

ITEM CODE.	ITEM DESCRIPTION	QTY.	UNIT		PRICE/UNIT		ITEM TOTALS
H1.04	8" C-900 IN STREET	1,713	L.F.	x	\$ 70.50	=	\$ 120,766.50
H1.06	8" FITTINGS	7	EA.		\$ 635.00	=	\$ 4,445.00
H1.07	8" VALVE	9	EA.		\$ 1,551.00	=	\$ 13,959.00
H1.08	8" FLUSH ASSY.	2	EA.		\$ 4,340.09	=	\$ 8,680.18
H1.08A	8"x1" TAPPING SADDLE	9	EA.		\$ 205.96	=	\$ 1,853.64
H1.08B	8" X 1.5" TAPPING SADDLE	10	EA.		\$ 274.94	=	\$ 2,749.40
H1.08C	8" X 6" F/H TEE	4	EA.		\$ 206.05	=	\$ 824.20

TOTAL WATER COST (NO BETTERMENT)

\$ 153,277.92

1.17	8" SEWER OFF STREET	534	L.F.	x	\$ 56.70	=	\$ 30,277.80
1.18	8" SEWER IN STREET	2,020	L.F.	x	\$ 74.90	=	\$ 151,298.00
1.23	4" SEWER SERVICE WYE ON 8" SEWER	36	EA.	x	\$ 118.69	=	\$ 4,272.84

TOTAL SEWER COST (NO BETTERMENT)

\$ 185,848.64

CITY OF HEWITT
BULLHIDE DEVELOPMENT; WITH HEWITT BETTERMENTS

WATER CONSTRUCTION COST:

ITEM CODE.	ITEM DESCRIPTION	QTY.	UNIT		PRICE/UNIT		ITEM TOTALS
H1.04	12" C-900 IN STREET	1,713	L.F.	x	\$ 105.08	=	\$ 180,002.04
H1.06	12" FITTINGS	7	EA.		\$ 1,070.00	=	\$ 7,490.00
H1.07	12" VALVE	9	EA.		\$ 2,688.34	=	\$ 24,195.06
H1.08	12" FLUSH ASSY.	2	EA.		\$ 4,340.09	=	\$ 8,680.18
H1.08A	12"x1" TAPPING SADDLE	9	EA.		\$ 321.04	=	\$ 2,889.36
H1.08B	12" X 1.5" TAPPING SADDLE	10	EA.		\$ 349.01	=	\$ 3,490.10
H1.08C	12" X 6" F/H TEE	4	EA.		\$ 336.44	=	\$ 1,345.76
H1.09	12" PLUG	2	EA.	x	\$ 2,060.98	=	\$ 4,121.96

TOTAL WATER COST (BETTERMENT)

\$ 232,214.46

SEWER CONSTRUCTION COST:

1.17	12" SEWER OFF STREET	534	L.F.	x	\$ 89.81	=	\$ 47,958.54
1.18	12" SEWER IN STREET	2,020	L.F.	x	\$ 105.53	=	\$ 213,170.60
1.23	4" SEWER SERVICE WYE ON 12" SEWER	36	EA.	x	\$ 379.72	=	\$ 13,669.92

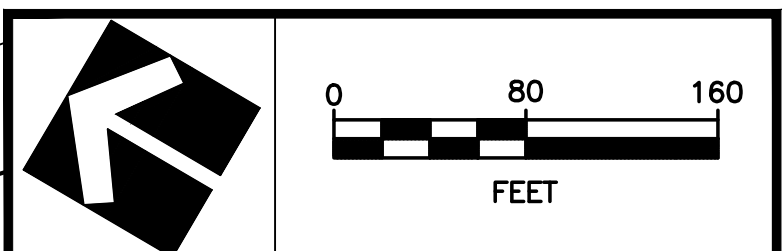
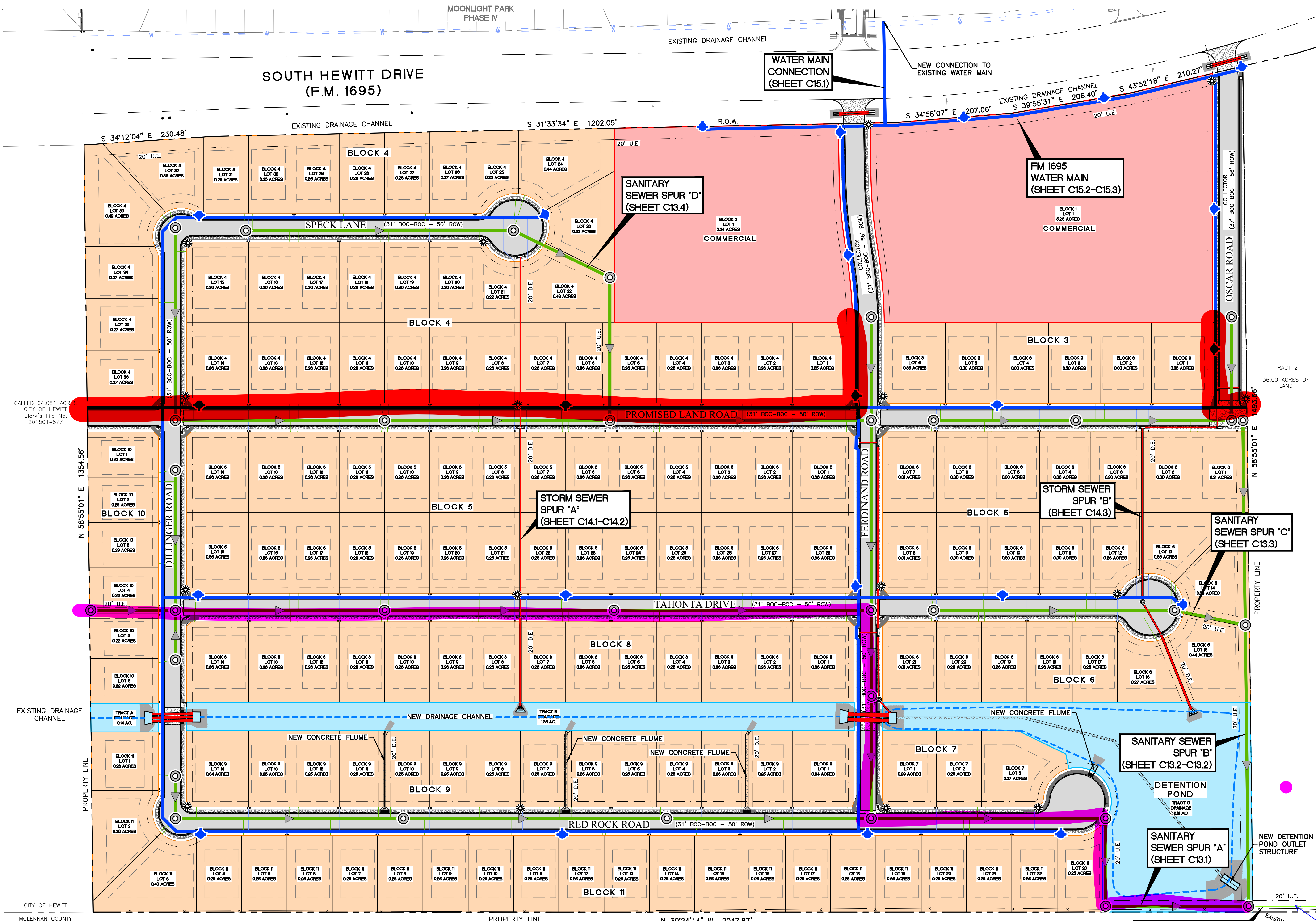
TOTAL SEWER COST (BETTERMENT)

\$ 274,799.06

BULLHIDE DEVELOPMENT; HEWITT BETTERMENTS

DEVELOPMENT COST BREAKDOWN

ESTIMATOR	\$	2,192.00
SUPERINTENDENT	\$	2,192.00
CONSTRUCTION MANAGER	\$	5,524.23
ADMINS/RECEPTIONIST	\$	1,753.60
VEHICLES	\$	548.00
MAINTENANCE/REPAIR/FUEL	\$	657.60
LEGAL	\$	986.40
COMMUNICATION- CELL PHONES, OFFICE PHONES, EMAIL	\$	328.80
ACCOUNTING	\$	657.60
PLANS/PRINTER	\$	328.80
OFFICE	\$	548.00
OFFICE SUPPLIES/EQUIPMENT	\$	438.40
COMPUTER/TABLET	\$	328.80
INSURANCE- GENERAL LIABILITY, BUILDERS RISK	\$	4,479.97
BONDING	\$	3,740.00
TOTAL DEVELOPMENT COSTS	\$	24,704.20



- LEGEND**
- NEW SANITARY SEWER MAIN
 - NEW SANITARY SEWER MANHOLE
 - SANITARY SEWER DIRECTIONAL FLOW ARROW
 - NEW FIRE HYDRANT
 - NEW WATER MAIN
 - NEW STORM SEWER
 - NEW STREET LIGHT SIGN
 - NEW REINFORCED CONCRETE PAVEMENT SECTION (PER GEOTECH REPORT)
 - NEW HMA PAVEMENT SECTION (PER GEOTECH REPORT)
 - NEW SIDEWALK (BY DEVELOPER)
 - NEW SIDEWALK (BY BUILDER)
 - R-1 LOTS
 - C-2 LOTS
 - DRAINAGE TRACTS

EASEMENTS AND BUILDING LINES

- R-1:**
- FRONT BUILDING LINE = 25'
 - SIDE STREET BUILDING LINE = 15'
 - SIDE BUILDING LINES = 5' LT/15' RT
 - REAR BUILDING LINE = 25'

10' UTILITY EASEMENT ALONG ALL ROAD FRONTAGE (UNLESS OTHERWISE NOTED)



**BULL HIDE ESTATES
NEW RESIDENTIAL SUBDIVISION**

HEWITT, TEXAS

CIVIL SITE PLAN

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF MONTY L. CLARK, P.E. 90894, CLARK ASSOCIATES PLLC FIRM NO: F-23184.

☒ FOR REVIEW
THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES. ONLY DRAWINGS ISSUED "FOR CONSTRUCTION" CAN BE CONSIDERED COMPLETE.

☐ FOR CONSTRUCTION
☐ FINAL DRAWINGS

Designed	MLC
Drafted	ECB
Project No	212267.00
Plot Date	9-9-2022

C3.1

Bullhides calculated needs = 51 gpm PWWE

8" @ 0.75% slope = 470 gpm (BH = 11%)

12" @ 0.75 slope = 1,385 gpm