



CITY COUNCIL WORKSHOP/REGULAR MEETING

May 6, 2024 at 6:00 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.

WORKSHOP MEETING - 6:00 PM

WORKSHOP DECLARATION OF A QUORUM AND CALL TO ORDER

WORKSHOP AGENDA

1. Briefing and discussion concerning an update to the City of Hewitt's Strategic Plan 2024-2029 - Library Director Matthew Glaser.
2. Briefing and discussion concerning a zone change request (Agenda Item 4).
3. Briefing and discussion concerning the City of Hewitt's current debt and outstanding principal in the General Fund and Utility Fund.

WORKSHOP ADJOURNMENT

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING(S) AND RELATED ACTION

4. Public hearing and possible action on **Ordinance No. 2024-04** to change the zoning of a portion of James Sprowl Survey, Ab 817, being a 36.838-acre tract located at the southwest corner of the intersection of S. Hewitt Dr. and Interstate 35, from R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District.
5. Public hearing and possible action on **Ordinance No. 2024-08** on the petition of the owner, Intrust Properties, Ltd, for annexation, the City of Hewitt intends to annex a 1.077-acre tract of land in the Carlos O’Campo Grant, Abstract 32, in McLennan County, Texas and being that portion of a called 81.664 acres of land described in a deed to Intrust Properties, Ltd of record as Instrument 2004032031 in the Official Public Records of McLennan County.

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.)

REGULAR AGENDA ITEMS

6. Approval of minutes of the City Council Workshop/Regular Meeting held on April 15, 2024.
7. Presentation of the report from City Engineer Miles Whitney, P.E.
 - Update on pending utility projects.
 - Update on pending street projects.
 - Update on pending drainage projects.
8. Discussion and presentation of the Summer Reading Program with the Hewitt Public Library.
9. Discussion and possible action approving **Resolution 2024-03** authorizing the City Manager and the City of Hewitt Police Chief to enter into a Memorandum of Understanding (MOU) with the Midway Independent School District Police Department to communicate and coordinate the jurisdiction of law enforcement services.
10. Discussion of the FY 2024-2025 Budget Calendar.
11. Briefing and discussion concerning Council priorities for budget preparation.
12. Discussion and possible action to ratify the expenditure for the emergency repair of Ritchie Plant Well #6, pump, motor, and other equipment to Jurgensen Pump, LLC, not to exceed \$160,000.
13. Discussion and possible action on **Resolution 2024-04** selecting an elected official of the City of Hewitt as the City's nominee to serve as a member of the governing body of the McLennan County Rural Transit District.

ADJOURNMENT

I certify that the above notice of meeting was posted on the Public Notice Board located in front of City Hall on **May 1, 2024, by 5:00 PM.**

CITY OF HEWITT

Lydia Lopez
Lydia Lopez, TRMC/CMC
City Secretary

The City of Hewitt is fully committed to complying with the Americans with Disabilities Act. We will provide reasonable accommodations for persons attending and 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 before the meeting by calling the City Secretary at 254.296.5602 or by fax at 254.666.6014.



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 3.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Briefing and discussion concerning the City of Hewitt's current debt and outstanding principal in the General Fund and Utility Fund.

STAFF RECOMMENDATION/ITEM SUMMARY:

This presentation is for information only. Based upon updating the Five-Year Strategic Plans and Sewer Capacity presentations.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

ATTACHMENTS:

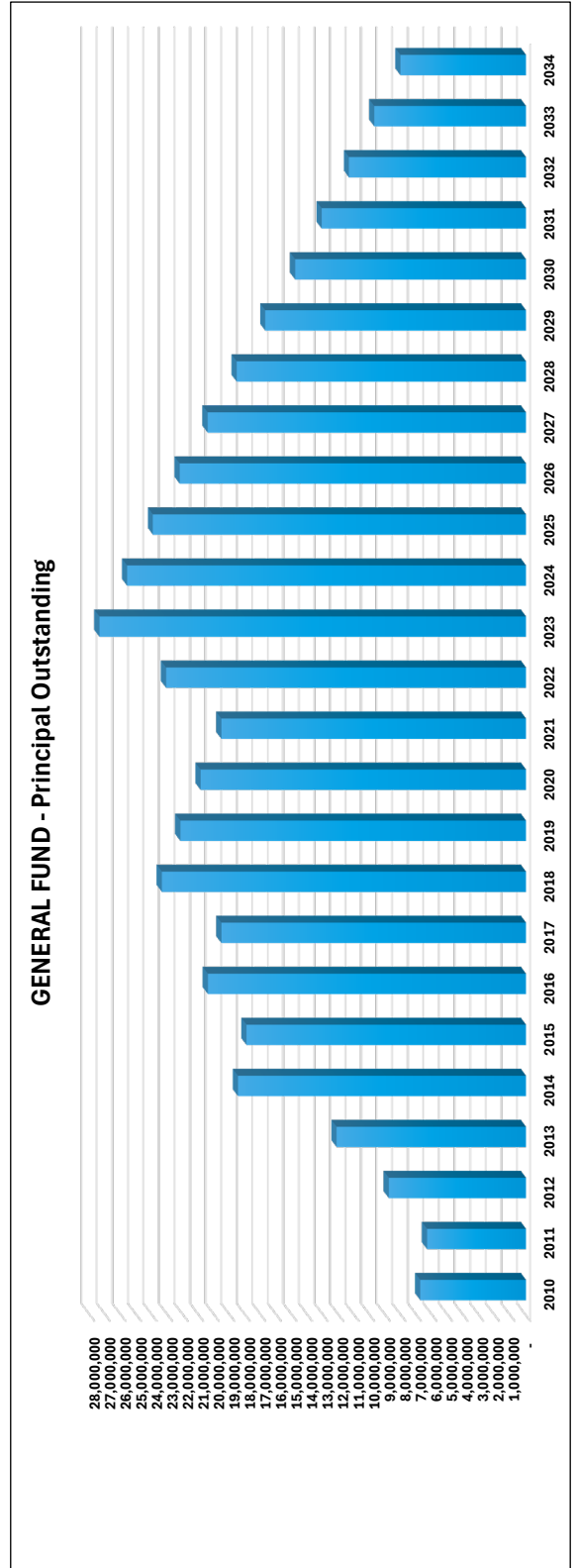
1. General Fund-Debt OS Detail and Chart
2. Utility Fund-Debt OS Detail and Chart 4 19 24

DEBT OUTSTANDING - 2010 thru 2024 - GENERAL FUND															
Principal O/S	General Fund	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
2009 GO Ref*	Purpose	5,173,954	6,785,954	6,356,713	8,809,753	12,161,585	18,514,734	17,952,447	20,446,387	19,575,660	23,398,080	22,209,078	20,908,769	19,576,551	
2010 Issue	Refunding past issues; paid off														
2012 GO Ref**	Land, IT, Third & Warren	2,200,000		940,000											
2012 Issue	Refunding past issues; paid off			2,905,000											
2013 Issue	Street Improvements, Fire Truck				3,850,000										
2014 Issue	Public Safety Facilities; Street & Park Imp					1,892,100									
2014 GO Ref***	Refunding past issues; paid off					6,835,000									
2016B Issue	City Hall/Library Facilities; Street & Park Imp														
2017 Issue	Old Temple Road and other Street Imp														
2022 Issue	Aerial Fire Truck, Public Safety Radios, Ritchie Rd							3,355,000		4,860,000					
2023 Issue	Fire Truck, Chapman & Crescent														4,925,000
	Fire Station #2														
	Principal Payt	(588,000)	(429,241)	(1,391,960)	(498,168)	(2,373,951)	(562,287)	(861,060)	(870,727)	(1,037,580)	(1,189,002)	(1,300,309)	(1,332,218)	(1,368,141)	
	Principal O/S	6,785,954	6,356,713	8,809,753	12,161,585	18,514,734	17,952,447	20,446,387	19,575,660	23,398,080	22,209,078	20,908,769	19,576,551	23,133,410	
DEBT OUTSTANDING - 2010 thru 2024 - GENERAL FUND															
Principal O/S	General Fund	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034		
2009 GO Ref*	Purpose	23,133,410	27,419,010	25,644,114	23,975,659	22,255,318	20,459,318	18,597,659	16,750,341	14,830,477	13,129,954	11,365,000	9,740,000		
2010 Issue	Refunding past issues; paid														
2012 GO Ref**	Land, IT, Third & Warren														
2012 Issue	Refunding past issues; paid off														
2013 Issue	Street Improvements, Fire Truck														
2013 GO Ref***	Public Safety Facilities; Street & Park Imp														
2014 Issue	Refunding past issues; paid off														
2016B Issue	City Hall/Library Facilities; Street & Park Imp														
2017 Issue	Old Temple Road and other Street Imp														
2022 Issue	Aerial Fire Truck, Public Safety Radios, Ritchie Rd														
2023 Issue	Fire Truck, Chapman & Crescent														
	Fire Station #2														
	Principal Payt	5,915,000	(1,774,896)	(1,688,455)	(1,720,341)	(1,796,000)	(1,861,659)	(1,847,318)	(1,919,864)	(1,700,523)	(1,764,954)	(1,625,000)	(1,680,000)		
	Principal O/S	(1,629,400)	25,644,114	23,975,659	22,255,318	20,459,318	18,597,659	16,750,341	14,830,477	13,129,954	11,365,000	9,740,000	8,060,000		

* 2009 GO Refunding is comprised of 93 CO, 96 CO, 97 CO and 99 GO. Final payment in FY 18/19.

** 2012 GO Refunding of 2001 CO. Final payment in FY 20/21.

*** 2013 GO Refunding of 2004 CO. Final payment in FY 23/24.



DEBT OUTSTANDING - 2010 thru 2024 - UTILITY FUND

Utility Fund	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Principal O/S	11,957,046	19,184,046	18,763,286	23,120,246	22,548,410	21,970,261	21,207,552	26,728,612	25,764,339	24,766,919	23,740,922	22,681,231	21,588,449
2009 GO Ref*													
Refunding past issues	7,775,000												
See Note 1:			4,795,000										
See Note 2:													
2012 GO Ref***													
Refunding past issues; paid													
2013 GO Ref***													
Refunding past issues													
2016 Issue													
See note 3:													
Commerce Park -Ph 2													
Principal Payments	(548,000)	(420,760)	(438,040)	(571,836)	(2,256,049)	(6,317,709)	(673,940)	(964,273)	(997,420)	(1,025,997)	(1,059,691)	(1,092,782)	(1,196,859)
Principal Outstanding	19,184,046	18,763,286	23,120,246	22,548,410	21,970,261	21,207,552	26,728,612	25,764,339	24,766,919	23,740,922	22,681,231	21,588,449	20,391,590

DEBT OUTSTANDING - 2025 thru 2034 - UTILITY FUND

Utility Fund	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Principal O/S	20,391,590	19,155,990	20,875,885	19,539,340	18,144,681	16,700,681	15,207,340	13,659,658	12,049,522	10,375,045	8,635,000	7,140,000
2009 GO Ref*												
Refunding past issues												
See Note 1:												
See Note 2:												
2012 GO Ref***												
Refunding past issues; paid												
2013 GO Ref***												
Refunding past issues												
2015 GO Ref***												
See note 3:												
Commerce Park -Ph 2												
Principal Payments	(1,235,600)	(2,995,000)	(1,336,545)	(1,394,659)	(1,444,000)	(1,493,341)	(1,547,682)	(1,610,136)	(1,674,477)	(1,740,045)	(1,495,000)	(1,560,000)
Principal Outstanding	19,155,990	20,875,885	19,539,340	18,144,681	16,700,681	15,207,340	13,659,658	12,049,522	10,375,045	8,635,000	7,140,000	5,580,000

NOTE 1:

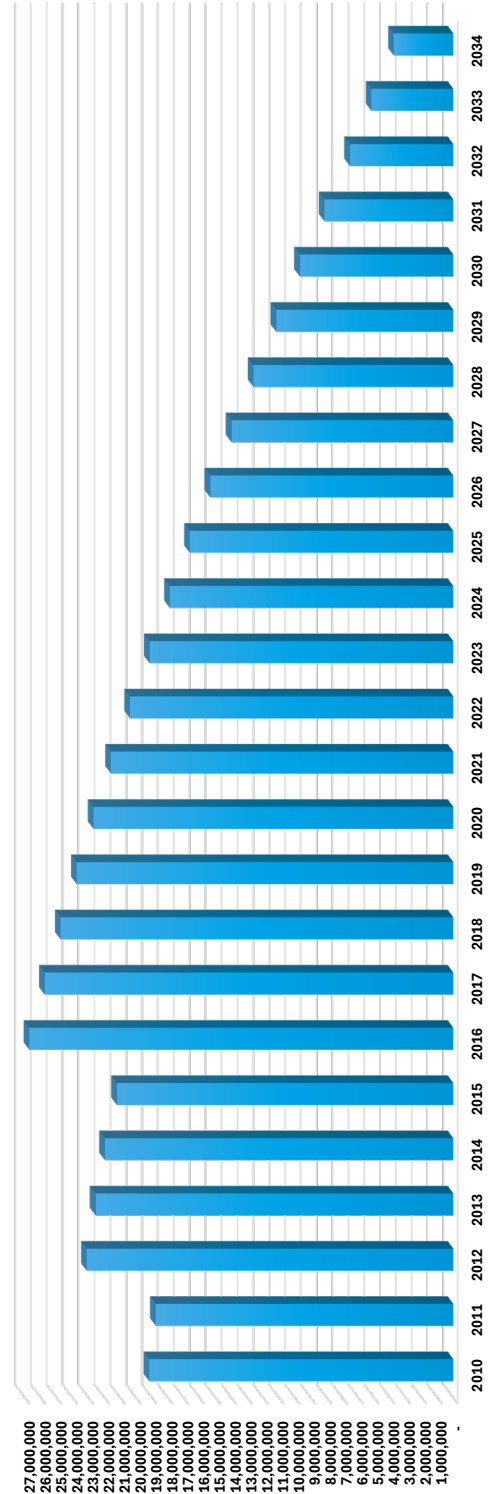
2010 CO-UF	Ritchie Plant-2.5 Mil S Ground Storage (in process)	Ritchie Plant-2.5 Mil S Ground Storage	Ritchie Road- Phase 1 - Widening
	Wmarss-city side conversion-OTR-L-S #4(in process)	Wmarss-city side conversion-OTR-L-S #4	TxDot- FM2113-Utilities
	Wmarss-Castleman Creek Lift Station at I35	Wmarss-Castleman Creek Lift Station at I35 (in process)	Wmarss-Castleman Creek Lift Station at I35
	TxDot-Utility Relocate for Hewitt Dr Widening	Patriot Court-Utilities	Chemical Building-Plant#1
	Ground Storage Tank Rehab-Plant #1	Community Services-Facilities	Inflow & Infiltration
	Utilities-Mobile Home, Sun Valley	Sun Valley Waterline	Driveway to Commerce Park Plant
	Land-Elev & Ground sites	Barnett Driveway	Sun Valley Bores
	Software/hardware upgrade (city-wide infrastructure)	Software/hardware upgrade (city-wide infrastructure)	East Warren-utilities

* 2009 GO Refunding is comprised of 93 CO, 96 CO, 97 CO and 99 GO. Final payment in FY 18/19.

*** 2013 GO Refunding of 2004 CO. Final payment in FY 23/24.

**** 2015 GO Refunding of 2007 issue for wmarss debt. Final payment in FY 31/32.

UTILITY FUND - Principal Outstanding





COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 4.

SUBMITTED BY: Tracy Lankford, Community Development Director

ITEM DESCRIPTION:

Public hearing and possible action on **Ordinance No. 2024-04** to change the zoning of a portion of James Sprowl Survey, Ab 817, being a 36.838-acre tract located at the southwest corner of the intersection of S. Hewitt Dr. and Interstate 35, from R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District.

STAFF RECOMMENDATION/ITEM SUMMARY:

Jonathan Kerby submitted a request to change the zoning of a portion of James Sprowl Survey, Ab 817, being a 36.838-acre tract of an original 50.7692 acre tract, located at the southwest corner of the intersection of S. Hewitt Dr. and Interstate 35, from R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District. The Planning and Zoning Commission met on Thursday, March 7, 2024, to consider the request. After a public hearing and deliberation, the commission recommends approval of the request as submitted by a vote of 6 to 0.

FISCAL IMPACT:

Amount Budgeted -N/A
Line Item in Budget - N/A

SUGGESTED MOTION:

I move to approve **Ordinance No. 2024-04**, which will change the zoning of a portion of James Sprowl Survey, Ab 817, a 36.838-acre tract located at the southwest corner of the intersection of S. Hewitt Dr and Interstate 35 from R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District.

ATTACHMENTS:

1. PZ Minutes 03072024
2. Planning & Zoning Agenda Packet 03072024.1
3. 2024-04 Rezone ordinance -Kimley-Horn R-1 & C-O to C-2
4. Exhibit A



PLANNING & ZONING COMMISSION NOTICE OF MEETING

March 7, 2024 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

Members Absent: 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 of Jonathan Kerby to rezone a portion of James Sprowl Survey Acres 50.7692 at the Southwest Corner of N Interstate 35 Frontage Road and South Hewitt Drive from R-1 Single Family Residential to C-2 General Commercial.
Public Hearing opened at 6:01PM. Rob Lewis with Kimley-Horn was present to answer any questions. No questions were asked.
2. Consider a request of Jonathan Kerby to rezone a portion of James Sprowl Survey Acres 50.7692 at the Southwest Corner of N Interstate 35 Frontage Road and South Hewitt Drive from C-O Outdoor Commercial to C-2 General Commercial.
Rob Lewis with Kimley-Horn was present to answer any questions. No questions were asked. Public Hearing closed at 6:02PM.

REGULAR AGENDA ITEMS

3. Consider a request of Jonathan Kerby to rezone a portion of James Sprowl Survey Acres 50.7692 at the Southwest Corner of N Interstate 35 Frontage Road and South Hewitt Drive from R-1 Single Family Residential to C-2 General Commercial.
A motion was made by Travis Bailey, seconded by Brian Dalrumple, to recommend approval for the re-zone request. All six in favor, motion to go before City Council April 1, 2024.
4. Consider a request of Jonathan Kerby to rezone a portion of James Sprowl Survey Acres 50.7692 at the Southwest Corner of N Interstate 35 Frontage Road and South Hewitt Drive from C-O Outdoor Commercial to C-2 General Commercial.
A motion was made by Travis Bailey, seconded by Dustin Crawford, to recommend approval of the re-zone request. All six in favor, motion to go before City Council April 1, 2024.
5. Consider approval of minutes for the December 5, 2023 regular Planning and Zoning Meeting.
A motion was made by Travis Bailey, seconded by Brian Dalrumple, to approve the minutes as submitted, but allow for corrections. All six in favor, motion passed.

ADJOURNMENT

Meeting is adjourned at 6:04PM.

Approved: _____
Chairman

ATTEST:

Brittney Cantu
City of Hewitt Zoning Secretary

Tracy Lankford
Community Development Director



PLANNING & ZONING COMMISSION NOTICE OF MEETING

March 7, 2024 at 6:00 PM

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

AGENDA

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

Planning and Zoning meetings are held as needed on the first Tuesday of each month at 6 PM in the City of Hewitt Council Chambers unless otherwise posted.

CALL TO ORDER

PUBLIC HEARING(S) AND RELATED ACTION

1. Consider a request of Jonathan Kerby to rezone a portion of Sprowles J Acres 50.7692 at the Southwest Corner of N Interstaste 35 Frontage Road and South Hewitt Drive from R-1 Single Family Residential to C-2 General Commercial.
2. Consider a request of Jonathan Kerby to rezone a portion of Sprowles J Acres 50.7692 at the Southwest Corner of N Interstaste 35 Frontage Road and South Hewitt Drive from C-O Outdoor Commercial to C-2 General Commercial.

REGULAR AGENDA ITEMS

3. Consider a request of Jonathan Kerby to rezone a portion of Sprowles J Acres 50.7692 at the Southwest Corner of N Interstaste 35 Frontage Road and South Hewitt Drive from R-1 Single Family Residential to C-2 General Commercial.
4. Consider a request of Jonathan Kerby to rezone a portion of Sprowles J Acres 50.7692 at the Southwest Corner of N Interstaste 35 Frontage Road and South Hewitt Drive from C-O Outdoor Commercial to C-2 General Commercial.
5. Consider approval of minutes for the December 5, 2023 regular Planning and Zoning Meeting.

ADJOURNMENT

I, the undersigned authority, do hereby certify that the above notice of a meeting of the Planning and Zoning Commission of the City of Hewitt, Texas was posted on a Public Notice Board located in front of City Hall on March 4, by 5:00 PM.

CITY OF HEWITT

Brittney Cantu

Brittney Cantu
City of Hewitt Zoning 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 Zoning Secretary at 254.666.6173.

HEWITT TEXAS

PLANNING AND ZONING ADMENDMENT OF THE ZONING ORDINANCE

Legal Description of Property: SPROWLES J Acres 50.7692

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.

±37.10 Acres @ SWC of N Interstate 35 Frontage Rd & S Hewitt Dr Hewitt, TX 76643

Zoning Change From R-1 & C-O to C-2

Please describe the interest in property:

The property is being developed to serve retail tenants.

Existing Building(s) on Property: N/A

Total square feet of all Buildings on Property: N/A

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

Ownership (deed): Doc. #/MCC No.: 2015032867

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): 03/05/2024

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: WARREN BROTHERS FARMS LLC

Telephone Number: _____

Mailing Address: 4508 UNIVERSITY BLVD UNIT C, DALLAS, TX, 75205

Email Address: _____

Signature of Property Owner: Peggy Sumner

Date: 1/30/2024

Name of Applicant/Representative: JONATHAN KERBY

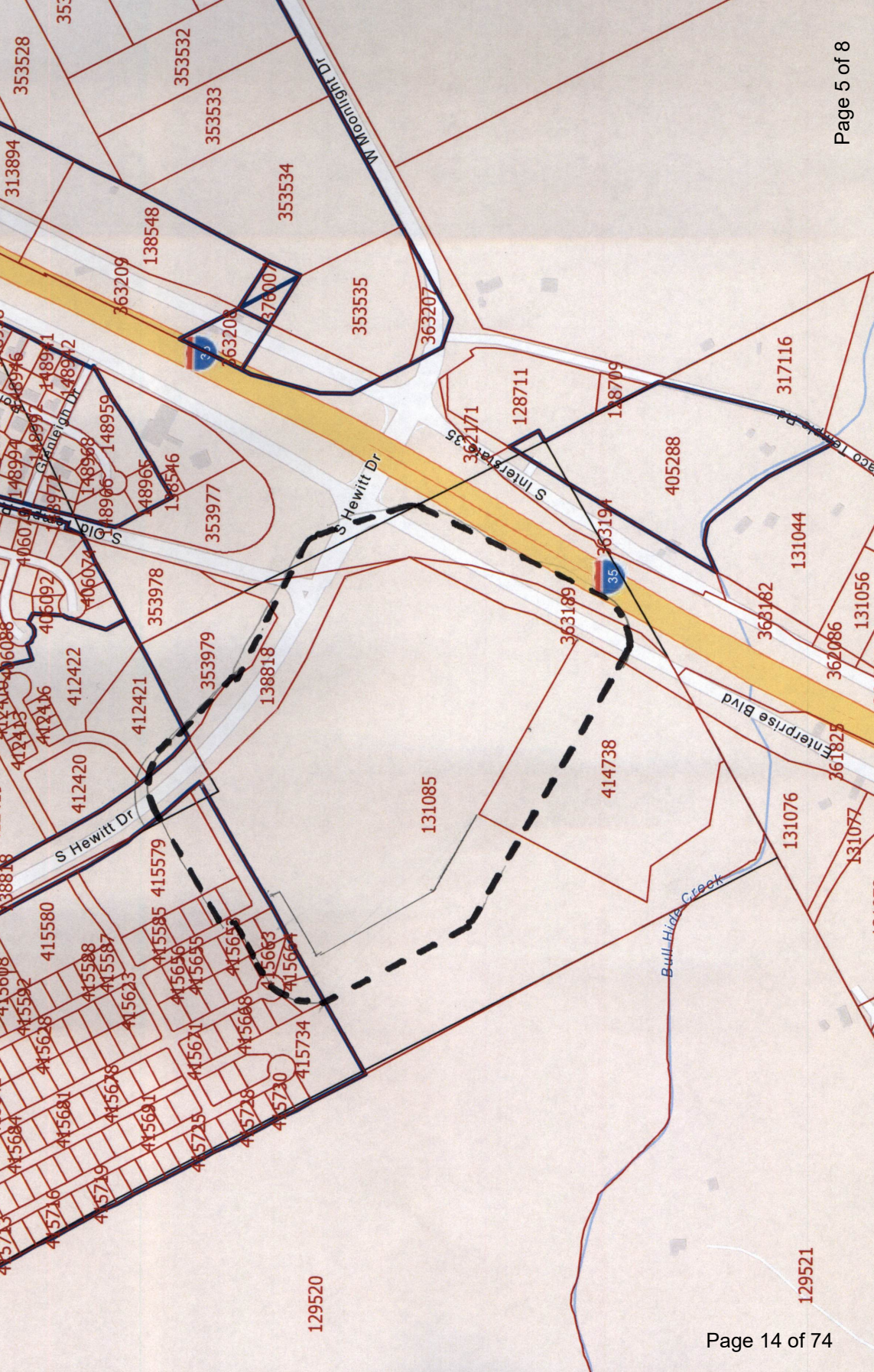
Telephone Number: 972-770-1370

Mailing Address: 2600 N. CENTRAL EXPRESSWAY, SUITE 400, RICHARDSON, TX 75080

Email Address: JONATHAN.KERBY@KIMLEY-HORN.COM

Signature of Applicant/Representative: [Signature]

Date: 1/31/2024



ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF HEWITT, TEXAS, AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND C-O OUTDOOR COMMERCIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by Jonathan Kerby, Kimley-Horn, to rezone property known as a portion of James Prowl Survey, Ab 817, being a 37.1-acre tract located at the southwest corner of IH-35 frontage Rd. and S. Hewitt Dr, Hewitt, McLennan County, Texas, from **R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District**

WHEREAS, public notice was given, and property owners within 200' were notified of the rezoning request as required by state law and

WHEREAS, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on April 15, 2024, after due notice in the manner provided by law, and

WHEREAS, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Thursday, March, 7, 2024, after due notice in the manner provided by law, and

WHEREAS, a site plan of the proposed development was presented and discussed, and

WHEREAS, the said Commission has made a report to the City Council of the City of Hewitt, Texas, recommending approval of this rezoning request by a unanimous vote and

WHEREAS, the City Council of the City of Hewitt, Texas, deems that this rezoning is in accordance with the Comprehensive Land Use Plan and is in the public interest;

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

SECTION ONE. A portion of that certain tract or parcel of land in McLennan County, Texas, known as a portion of James Prowl Survey, Abstract 817, being a 37.1-acre tract located at the southwest corner of IH-35 frontage Rd. and S. Hewitt Dr, from R-1 Single Family Residential District and C-O Outdoor Commercial District to C-2 General Commercial District.

SECTION TWO. A proposed map of the area is shown in Exhibit “A.”

SECTION THREE. All ordinances, statutes, restrictions, and regulations applicable to this property, as well as all zoning restrictions and regulations applicable to this property, shall be complied with.

SECTION FOUR. All provisions of the ordinances of the City of Hewitt that conflict with these provisions are hereby repealed, and all other provisions of the ordinances of the City of Hewitt that do not conflict with these provisions shall remain in full force and effect.

SECTION FIVE. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

SECTION SIX. Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

SECTION SEVEN. The caption of this ordinance shall be published in a newspaper of general circulation in the City of Hewitt within ten (10) days of its passage.

SECTION EIGHT. This ordinance shall become effective ten (10) days after its passage and upon its publication as required by law.

PASSED AND APPROVED this the 15th day of April 2024 at a Regular Meeting of the City Council of Hewitt, Texas.

CITY OF HEWITT

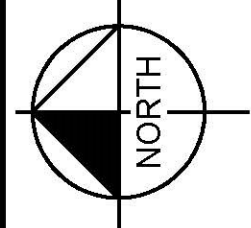
Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Michael W. Dixon, City Attorney



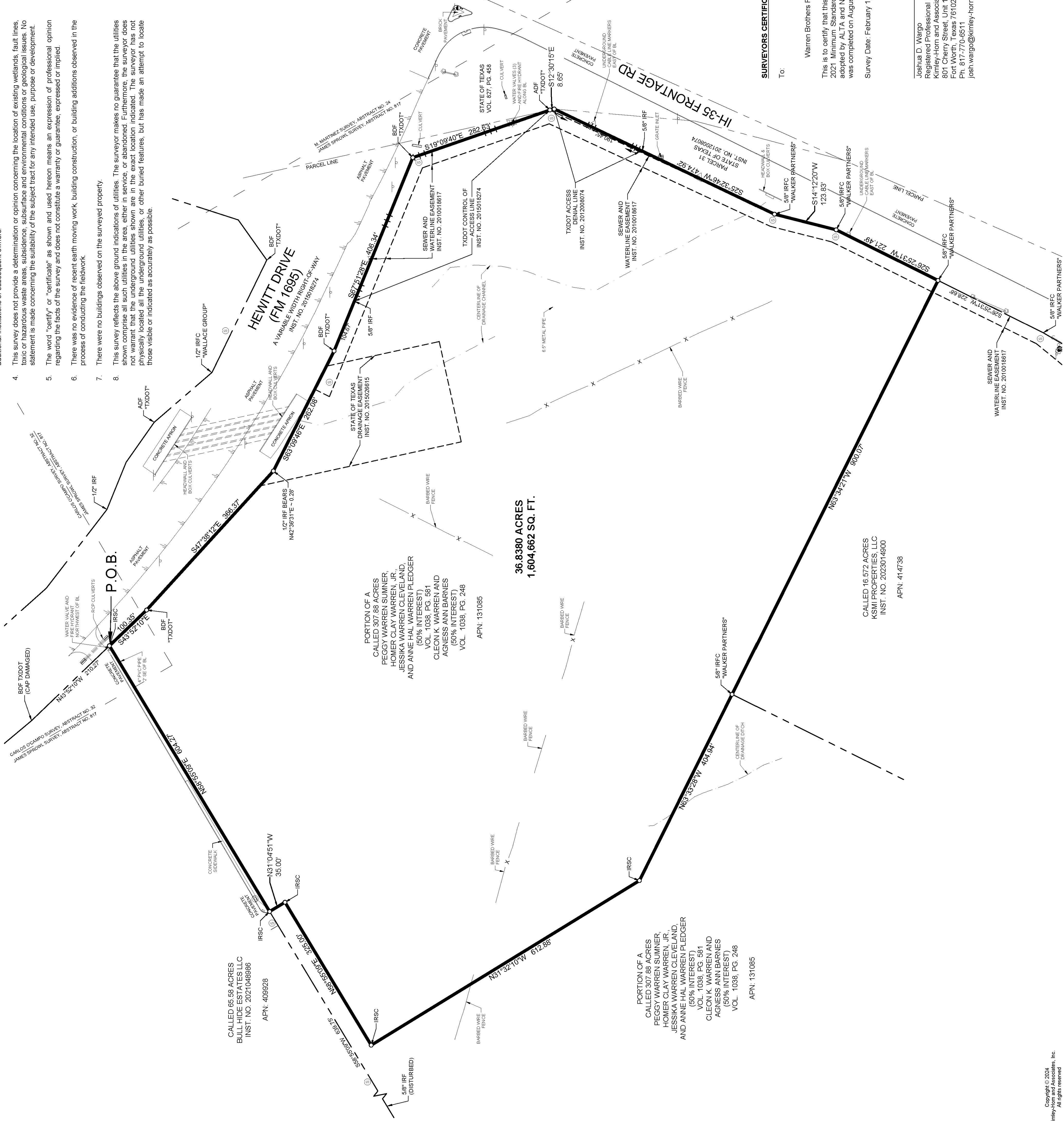
FLOOD STATEMENT:

According to Map No. 48303C05-00D, dated December 20, 2019 of the National Flood Insurance Program Map, Flood Insurance Rate Map of McLennan County, Texas, Federal Emergency Management Agency, Federal Insurance Administration, this property is not located within a special flood hazard area. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

NOTES

- The bearing system for this survey is based on the Texas Coordinate System of 1983 (2011), Central Zone 4203 based on observations made on August 8, 2023 with an applied combined scale factor of 1.00012.
- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject tract: easements, building setback lines, restrictive covenants, subdivision restrictions, zoning or other land-use regulations, agreements, lease agreements and ownership title evidence.
- Any declaration made herein or herein is made to the original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
- This survey does not provide a determination or opinion concerning the location of existing wetlands, fault lines, toxic or hazardous waste areas, subsidence, subsurface and environmental conditions or geological issues. No statement is made concerning the suitability of the subject tract for any intended use, purpose or development.
- The word "certify" or "certification" as shown and used herein means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
- There was no evidence of recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork.
- There were no buildings observed on the surveyed property.

This survey reflects the above ground indications of utilities. The surveyor makes no guarantee that the utilities shown comprise all such utilities in the area, either in service, or abandoned. Furthermore, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. The surveyor has not physically located all the underground utilities, or other buried features, but has made an attempt to locate those visible or indicated as accurately as possible.



DESCRIPTION OF SURVEYED PROPERTY

BEING a 36.8380 acre (1,604,662 square foot) tract of land situated in the James Sprowl Survey, Abstract No. 817, and the Carlos O'Campo Survey, Abstract No. 32, City of Hewitt, McLennan County, Texas, and being part of a called 307.88 acre tract of land described in the Warranty Deeds to Peggy Warren Sumner, Homer Clay Warren, Jr., Jessica Warren Cleveland, and Anne Hal Warren Pledger recorded in Volume 1038, Page 881, and to Cleon K. Warren, and Agness Ann Barnes recorded in Volume 1038, Page 248, Deed Records, McLennan County, Texas, said tract being more particularly described as follows:

BEGINNING at a 5/8-inch iron rod with cap stamped "KH4" set for the easternmost corner of a called 65.56 acre tract called "BULL-HIDE ESTATES LLC" (INST. NO. 2021048986) in the James Sprowl Survey, Abstract No. 817, and being part of a called 307.88 acre tract of land described in the Warranty Deeds to Peggy Warren Sumner, Homer Clay Warren, Jr., Jessica Warren Cleveland, and Anne Hal Warren Pledger recorded in Volume 1038, Page 881, and to Cleon K. Warren, and Agness Ann Barnes recorded in Volume 1038, Page 248, Deed Records, McLennan County, Texas, said tract being more particularly described as follows:

THENCE along the said southwest right-of-way line of Hewitt Drive the following five (5) calls:

South 43°52'10" East, a distance of 100.35 feet to a brass disk stamped "TXDOT" found for corner,
South 47°38'12" East, a distance of 366.37 feet to a point for corner, from which a 1/2-inch iron rod found bears North 42°36'31" East, a distance of 0.28 feet,

South 63°09'46" East, a distance of 202.08 feet to a brass disk stamped "TXDOT" found for corner,

South 67°51'28" East, at a distance of 104.67 feet passing a 5/8-inch iron rod found, and continuing in all a total distance of 406.34 feet to a brass disk stamped "TXDOT" found for corner,

South 19°09'40" East, a distance of 282.63 feet to an aluminum disk stamped "TXDOT" found for corner, being the southeast corner of a called 16.572 acre tract of land described in the Warranty Deeds to Peggy Warren Sumner, Homer Clay Warren, Jr., Jessica Warren Cleveland, and Anne Hal Warren Pledger recorded in Volume 827, Page 468, said Deed Records, and being in the northwest right-of-way line of Interstate Highway No. 35, a variable width right-of-way.

THENCE South 12°30'15" East, along the said westerly line, and along the said northwest right-of-way line of Interstate Highway No. 35, a distance of 8.65 feet to a point for corner, being at an angle point in the said westerly line, and being at the northernmost corner of Parcel 31 described in Deed to the State of Texas recorded in Instrument No. 2012008074, said Official Public Records,

THENCE continuing along the said northwest right-of-way line, and along the northwest line of said Parcel 31, the following three (3) calls:

South 25°32'46" West, at a distance of 190.45 feet passing a 5/8-inch iron rod found at Sta. 1611+25.86, and continuing in all a total distance of 474.92 feet to a 5/8-inch iron rod with cap stamped "WALKER PARTNERS" found for corner,

South 14°12'20" West, a distance of 123.83 feet to a 5/8-inch iron rod with cap stamped "WALKER PARTNERS" found for corner,

South 26°28'53" West, a distance of 221.49 feet to a 5/8-inch iron rod with cap stamped "WALKER PARTNERS" found for corner, being the east corner of a called 16.572 acre tract of land described in Special Warranty Deed to KSMI Properties, LLC recorded in Instrument No. 2023014800, said Official Public Records, from which a 5/8-inch iron rod with cap stamped "WALKER PARTNERS" found bears South 26°25'31" West, a distance of 228.88 feet;

THENCE North 63°34'21" West, departing the said northwest right-of-way line, and along the northeast line of the said called 16.572 acre tract, a distance of 900.07 feet to a 5/8-inch iron rod with cap stamped "WALKER PARTNERS" found for corner, being the north corner of the said called 16.572 acre tract;

THENCE North 63°32'28" West, a distance of 404.94 feet to a 5/8-inch iron rod with cap stamped "KH4" set for corner, being the east corner of a called 16.572 acre tract of land described in Special Warranty Deed to KSMI Properties, LLC recorded in Instrument No. 2023014800, said Official Public Records, from which a 5/8-inch iron rod with cap stamped "KH4" set for corner,

THENCE North 58°55'09" East, a distance of 325.00 feet to a 5/8-inch iron rod with cap stamped "KH4" set for corner,

THENCE North 31°04'51" West, a distance of 35.00 feet to a 5/8-inch iron rod with cap stamped "KH4" set for corner in the southeast line of the aforementioned called 65.58 acre tract, from which a 5/8-inch iron rod (disturbed) found for a reference point in the said southeast line bears South 68°55'09" West, a distance of 639.75 feet;

THENCE North 58°55'09" East, along the said southeast line, a distance of 604.27 feet to the **POINT OF BEGINNING** and containing 1,604,662 square feet or 36.8380 acres of land, more or less.

NOTES ADDRESSING SCHEDULE B EXCEPTIONS

(Pursuant to Commitment for Title Insurance, issued by Commonwealth Land Title Insurance Company, GF. No. CWD-11C-22011230077-ZM, effective date December 7, 2023, issued December 18, 2023.)

- The easement recorded in Instrument No. 2010018617, Official Public Records, McLennan County, Texas is located on the subject tract as shown hereon.
- The easement recorded in Instrument No. 2015028615, Official Public Records, McLennan County, Texas is located on the subject tract as shown hereon.

SURVEYORS CERTIFICATION

To: Warren Brothers Farms, LLC:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 3, 4, 8, 9, 13 and 16 of Table A thereof. The field work was completed on August 30, 2023.

Survey Date: February 1, 2024

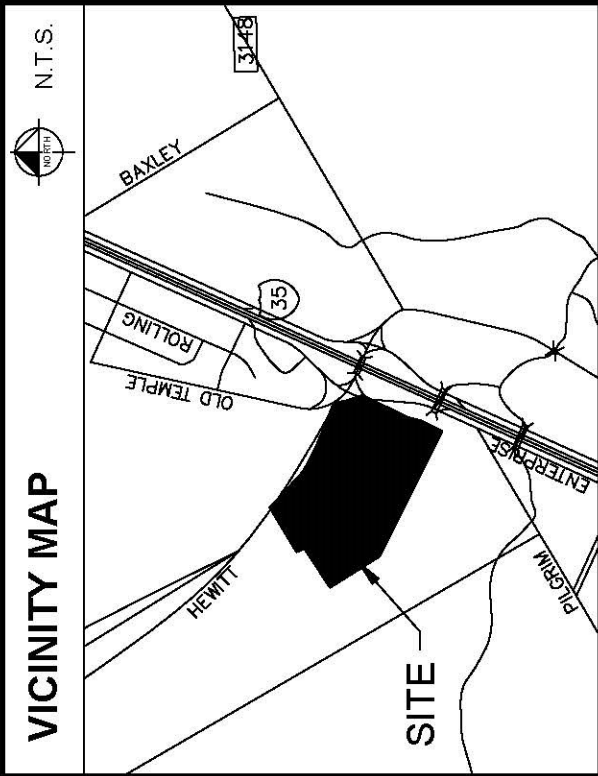
Joshua D. Wargo
Registered Professional Land Surveyor No. 6391
KIMLEY-HORN, INC.
801 Cherry Street, Suite 1100
Fort Worth, Texas 76102
Ph: 817-770-6511
josh.wargo@kimley-horn.com

Called 16.572 Acres
KSMI Properties, LLC
Inst. No. 2023014800
APN: 417738

36.8380 ACRES
1,604,662 SQ. FT.

PORTION OF A
CALLED 307.88 ACRES
PEGGY WARREN SUMNER,
HOMER CLAY WARREN, JR.,
JESSIKA WARREN CLEVELAND,
AND ANNE HAL WARREN PLEDGER
(50% INTEREST)
VOL. 1038, PG. 881
CLEON K. WARREN AND
AGNESS ANN BARNES
(50% INTEREST)
VOL. 1038, PG. 248
APN: 131085

PORTION OF A
CALLED 307.88 ACRES
PEGGY WARREN SUMNER,
HOMER CLAY WARREN, JR.,
JESSIKA WARREN CLEVELAND,
AND ANNE HAL WARREN PLEDGER
(50% INTEREST)
VOL. 1038, PG. 881
CLEON K. WARREN AND
AGNESS ANN BARNES
(50% INTEREST)
VOL. 1038, PG. 248
APN: 131085



LEGEND	
1	ROOF DRAIN
2	WALL BOX
3	SEWER CLEAN-OUT
4	SANITARY SEWER MANHOLE
5	CABLE TV MANHOLE
6	SANITARY SEWER JUNCTION
7	CABLE TV MANHOLE
8	SANITARY SEWER BENT
9	SANITARY SEWER VALVE
10	STORM SEWER VALVE
11	STORM SEWER CLEAN-OUT
12	COMMUNICATIONS MANHOLE
13	STORM SEWER MANHOLE
14	COMMUNICATIONS MANHOLE
15	TRAFFIC BARBER
16	TRAFFIC BOLLARD
17	FIBER OPTIC BOX
18	200535 NAIL CANAL
19	FIBER OPTIC MANHOLE
20	TRAFFIC MANHOLE
21	FIBER OPTIC MANHOLE
22	TRAFFIC MANHOLE
23	FIBER OPTIC MANHOLE
24	TRAFFIC MANHOLE
25	MONITORING WELL
26	WATER VALVE
27	WATER VALVE
28	WATER VALVE
29	WATER VALVE
30	WATER VALVE
31	WATER VALVE
32	WATER VALVE
33	WATER VALVE
34	WATER VALVE
35	WATER VALVE
36	WATER VALVE
37	WATER VALVE
38	WATER VALVE
39	WATER VALVE
40	WATER VALVE
41	WATER VALVE
42	WATER VALVE
43	WATER VALVE
44	WATER VALVE
45	WATER VALVE
46	WATER VALVE
47	WATER VALVE
48	WATER VALVE
49	WATER VALVE
50	WATER VALVE
51	WATER VALVE
52	WATER VALVE
53	WATER VALVE
54	WATER VALVE
55	WATER VALVE
56	WATER VALVE
57	WATER VALVE
58	WATER VALVE
59	WATER VALVE
60	WATER VALVE
61	WATER VALVE
62	WATER VALVE
63	WATER VALVE
64	WATER VALVE
65	WATER VALVE
66	WATER VALVE
67	WATER VALVE
68	WATER VALVE
69	WATER VALVE
70	WATER VALVE
71	WATER VALVE
72	WATER VALVE
73	WATER VALVE
74	WATER VALVE
75	WATER VALVE
76	WATER VALVE
77	WATER VALVE
78	WATER VALVE
79	WATER VALVE
80	WATER VALVE
81	WATER VALVE
82	WATER VALVE
83	WATER VALVE
84	WATER VALVE
85	WATER VALVE
86	WATER VALVE
87	WATER VALVE
88	WATER VALVE
89	WATER VALVE
90	WATER VALVE
91	WATER VALVE
92	WATER VALVE
93	WATER VALVE
94	WATER VALVE
95	WATER VALVE
96	WATER VALVE
97	WATER VALVE
98	WATER VALVE
99	WATER VALVE
100	WATER VALVE

LINE TYPE LEGEND

1	BOUNDARY LINE
2	BOUNDARY LINE
3	BOUNDARY LINE
4	BOUNDARY LINE
5	BOUNDARY LINE
6	BOUNDARY LINE
7	BOUNDARY LINE
8	BOUNDARY LINE
9	BOUNDARY LINE
10	BOUNDARY LINE
11	BOUNDARY LINE
12	BOUNDARY LINE
13	BOUNDARY LINE
14	BOUNDARY LINE
15	BOUNDARY LINE
16	BOUNDARY LINE
17	BOUNDARY LINE
18	BOUNDARY LINE
19	BOUNDARY LINE
20	BOUNDARY LINE
21	BOUNDARY LINE
22	BOUNDARY LINE
23	BOUNDARY LINE
24	BOUNDARY LINE
25	BOUNDARY LINE
26	BOUNDARY LINE
27	BOUNDARY LINE
28	BOUNDARY LINE
29	BOUNDARY LINE
30	BOUNDARY LINE
31	BOUNDARY LINE
32	BOUNDARY LINE
33	BOUNDARY LINE
34	BOUNDARY LINE
35	BOUNDARY LINE
36	BOUNDARY LINE
37	BOUNDARY LINE
38	BOUNDARY LINE
39	BOUNDARY LINE
40	BOUNDARY LINE
41	BOUNDARY LINE
42	BOUNDARY LINE
43	BOUNDARY LINE
44	BOUNDARY LINE
45	BOUNDARY LINE
46	BOUNDARY LINE
47	BOUNDARY LINE
48	BOUNDARY LINE
49	BOUNDARY LINE
50	BOUNDARY LINE
51	BOUNDARY LINE
52	BOUNDARY LINE
53	BOUNDARY LINE
54	BOUNDARY LINE
55	BOUNDARY LINE
56	BOUNDARY LINE
57	BOUNDARY LINE
58	BOUNDARY LINE
59	BOUNDARY LINE
60	BOUNDARY LINE
61	BOUNDARY LINE
62	BOUNDARY LINE
63	BOUNDARY LINE
64	BOUNDARY LINE
65	BOUNDARY LINE
66	BOUNDARY LINE
67	BOUNDARY LINE
68	BOUNDARY LINE
69	BOUNDARY LINE
70	BOUNDARY LINE
71	BOUNDARY LINE
72	BOUNDARY LINE
73	BOUNDARY LINE
74	BOUNDARY LINE
75	BOUNDARY LINE
76	BOUNDARY LINE
77	BOUNDARY LINE
78	BOUNDARY LINE
79	BOUNDARY LINE
80	BOUNDARY LINE
81	BOUNDARY LINE
82	BOUNDARY LINE
83	BOUNDARY LINE
84	BOUNDARY LINE
85	BOUNDARY LINE
86	BOUNDARY LINE
87	BOUNDARY LINE
88	BOUNDARY LINE
89	BOUNDARY LINE
90	BOUNDARY LINE
91	BOUNDARY LINE
92	BOUNDARY LINE
93	BOUNDARY LINE
94	BOUNDARY LINE
95	BOUNDARY LINE
96	BOUNDARY LINE
97	BOUNDARY LINE
98	BOUNDARY LINE
99	BOUNDARY LINE
100	BOUNDARY LINE



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 5.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Public hearing and possible action on **Ordinance No. 2024-08** on the petition of the owner, Intrust Properties, Ltd, for annexation, the City of Hewitt intends to annex a 1.077-acre tract of land in the Carlos O'Campo Grant, Abstract 32, in McLennan County, Texas and being that portion of a called 81.664 acres of land described in a deed to Intrust Properties, Ltd of record as Instrument 2004032031 in the Official Public Records of McLennan County.

STAFF RECOMMENDATION/ITEM SUMMARY:

Intrust Properties, Ltd. previously constructed a detention pond in Commerce Park (just on the north side of Atwoods). The pond and channel had been dedicated and accepted as a "Public Improvement" in Commerce Park at the time of final plat approval. A portion (1.077 acres) of the detention pond is just outside of Hewitt's corporate boundary and has recently been released from the City of Waco's ETJ. Mr. Liles is now petitioning for the City of Hewitt to annex that 1.077 acres into Hewitt's corporate boundary.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

I move approval of **Ordinance 2024-08** authorizing the City Manager to execute all documents related to the ordinance as presented.

ATTACHMENTS:

1. Hewitt Annexation Ordinance revised
2. Exhibit A - Hewitt Petition and Legal Description
3. Exhibit B - Service Plan Agreement COH - Intrust Properties

CITY OF HEWITT, TEXAS

ORDINANCE NO. 2024-08

ANNEXATION ORDINANCE

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS TO VOLUNTARILY ANNEX APPROXIMATELY 1.077 ACRES OF LAND THAT IS ADJACENT AND CONTIGUOUS TERRITORY INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF HEWITT, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, Chapter 43, Subchapter C-3, Section 43.0671 of the Texas Local Government Code authorizes a municipality to extend the boundaries of the municipality and annex area adjacent to the municipality on request of the owners of such property; and

WHEREAS, the City of Hewitt, Texas ("City") is a home rule municipality with the rights and privileges thereto; and

WHEREAS, the City received a written request of the property owner requesting the voluntary annexation of the area consisting of approximately 1.077 acres of land described in Exhibit "A"; and

WHEREAS, the approximately 1.077 acres of land identified in Exhibit "A," are adjacent and contiguous to the city limits; and

WHEREAS, the City entered into a written agreement with the property owner regarding services to be provided upon annexation attached hereto as Exhibit "B"; and

WHEREAS, the City Council of the City of Hewitt ("City Council") has conducted a public hearing on _____, regarding the annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Hewitt, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. ANNEXATION OF TERRITORY

- A. The properties in the area described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Hewitt, and is made an integral part, hereof.
- B. The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Hewitt and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

3. EFFECTIVE DATE

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

- A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the McLennan County Clerk.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED this _____ day of _____, 2024.

STEVE FORTENBERRY, MAYOR

ATTEST:

LYDIA LOPEZ, CITY SECRETARY

APPROVED:

MICHAEL W. DIXON, CITY ATTORNEY



April 18, 2024

City of Hewitt

Bo Thomas – City Manager

***RE: PETITION REQUESTING THE ANNEXATION OF PROPERTY FORMERLY IN THE
WACO ETJ***

I, Curt Liles, General Managing Partner of Intrust Properties LTD, which is the owner of a tract of land {“Property”) formerly located partially within the extraterritorial jurisdiction (“ETJ”) of the City of Waco, Texas (“City”). The Property is identified by deed, legal description and survey in the attached Exhibit A. Let this letter serve as a petition for annexation of the Property into the City of Hewitt.

Signed and executed this 18th day of April, 2024.

A handwritten signature in blue ink, appearing to read "Curt Liles", is written over a horizontal line.

Curt Liles – General Managing Partner

Intrust Properties LTD

DOB: 11/12/1958

Residence Address: 1706 Thornridge Dr Woodway, Tx 76712

Date of Signing: 4/18/2024

Exhibit A

EXHIBIT A

Legal Description:

O'CAMPO C A-32 Tract 1D Acres 3.843

Page 25 of 74

Mitchell & Associates, Inc.
Surveying

Field notes for 1.077 Acres of land in the Carlos O'Campo Grant, Abstract No. 32 in McLennan County, Texas and being that portion of a called 81.664 acres of land described in a deed to Intrust Properties LLC of record in Instrument 2004032031 of the Official Public Records of McLennan County, Texas that lies within the City of Waco, Texas Extraterritorial Jurisdiction (ETJ). Said 1.077 acres being shown on the attached Surveyor's Sketch and described as follows with bearings based on the Texas Coordinate System, Central Zone, NAD 83 as determined by Leica Texas SmartNet GPS observations.

Beginning at an Aluminum Cap TxDOT Monument found, Texas Grid N:10510705.82; E 3283056.26, in the west line of Interstate Highway No. 35, in the north line of the above referenced 81.664 acres at the northwest corner of that called 1.158 acres described in a deed to the State of Texas of record as Instrument 2006042728 in the said Official Public Records being in the south line of the A.V.M Properties 74.54 acres of record in Volume 1784, Page 714 of the McLennan County Deed Records,

Thence S 27degrees 31minutes 35seconds W 125.45 feet, along the west line of the highway and the said 1.158 acres to a ½ inch steel rod capped M&A set in the north line of the City of Hewitt, Texas and the line of the City of Waco ETJ,

Thence through the said 81.664 acres and along the said Corporate Limits of Hewitt, Texas and ETJ of the City of Waco, Texas:

N 63degrees 04minutes 34seconds W 289.89 feet to a MAG Nail and washer set in concrete, and N 47degrees 49minutes 58seconds W 289.81 feet to a ½ inch steel rod found in the north line of the said 81.664 acres and the south line of A.V.M. Properties 74.54 acres at the northwest corner of Lot 16, Block 1 of the Commerce Park @ I-35 Hewitt Addition according to the plat recorded as Instrument 2021049018 in the said Official Public Records,

Thence S 68degrees 00minutes 23seconds E 572.95 feet along the north line of the 81.664 acres to the Point of Beginning.

Surveyed February 8, 2024

Gale Arnold R.P.L.S. 3879



600 Austin Avenue, Suite 29 Waco, Texas 76701
A Subsidiary of Mitchell & Associates, Inc., Killeen, TX
TBPLS Firm Registration Number 10194044
Phone 254.776.5151 FAX 254.776.5152

Exhibit A

MCC 2004032031 5 pgs

WARRANTY DEED

Date: August 9th, 2004

Grantor: ED LILES, owning and occupying other property as his homestead.

Grantor's Mailing Address (including county):

Grantee: INTRUST PROPERTIES, LTD., a Texas Limited Partnership

Grantee's Mailing Address (including county):
415 Enterprise Boulevard, Hewitt, McLennan County, Texas 76643.

Consideration:
TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration.

Property (including any improvements):
TRACT 1

BEING 81.664 acres of land out of the Carlos O'Campo Grant #32, in McLennan County, Texas. Being all that certain called 82.076 acre tract of land conveyed to Dale Hill in volume 1737, Page 575 of the Deed Records of McLennan County, Texas, being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

TRACT 2

BEING 65.415 acres of land out of the Carlos O'Campo Grant in McLennan County, Texas, and being part of the Bedford D. Edwards 75.11 acre tract of land described in the deed recorded in Volume 1387, Page 840 of the Deed Records of McLennan County, Texas; and being more particularly described by metes and bounds on Exhibit "B" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to all reservations, restrictions, easements and mineral interests of record in McLennan County, Texas, affecting the subject property.

K:\CASES\JUS528-001\Liles-Intrust.CWD.wpd

Exhibit A

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and to hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Ed Liles
ED LILES

THE STATE OF TEXAS §
§
COUNTY OF MCLENNAN §

This instrument was acknowledged before me on the 9th day of August, 2004, by Ed Liles.



Virginia Elvira Comer
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Intrust Properties
415 Enterprise Blvd.
Hewitt, TX. 76643

PREPARED IN THE LAW OFFICE OF:
SHEEHY, LOVELACE & MAYFIELD, P.C.
510 N. Valley Mills Drive, Suite 500
Waco, Texas 76710

EXHIBIT "A"

Field notes for survey of 81.664 acres of land in the Carlos O' Campo Grant, #32, McLennan County, Texas. Being all that certain called 82.076 acre tract of land conveyed to Dale Hill in Volume 1737, Page 575 of the Deed Records of McLennan County, Texas being described by meters and bounds as follows;

Beginning at a found concrete marker by the south corner of said tract;

Thence N 62 deg. 14' 41" (called N 61 deg. 33' 28" W 922.95 feet) partway with a chain link fence and the North line of a called tract recorded in Volume 543 Page 621 O.P.R. (John Deere) A distance of 922.98 feet to a found $\frac{1}{2}$ " iron;

Thence N 26 deg. 19' 58" E (called N 28 deg. 40' 02" E 168.98) with the east line of Lot 1, Block 1 Interstate Commercial Park Addition recorded in Volume 1275, Page 754 D.R. a distance of 168.52 feet to a set $\frac{3}{8}$ " iron by a 4" treated post;

Thence N 62 deg 51' 05" W (called N 61 deg. 32' 31" W 433.26) with the north line of said Lot 1, Block 1, a distance of 429.24 feet to a found $\frac{1}{2}$ " iron;

Thence S 28 deg. 38' 06" W (called S 28 deg. 41' 38" W 198.28 feet) with the west line of said Lot 1, Block 1, of a distance of 200.68 feet to a found 1" pipe being the north corner of Lot 4, Block 1, Interstate Commercial Park Addition, Volume 1342, Page 689 D.R.;

Thence S 25 deg 28' 01" W (called S 28 Deg 38' 38" W 141.02 feet) with the east line of said Lot 4, Block 1, a distance of 146.44 feet to a found $\frac{1}{2}$ " iron next to a 4" wood post;

Thence an arc distance of 151.88 feet, radius of 1,221.28 feet to the left, long chord of N 67 deg 51' 32" W 151.58 feet to a found $\frac{1}{4}$ " iron found for a corner;

Thence an arc distance of 116.23 feet radius of 1,221.28, long chord of N 72 deg 18' 15" W 116.00 feet to a point in a center of creek;

Thence up said creek with it's meanders;

C1- N 41 deg 33' 48" W 96.34 feet
C2- N 58 deg 34' 05" W 24.93 feet
C3- N 34 deg 37' 37" W 54.00 feet
C5- N 47 deg 25' 49" W 94.85 feet
C6- N 37 deg 25' 21" W 72.79 feet
(called N 26 deg 19' 47" W 77.04 feet)
To a point in said corner;

Thence N 49 Deg 23' 20" E (called N 50 deg 17' 30" E 126.67) a distance of 196.41 feet to a set washer on a 4" cedar post;

Exhibit A

EXHIBIT "B"

FIELD NOTES FOR 65.415 ACRES OF LAND OUT OF THE CARLOS O'CAMPO GRANT IN MCLENNAN COUNTY, TEXAS AND BEING A PART OF THE BEDFORD D. EDWARDS 75.11-ACRE TRACT OF LAND DESCRIBED IN THE DEED RECORDED IN VOLUME 1387, PAGE 840 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS. ALSO BEING THE SAME TRACT OF LAND DESCRIBED IN SUBSTITUTE TRUSTEE'S DEED TO RALPH L. NEUBERT RECORDED IN VOLUME 1602, PAGE 131 OF SAID DEED RECORDS AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A CONCRETE R.O.W. MARKER IN THE EAST LINE OF (OLD WACO-TEMPLE ROAD) F.M. HIGHWAY NO. 2478, BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT ALSO BEING THE WEST LINE OF A 60 FOOT INGRESS-EGRESS EASEMENT RECORDED IN VOLUME 1726, PAGE 287 OF SAID DEED RECORDS;

THENCE S 68 DEG 23 MIN 59 SEC E, 627.67 FEET WITH EAST LINE OF SAID EASEMENT TO A SIX (6) INCH CEDAR POST AT THE NORTHEAST CORNER OF A CALLED TWO (2) ACRE TRACT OF LAND CONVEYED TO WAYNE E. GOEBEL, JR. AS RECORDED IN VOLUME 1726, PAGE 289 OF SAID DEED RECORDS FOR CORNER OF THIS;

THENCE S 34 DEG 54 MIN 56 SEC W, 482.89 FEET TO A TWELVE (12) INCH TREATED POST BEING THE NORTHWEST CORNER OF GOEBEL'S 2 ACRE TRACT;

THENCE S 66 DEG 01 MIN 32 SEC E, 183.61 FEET ALONG GOEBEL'S NORTHWEST LINE TO A TWELVE (12) INCH CEDAR POST;

THENCE S 66 DEG 21 MIN 00 SEC E, 207.81 FEET CONTINUING ALONG GOEBEL'S NORTHWEST LINE TO A TWELVE (12) INCH TREATED POST BEING THE SOUTHWEST CORNER OF A CALLED 2.25 ACRE TRACT CONVEYED TO MARVIN E. GOEBEL, JR. RECORDED IN VOLUME 1726, PAGE 289 OF SAID DEED RECORDS FOR CORNER OF THIS;

THENCE N 38 DEG 02 MIN 50 SEC E, 486.53 FEET ALONG SOUTHWEST LINE OF SAID 2.25 ACRE TRACT TO A SIX (6) INCH CEDAR POST BEING THE SOUTHEAST CORNER OF SAID 2.25 ACRE TRACT FOR CORNER OF THIS;

THENCE S 65 DEG 51 MIN 42 SEC E, 711.66 FEET ALONG THE NORTHWEST LINE OF SAID EASEMENT TO A FENCE POST;

THENCE S 64 DEG 04 MIN 52 SEC E, 1185.86 FEET CONTINUING ALONG SAID EASEMENT TO A FOUND 3/8" IRON FOR SOUTHEAST CORNER OF THIS BEING IN THE NORTH LINE OF A CALLED 63.08 ACRE TRACT OF LAND CONVEYED TO DALE HILL RECORDED IN VOLUME 1737, PAGE 675 OF SAID DEED RECORDS;

THENCE S 50 DEG 55 MIN 51 SEC W, 1375.35 FEET ALONG HILL'S NORTH LINE TO A SET 3/8" IRON FOR SOUTHWEST CORNER OF THIS;

THENCE N 65 DEG 10 MIN 19 SEC W, (BASE BEARING) 1608.65 FEET TO A SET 3/8" IRON BEING THE SOUTHWEST CORNER OF A 2 ACRE TRACT CONVEYED TO M & M PARTNERS RECORDED IN VOLUME 1665, PAGE 143 OF SAID DEED RECORDS;

THENCE N 23 DEG 12 MIN 28 SEC E, 300.01 FEET ALONG EAST LINE OF SAID 2 ACRE TRACT TO A SET 3/8" IRON FOR CORNER OF THIS;

THENCE N 65 DEG 10 MIN 19 SEC W, 320.01 FEET ALONG NORTH LINE OF SAID 2 ACRE TRACT TO A SET 3/8" IRON IN THE EAST LINE OF F.M. HIGHWAY NO. 3478 FOR CORNER OF THIS;

THENCE N 13 DEG 03 MIN 45 SEC E, 947.12 FEET ALONG EAST LINE OF SAID HIGHWAY TO THE POINT OF BEGINNING CONTAINING 65.415 ACRES OF LAND.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

J.A. "Andy" Harwell

2004 AUG 09 03:46 PM 2004032031
INGE \$15.00
J.A. "ANDY" HARWELL, COUNTY CLERK
MCLENNAN COUNTY, TEXAS

Unofficial Copy

Exhibit B

Service Plan Agreement between the City of Hewitt, Texas and Intrust Properties, Ltd.

Whereas, Curt Liles, General Managing Partner of Intrust Properties, Ltd is the owner of a tract of land that was partially in the City of Waco, Texas extraterritorial jurisdiction (ETJ) and has subsequently been released by the City of Waco, Texas.

Whereas, Said tract of land is 1.077 acres of land in the Carlos O’Campo Grant, Abstract No. 32 in McLennan County, Texas. This tract is part of a larger 81.664 acres of land situated within the corporate boundaries of the City of Hewitt, Texas.

Whereas, Said tract of 1.077 acres of land is a detention pond servicing the Commerce Park Business Development.

Whereas, Curt Liles representing Intrust Properties Ltd has petitioned the City of Hewitt, Texas as the sole owner to annex said 1.077 acres.

NOW, THEREFORE, the parties agree in consideration of this annexation the services provided by the City of Hewitt, Texas as follows:

1. Public Safety (Police/Fire) services beginning upon approval of this annexation
2. The City of Hewitt, Texas to maintain the complete drainage structure encompassed in the drainage easement (Channel and Pond)
3. Utilities are not needed for purposes of this annexation nor for operation of the drainage structure
4. Public access to the land already exists

Agreed upon this date, May _____2024.

City of Hewitt, Texas

Intrust Properties, Ltd

Bo Thomas, City Manager

**Curt Liles, Managing General
Partner**



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 6.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Approval of minutes of the City Council Workshop/Regular Meeting held on April 15, 2024.

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. Draft minutes - April 15, 2024



CITY COUNCIL WORKSHOP/REGULAR MEETING

April 15, 2024 at 6:00 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 - 6:00 PM

WORKSHOP DECLARATION OF A QUORUM AND CALL TO ORDER

Mayor Steve Fortenberry called the Workshop Meeting to order at 6:00 PM, announced all members were present, and declared a quorum.

WORKSHOP AGENDA

1. Briefing and discussion concerning the variance request and the zone change requests (Agenda Items 3 and 4).

City Manager Bo Thomas introduced Community Development Director Tracy Lankford, who briefed the Council on the sign variance and the zone change requests.

2. Briefing and discussion concerning an update to the City of Hewitt's Strategic Plan 2024-2029.
General Services, Human Resources, City Secretary

City Manager Bo Thomas introduced each Department Head who presented their Strategic Plan.

General Services - Presented by General Services Director Scott Coleman

Human Resources - Presented by Human Resources Director Jessica Higgins

City Secretary - Presented by City Secretary Lydia Lopez

WORKSHOP ADJOURNMENT

MOTION: Mayor Pro Tem Erica Bruce moved to adjourn the Workshop Meeting at 6:58 PM.

SECOND: Council Member Michael Bancale

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

NAYES: None

ABSENT: None

MOTION PASSED.

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

Mayor Steve Fortenberry called the Regular Meeting to order at 7:08 PM, announced all members were present, and declared a quorum.

PLEDGE OF ALLEGIANCE

Mayor Steve Fortenberry led the Pledge of Allegiance.

PUBLIC HEARING(S) AND RELATED ACTION

3. Public hearing and possible action on **Ordinance No. 2024-3** granting a request for a variance to the sign ordinance for a sign located at 337 Enterprise Blvd. as prescribed in Chapter 58 Sign Regulations.

City Manager Bo Thomas presented. Mayor Steve Fortenberry opened the public hearing at 7:10 pm and called for those wishing to speak in favor of the request. Kyle Rowlee of FASTSIGNS appeared to explain the request and respond to questions. Mayor Fortenberry called for those wishing to speak against the request. No one spoke against the request. The public hearing was closed at 7:12 PM.

MOTION: Council Member Michael Bancale moved to approve **Ordinance No. 2024-03**, granting a variance to the sign ordinance located at 337 Enterprise for a thirty-five-foot-tall pylon sign as presented.

SECOND: Council Member Bob Potter

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

NAYES: None

ABSENT: None

MOTION PASSED.

4. Public hearing and possible action on **Ordinance No. 2024-05** to change the zoning of O'Campo C A-32 Tract 1, a 5.649-acre tract located at 506 Sun Valley Blvd., from R-1 Single Family Residential District to C-1 Restricted Commercial District.

City Manager Bo Thomas presented. Mayor Steve Fortenberry opened the public hearing at 7:15 PM. He called for those wishing to speak in favor. The following appeared in favor: David Hodson and LuAnn Hodson, 506 Sun Valley Blvd.; Karen and Kevin Lane, 204 Westhill Drive; Cody Johnson, no address given; Aaron and Robin Ameny, 322 Ruth Drive; Krystal Havertz and Marilee Lopez, 4510 S. Third Street; Shawn Gathright, 510 Sun Valley Blvd. The Mayor called for those wishing to speak against the request. The following appeared in opposition: Michelle and John Denton, 328 Ivy Lane; Bettye Morris, 503 Sun Valley Blvd.; Fredda Gunn, 320 Ivy Lane; Chris Ritchie and Cotii Huggins, 403 Ivy Lane; Julie Sharp, 222 E Wall; Tommy Sharp, 396 Blue Jay Dr. The Mayor allowed for rebuttals from those in favor and those against the rezone. The following appeared to present a rebuttal: LuAnn and David Dodson (in favor) and John Denton (against). Mayor Fortenberry closed the public hearing at 7:54 PM. Mr. Thomas read the ordinance caption into the record.

MOTION: Council Member Michael Bancale moved to disapprove **Ordinance No. 2024-05**, rezoning O'Campo C A-32 Tract 1, a 5.649-acre tract located at 506 Sun Valley Blvd., from R-1 Single Family Residential District to C-1 Restricted Commercial District.

SECOND: Council Member Johnny Stephens

The City Secretary polled the Council for the vote.

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

NAYES: None

ABSENT: None

MOTION PASSED.

PUBLIC COMMENTS

The City Council invites citizens to speak on any topic not 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: Citizens 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 had received any public comment forms. The City Secretary did not receive any public comment forms.*

REGULAR AGENDA ITEMS

5. Approval of minutes of the City Council Workshop/Regular Meeting held on April 1, 2024.
MOTION: Council Member Michael Bancale moved to approve the minutes as presented.
SECOND: Council Member Brad Turner
AYES: Bancale, Potter, Price, Stephens, Turner, Bruce, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.
6. Briefing and discussion concerning Financial Statements ending March 31, 2024.
City Manager Bo Thomas advised Finance Director Lee Garcia previously sent the March Financial Statements electronically for the Council to review and inquired if the Council had any questions. The Council raised no questions or concerns.
7. Discussion and possible action on approval of the Quarterly Investment Report ending March 31, 2024.
City Manager Bo Thomas presented the quarterly investment report prepared by Valley View Consulting, LLC.
MOTION: Council Member Bob Potter moved to approve the Quarterly Investment Report as of March 31, 2024.
SECOND: Mayor Pro Tem Erica Bruce
AYES: Bancale, Potter, Price, Stephens, Turner, Bruce, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.
8. Discussion and possible action on **Ordinance No. 2024-06** providing for the sale and issuance of the City of Hewitt, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2024 for improvements to the City's waterworks and sewer system in an aggregate amount not to exceed \$3,000,000; and ordaining other matters relating to the subject.

City Manager Bo Thomas introduced Senior Managing Director Andrew Friedman, who gave an overview of the bid process and announced TD Securities as the successful bidder at 3.872369 true interest cost. Mr. Thomas read the ordinance caption into the record.

MOTION: Council Member Michael Bancale moved to approve **Ordinance No. 2024-06**, providing for the sale and issuance of the City of Hewitt, Texas Combination Tax and Revenue Certificates of Obligation, Series 2024, and ordaining other matters relating to the subject.

SECOND: Council Member Bob Potter

The City Secretary polled the Council for the vote.

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

NAYES: None

ABSENT: None

MOTION PASSED.

9. Discussion and possible action on reappointing members to the Board of Adjustment.

City Manager Bo Thomas presented.

MOTION: Mayor Pro Tem Erica Bruce moved to approve Jim Winton's and Brenda Turner's reappointments to the Board of Adjustment for a two-year term ending in April 2026.

SECOND: Council Member Johnny Price

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

NAYES: None

ABSENT: None

ABSTAINED: Turner

MOTION PASSED.

10. Discussion and possible action on **Ordinance No. 2024-07** approving the City of Hewitt 2024 Drought Contingency Plan.

City Manager Bo Thomas stated that the City of Waco is revising its plan, and due to the water contract with Waco, their changes could impact our plan. The staff is asking the Council to approve the current plan, and then, if the City of Waco changes its plan, we will bring our plan back with revisions at a subsequent meeting. Mr. Thomas read the ordinance caption into the record.

MOTION: Mayor Pro Tem Erica Bruce moved to approve **Ordinance No. 2024-07**, adopting the 2024 Water Conservation and Drought Contingency Plan.

SECOND: Council Member Brad Turner

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

NAYES: None

ABSENT: None

MOTION PASSED.

11. Discussion and update regarding wastewater flows and capacity demands between the Central Wastewater Treatment Plant and the Bullhide Wastewater Treatment Plant.

City Manager Bo Thomas prefaced the presentation by advising the Council that a decision would soon need to be made to address the future capacities between the Bullhide Wastewater Treatment Plant and the Central Wastewater Treatment Plant due to the City of Waco's proposed expansion of the Bullhide Wastewater Treatment Plant and Hewitt's remaining capacity at the Central Wastewater Treatment Plant. City Engineer Miles Whitney presented sewer flow data, capacity data, and sewer basin requirements. In addition, he discussed a more cost-effective option to flow sewer to the Central Wastewater Treatment Plant through the addition of a lift station and force main versus the costs to participate in the Bullhide Wastewater Treatment Plant expansion.

ADJOURNMENT

MOTION: Council Member Michael Bancale moved to adjourn the Regular Meeting at 8:47 PM.

SECOND: Council Member Bob Potter

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

NAYES: None

ABSENT: None

MOTION PASSED.

Approved: _____

ATTEST:

Lydia Lopez, City Secretary

Steve Fortenberry, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 7.

SUBMITTED BY: Miles Whitney, P.E.

ITEM DESCRIPTION:

Presentation of the report from 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-4.30.24

HEWITT TEXAS

CITY ENGINEER'S REPORT

April 30, 2024

Utility Projects

Chaparral, Crescent, and Will Boleman

Waterlines replacements are complete. The only item left for utilities will be the adjusting of valve stack and MH lids to final road surface.

Commerce Park Plant Improvements

- Well
The well contractor is performing pump tests to determine the yield of the well.
- Plant
 - Pre-construction meeting held and noticed to proceed to be issued in May.

Street/Transportation Projects

Chaparral, Crescent, and Will Boleman

- The contractor is prepping the roadways for the final course of paving and completing minor curb repairs. Weather Pending.

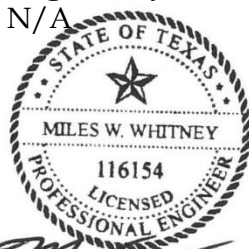
E. Wall and Briarfield

To finalize plans and provide to City for final review.

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: May 6, 2024

AGENDA ITEM #: 8.

SUBMITTED BY: Matthew Glaser, Library Director

ITEM DESCRIPTION:

Discussion and presentation of the Summer Reading Program with the Hewitt Public Library.

STAFF RECOMMENDATION/ITEM SUMMARY:

The 2024 Summer Reading Program, titled "All Together, Hewitt" focuses on community involvement and connection. Readers of all ages are invited to participate in the reading challenge, weekly events, and activities throughout June and July. Participants have several opportunities to take home incentive prizes for reaching milestones in their summer challenges.

FISCAL IMPACT:

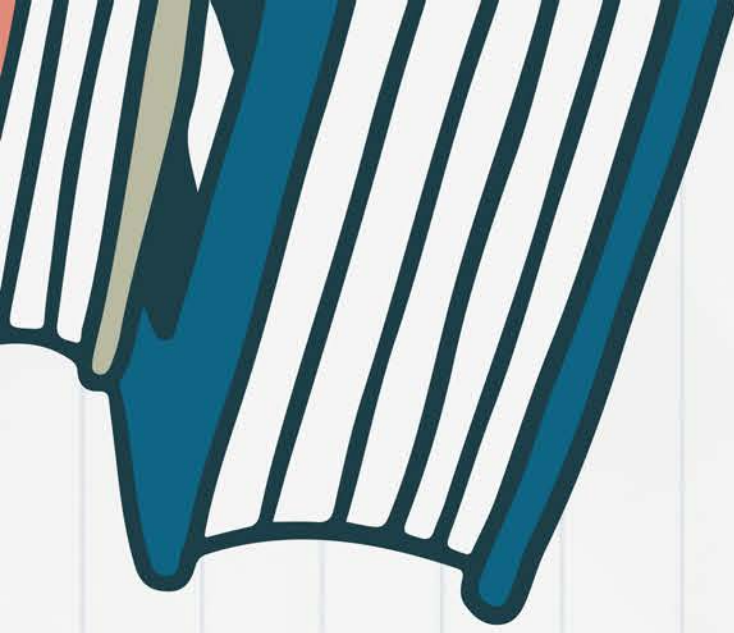
Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

1. SUMMER 2024 Presentation



Summer 2024 ALL TOGETHER HEWITT



Hewitt Public Library



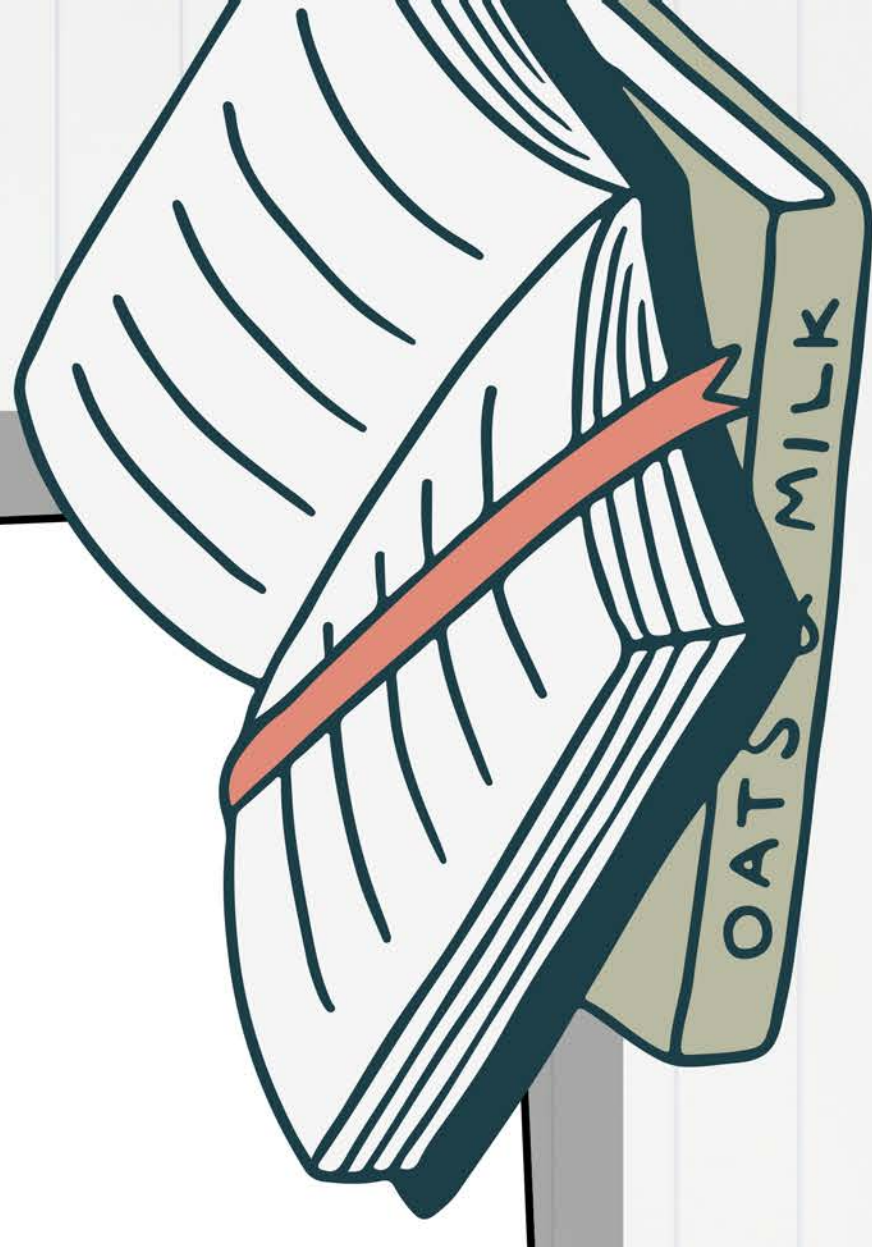
Goals

Mission

- Encourage literacy through active involvement in educational and recreational activities throughout the summer months.

Vision

- Promote community involvement to highlight the importance of literacy and the power of reading across all careers and stages of life.



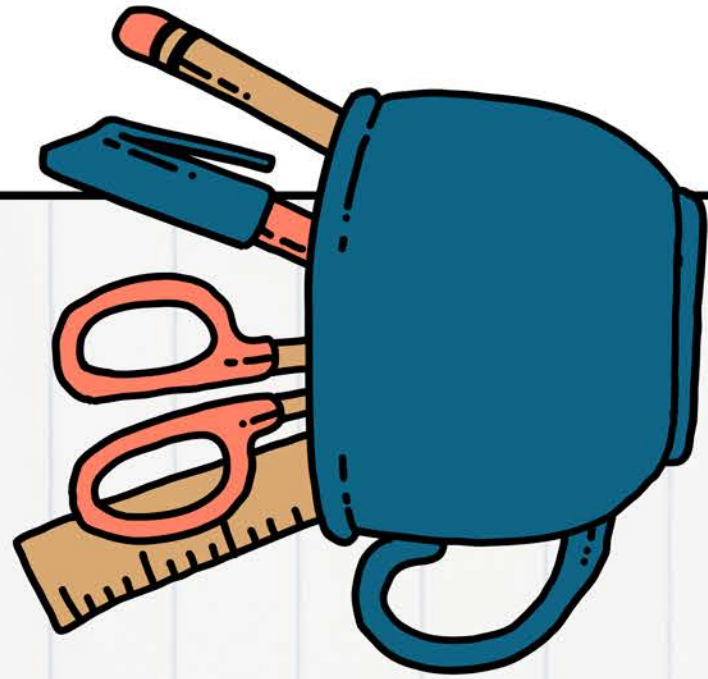
2022 Program*

Total Books Read	22,132
Total Participants	856
Total Events	138
Total Attendees	10,616

2023 Program*

Total Books Read	19,112
Total Participants	767
Total Events	87
Total Attendees	8,643

*Estimated totals based on existing data



Reading Groups



Toddler

Ages 0 to 4.

Read 100 books for a total of 1,000 points.



Child

Ages 5 to 7

Read 100 books for a total of 750 points.



Tween

Ages 8 to 12

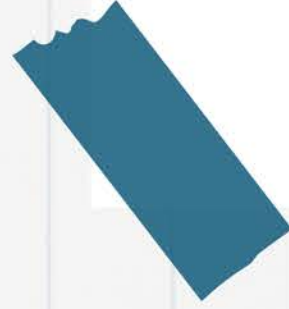
Read 50 books for a total of 500 points.



Teen

Ages 13 to 17

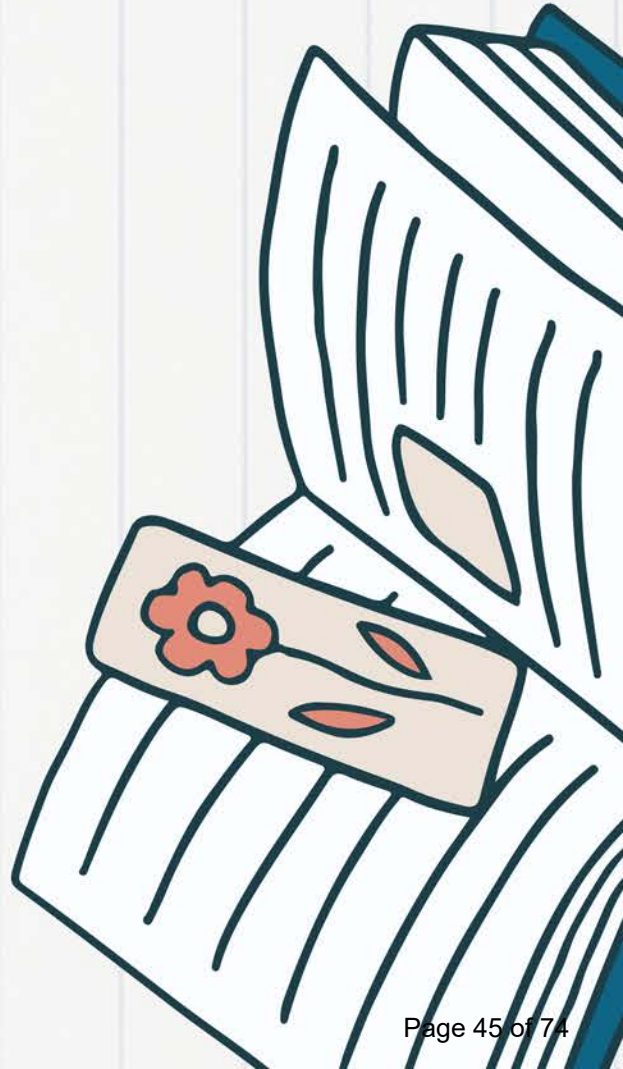
Read 25 books for a total of 250 points.



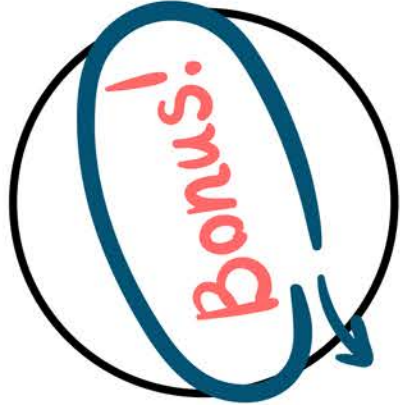
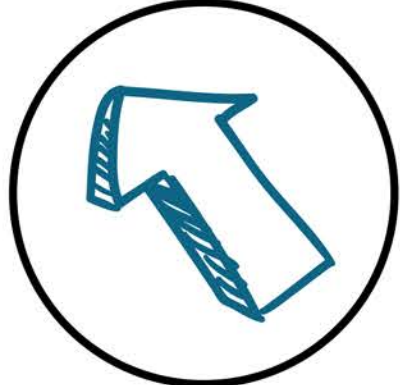
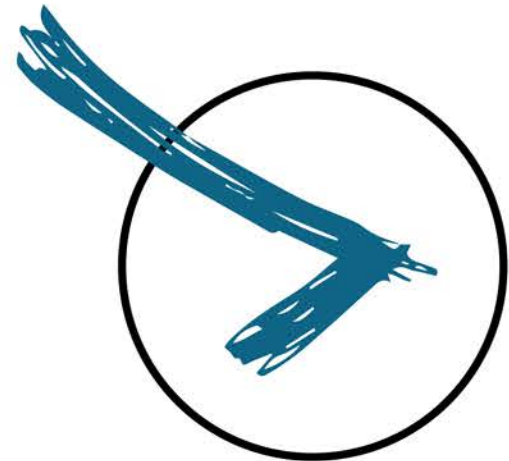
Adult

Ages 18+

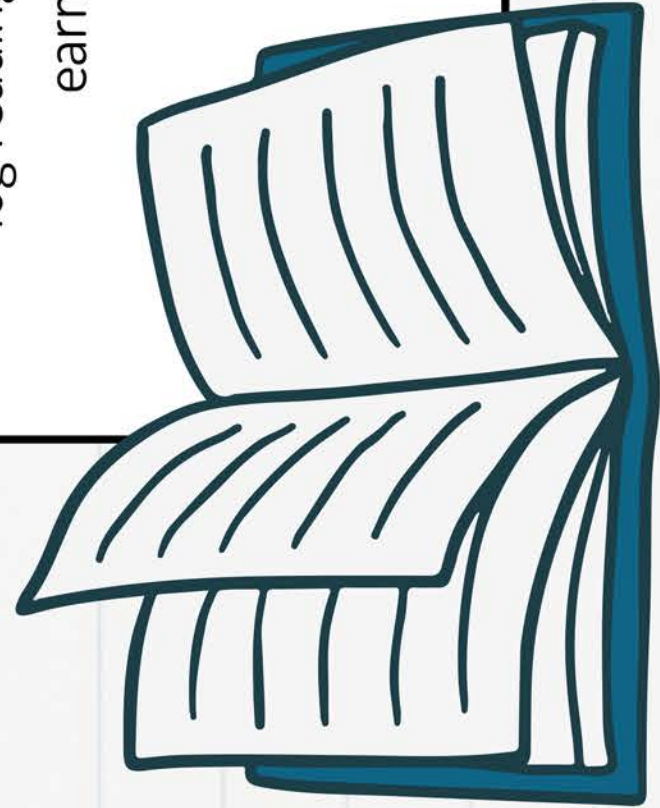
Read 15 books for a total of 150 points.



Milestones



Register	Advance	Complete	Bonus
Beginning May 31, readers register online to log reading progress and earn badges.	Each level awards points that lead to milestone prizes for each age group.	Readers who reach their reading goals earn an entry for a grand prize drawing.	Completing bonus activities will award extra entries for the grand prize drawings.



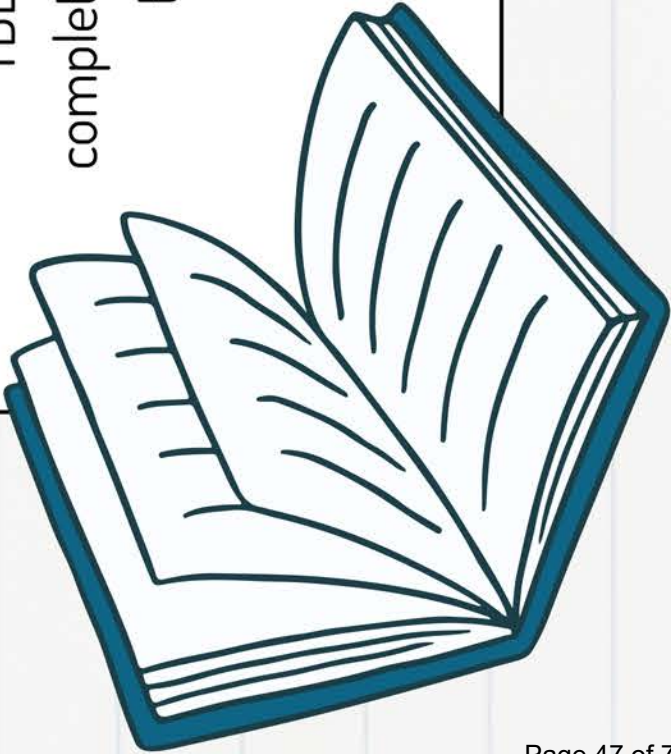


Reading Incentives

Ages 0-18

Small incentive prizes at:
Level 1, 3, 4, 6, 7, 9, 10

TBD: Halfway and completion earn a book to take home.



Adults

Incentive prizes at:
Level 1, 3, 4, 6, 7, 9, 10

Additional grand prize entries available with Bingo and additional levels.

Grand Prizes

Six grand prizes:
Readers who complete their reading goal will earn an entry to a prize of their choosing.

Weekly Schedule

M

Monday

Crafts & Activities

T

Tuesday

Storytimes
Character Visits
Angel Paws

W

Wednesday

Special events &
Performances

R

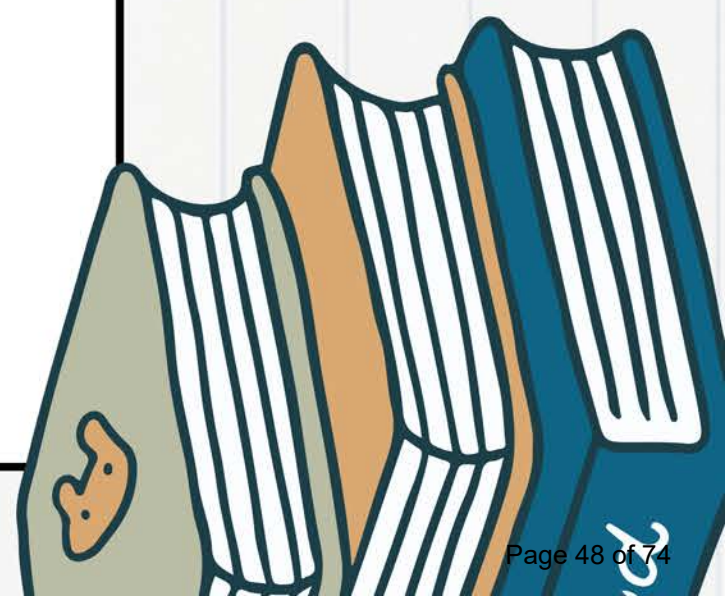
Thursday

Teen Activities

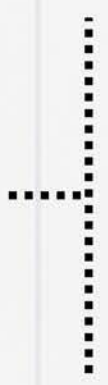
F

Friday

Lawn Games



June 5 - Kickoff Party
June 12 - Hero Day @ Hewitt Park
June 19 - Daniel Benes Science Show
June 26 - Mad Hatter Bubble Show



July 3 - Storytime @ CP Zoo
July 10 - Gus Davis Magic Show
July 17 - STEAM Fest
July 24 - Ramblin' Rita
July 31 - Music by Staci Gray

Promotion

Hooray! for Families publication – May, June, July

Press Release

Social Media posts/event pages

Flyers distributed to daycare facilities & schools

Monthly calendars/newsletters



◆ Registration Required

MAY 2024



MON	TUE	WED	THU	FRI	SAT	SUN
		1 Tell Me a Story "Kids Club" 4:30pm Curiosity Cart 4:30pm	2	3	4 Anime/Manga Club ♦ 10am Art Club ♦ 2pm	5
6 Baby Time 9am Adult Craft ♦ 9:30am Blended Story Time 10am	7 Toddler Story Time 10am Early Literacy Story Time 10:30am Craft Afternoon ♦ 4:30pm Volunteer Mixer ♦ 6:30pm	8 Eating Smart, Being Active 10am Daytime Book Club 2pm Tell Me a Story "Kids Club" 4:30pm Curiosity Cart 4:30pm	9 STARS 5pm Evening Book Club 6:30pm	10 Music & Movement 9:30am	11 Running for Readers 8am	12
13 Baby Time 9am Blended Story Time 10am	14 Toddler Story Time 10am Early Literacy Story Time 10:30am Craft Afternoon ♦ 4:30pm STEAM Lab ♦ 5pm	15 Culinary Club 2pm Tell Me a Story "Kids Club" 4:30pm Curiosity Cart 4:30pm	16 Senior Game Night 6pm	17	18 Anime/Manga Club ♦ 10am Friends of the HPL Mini Book Sale 10am Art Club ♦ 2pm	19
20 Baby Time 9am Blended Story Time 10am	21 Toddler Story Time 10am Early Literacy Story Time 10:30am Craft Afternoon ♦ 4:30pm Teen Advisory Board ♦ 5pm Youth STEAM Lab ♦ 5pm	22 Tell Me a Story "Kids Club" 4:30pm Curiosity Cart 4:30pm	23	24 Music & Movement 9:30am	25 Board Game Saturday 1pm	26
27 CLOSED MEMORIAL DAY	28	29	30	31 Summer Reading Sign up Begins	UNLOVED BOOK MONTH. LET'S SHOW THESE BOOKS SOME LOVE! SCAN TO FIND YOUR NEXT GREAT READ! 	



Monday Activity Bubble Day 5pm	Angel Paws 2pm Bluey 5pm Angel Paws 6:30pm
--------------------------------------	---



THU FRI SAT SUN

2024

THU	FRI	SAT	SUN
6 Tween/Teen Tie Dye Party ♦ 3pm Evening Book Club 6:30pm	7 Big Game Day All Day	8	9
13 Tween/Teen Movie Day Spider-man: Across the Spider-verse 3pm	14 Big Game Day All Day	15 Juneteenth Storytime 10am	16
20 Tween/Teen STEAM Day 3pm Senior Game Night 3pm	21 Big Game Day All Day	22	23
27 Tween/Teen Anime/Manga Day 3pm	28 Big Game Day All Day	29 Youth Storytelling Workshop 10am	30



Green All Day	Captain America 10am	Hewitt Library 10am
------------------	-------------------------	------------------------

THU FRI SAT SUN

CLOSED
4th of July

THU	FRI	SAT	SUN
4 CLOSED 4th of July	5 Big Game Day All Day	6	7
11 Tween/Teen Movie Day How to Train a Dragon 10am Evening Book Club 6:30pm	12 Big Game Day All Day	13	14
18 Tween/Teen Community Mural 10am Senior Game Night 6pm	19 Big Game Day All Day	20	21
25 Tween/Teen Lego Day 10am	26 Big Game Day All Day	27	28

summer 2024



4 SEATS LEFT

MAY 14
Tue, 5:00 PM - 6:00 PM
Hewitt Public Library
Show more dates >>

Tween/ Teen STEAM Lab

If you love to add the colorful creativity of art to your science, technology, engineering, and math projects, join the library each month for a new imaginative...



Teen's/Teens (12-18) Young Adult (12-18)

MAY 15
Wed, 4:30 PM - 5:30 PM
Hewitt Public Library
Show more dates >>

Tell Me a Story "Kids Club"

Sponsored by the Heart of Texas Storytelling Guild, the storytelling club was created for kids of various skills and abilities. We inspire creativity, improve...



Children (6-11) Class

MAY 18
Sat, 10:00 AM - 2:00 PM
Hewitt Public Library

FOL Book Sale

If you love books, you won't want to miss this event! Join the Friends of the Library at HPL and stock up on some new favorites. Proceeds go toward supporting the Hewitt...



General Interest Friends of the Library

MAY 15
Wed, 1:00 PM - 2:00 PM
Off-Site
Show more dates >>

Culinary Club

Culinary club meets at a new location each month for a delicious meal and friendly conversations. Join us this month at: Twisted Root 801 S 2nd St, Waco, TX...



Adults (18+) Adults (18+)

MAY 16
Thu, 6:00 PM - 8:00 PM
Hewitt Public Library
Show more dates >>

Game Night

Socialize and play board games with others who enjoy a fun pastime. For more information contact Linda O'Neill



Seniors (65+) Seniors (65+)

MAY 18
Sat, 2:00 PM - 3:30 PM
Hewitt Public Library
Show more dates >>

Art Club

For arts and crafts lovers, join us as we create new art pieces and enjoy snacks with your friends. Contact Katie Mackenzie for more information.



Teen's/Teens (12-18) Young Adult (12-18)

3 SEATS LEFT

MAY 15
Wed, 4:30 PM - 5:30 PM
Hewitt Public Library
Show more dates >>

Curiosity Cart

Find a new STEAM activity every week on the Curiosity Cart, where young learners can make something incredible.



Children (6-11) Craft

MAY 18
Sat, 10:00 AM - 11:00 AM
Hewitt Public Library
Show more dates >>

Anime/ Manga Club

Join us as we watch anime and discuss your favorite manga & pokemon cards with your friends. Snacks and fun anime/ manga themed crafts included. Contact Katie...



Teen's/Teens (12-18) Young Adult (12-18)

MAY 20
Mon, 9:00 AM - 9:30 AM
Hewitt Public Library

Baby Time

Designed for babies 0-1 year, this story time session uses books, rhymes, and songs to form connections between parent/caregiver and child. Contact...



Early Childhood (0-5) Early Childhood (0-5)

Online Calendar

- Up-to-date events
- Built-in registration
- Custom filters





COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 9.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Discussion and possible action approving **Resolution 2024-03** authorizing the City Manager and the City of Hewitt Police Chief to enter into a Memorandum of Understanding (MOU) with the Midway Independent School District Police Department to communicate and coordinate the jurisdiction of law enforcement services.

STAFF RECOMMENDATION/ITEM SUMMARY:

With the upcoming Fall semester, MISD is developing its own Police Department and needs dispatch services from Hewitt PD. This agreement (MOU) outlines the terms and conditions for Hewitt to provide these services to MISD, controls for the information accessed in the communications systems, costs associated with the service's operational times, and appropriate notification.

FISCAL IMPACT:

Amount Budgeted - NA

Line Item in Budget - NA

SUGGESTED MOTION:

I move approval of **Resolution 2024-03** authorizing the City Manager to execute the Memorandum of Understanding with Midway Independent School District and the Chief of Police to execute the Non-terminal Agreement.

ATTACHMENTS:

1. MOU with Midway ISD Police Department and Non-Terminal Agreement

**MEMORANDUM OF UNDERSTANDING
CONCERNING COMMUNICATION AND COORDINATION BETWEEN
MIDWAY INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT AND
CITY OF HEWITT POLICE DEPARTMENT**

This Memorandum of Understanding (this "MOU") is made and entered into by and between the Midway Independent School District Police Department ("MISD PD") and the City of Hewitt Police Department ("Hewitt PD").

WHEREAS, Texas Education Code §37.081(g) provides that a school district police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts between the department and the agencies; and,

WHEREAS, the MISD PD has overlapping jurisdiction with the Hewitt PD and desires to enter into such a memorandum of understanding with regard to communication and coordination of efforts between the agencies; and,

WHEREAS, it is the desire of the two agencies to assist one another in the notification and investigation of certain criminal offenses occurring in the territorial jurisdictions of the two entities; and,

WHEREAS, this cooperative effort will assist in the agencies' respective responsibilities and mission to serve the citizens of Hewitt and the Midway Independent School District (MISD).

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained in this memorandum of understanding, the undersigned parties agree as follows:

I. Jurisdiction.

A. MISD PD Primary. MISD PD shall have primary jurisdiction of and over MISD Property, including real and personal property located inside the boundaries of MISD that is owned, leased, rented, or otherwise under the control of MISD, including those facilities listed in Exhibit A attached hereto ("MISD Property").

B. Overlapping and Concurrent. MISD PD and Hewitt PD have concurrent and overlapping jurisdiction over MISD Property within the City of Hewitt as represented in Exhibit B. Except as provided herein, MISD PD has primary responsibility as first responder and over all offenses that occur on any MISD property, and Hewitt PD may help MISD PD when requested by MISD PD. With respect to matters within their concurrent and overlapping jurisdiction, Hewitt PD may act as back-up for MISD PD and may assist MISD PD with investigations, crowd control, crime scene control, and other duties.

C. Critical Incidents on MISD Property in the Concurrent Jurisdiction Area. Critical emergencies and life-threatening calls originating from or concerning any MISD facility or campus to a 911 dispatcher shall be dispatched as appropriate by the receiving agency. Said agency will respond and provide notification to MISD PD.

II. Responsibility for own employees. Each agency accepts responsibility for the actions of its own

personnel and assumes the duty of investigating any allegations of wrongdoing resulting from their actions while operating within the respective boundaries, unless specifically requested to investigate a specific incident/action by the other agency. Peace officers and other individuals performing duties, including law enforcement duties, as applicable, shall at all times remain employees of their respective governmental entities. Nothing in this MOU creates a joint partnership, and the personnel of one agency shall not be considered employees, agents, partners, joint ventures, or servants of the other agency to this MOU.

III. Notification between Parties.

A. MISD PD Notice to Hewitt PD. MISD PD will advise Hewitt PD of any serious incident that occurs within the MISD geographical boundary if resources from both agencies are needed for the good of the community and the success of the investigation. The term "serious incident" includes, but is not limited to, the following crimes, offenses, or situations, or evidence thereof:

- Any degree felony;
- Murder or attempted murder;
- Aggravated robbery where a firearm or knife is used;
- Aggravated sexual assault;
- Sexual assault of an adult or a child;
- Any indecent exposure or solicitation of a child report, including pornographic pictures being taken of children or shown to children, but excludes incidents determined to be punishable as class B & C level offenses under Texas Penal Code §43.261;
- Aggravated assault where a gun or weapon is used or threatened;
- Aggravated kidnapping;
- Any EOD or explosive weapon is used or threatened;
- Any disturbance where a mass or group is involved (i.e., riot);
- Any criminal intelligence information developed by a MISD PD officer concerning any criminal incident which occurred, or is planned for off MISD Property and within Hewitt jurisdiction.
- Any other situation where the officer decides there is a need based on impact to the community, impact to public safety, or requires an immediate response that may need involvement from both agencies. This is designed to encourage open communication between the two departments.
- Once contacted by MISD PD, Hewitt PD will determine the needed response based on the resources needed to accomplish the investigative goal, to serve the community, and to safeguard students and staff.

B. Hewitt PD Notice to MISD PD.

1. Notice of Incidents. Hewitt PD personnel are to notify MISD PD directly by phone, email, or in person, to advise of the following incidents involving MISD students or school safety that occur within the jurisdiction of the Hewitt PD:

- All MISD bus accidents on public roadways and within the city limits of Hewitt - MISD PD will respond to facilitate assistance for the investigation and collection of student data necessary for the investigation, and to assist with school reunification of students to parents and to assist, if necessary,

with alternate and medical transportation. MISD PD defers to the Hewitt PD for investigations on the roadway and completion of all TxDOT reports. MISD PD shall assist Hewitt PD in the collision efforts and logistics involving such collision. MISD PD will handle bus related investigations occurring on MISD property. Hewitt PD may assist MISD PD with collisions occurring on MISD property when requested.

- Any SWAT call within 1500 feet of MISD Property which might cause alarm or interrupt campus or bus operations.
- Any armed suspect on school grounds or close to school grounds during school hours.
- Any sex crimes or suspicious person around school properties who is approaching students walking to and from school.
- Any incident on roadways around schools from 7:00 am to 5:00 pm on school days which may affect bus transportation within the city limits of Hewitt.
- Any death of a MISD student, parent, staff member, or Board Trustee, to the extent the Police Department is aware of the person's affiliation with MISD.
- Any pre-planned tactical operation to be conducted during school hours within 1500 feet of a school, when deemed appropriate by Hewitt PD Administration (i.e., a pre-planned search warrant). While details may not be shared, there may be a request to limit traffic flow around the target area, and MISD schools in the area.
- Any 911 calls received originating from school campuses or school properties within Hewitt city limits.
- Any after-hours or holiday calls involving school property that require a criminal investigation or follow-up.
- Any calls where Hewitt PD believes that administrative assistance may reduce recidivism or impact resources of the Hewitt PD to respond. Such calls may be harassment or assaultive in nature where both parties are students at a common campus or other criteria the officer believes may benefit the situation or circumstance.

MISD PD is not a 24-hour department. MISD PD hours are from 7:00 am to 5:00 pm on school business days, as determined by the MISD official school calendar. Hewitt PD may respond to stabilize an after-hours incident on MISD property. MISD PD will be notified and respond as the primary first responder any time a criminal act or significant event requiring a police report occurs or investigative follow-up is required on MISD property.

2. Notice of Arrests. Arrest notifications shall be made by Hewitt PD in compliance with Tex. Code of Criminal Procedure §15.27 and forwarded to the MISD PD Chief of Police as the MISD Superintendent's designee.

3. Notice of Missing Child under the Age of 11. Upon receipt of a report of a child under 11 years of age is missing, Hewitt PD shall immediately notify each MISD school that the child attended or in which they were enrolled that the child is missing in accordance with Texas Code of Criminal Procedure §63.020.

IV. Investigations.

A. Additional Hewitt PD Resources. If the decision is made to call in additional

Hewitt PD resources for an incident that has occurred on MISD Property within Hewitt city limits, Hewitt PD may assist in the investigation and may provide resources as determined by Hewitt PD supervision.

B. Primary Duty of MISD PD. It is understood that MISD PD's primary investigative duty is in school-related matters throughout MISD, and its secondary duty is to all other matters that may come within its jurisdiction. MISD PD agrees to support and assist the Hewitt PD in off-campus matters as resources are available and wanted by Hewitt PD. Typically, matters of traffic congestion surrounding campus arrival and dismissal may require a collaborative effort in addressing these circumstances. Bus stops are generally viewed much the same with the designated stop location being a non-District location but may require collaboration due to the cause and effect of any issues that arise at such locations.

V. Information and Record Sharing.

The Parties agree to follow guidelines and regulations contained in the Texas Family Code (Chapter 58) and the Family Educational Records Privacy Act ("FERPA") (20 U.S.C. §1232g *et seq.*) governing the sharing of student and juvenile information as follows:

A. Specific requirements:

1. Information disclosed under this MOU relates to the juvenile justice system's ability to serve, before adjudication, the student whose records are being released.
2. Information obtained shall not be disclosed to a third party, other than another juvenile justice agency, except as permitted or required by law.
3. Information received under this section shall be destroyed, if permitted or required by applicable law, when the child is no longer under the jurisdiction of a juvenile court.
4. The Parties collectively recognize and agree that, in accord with the FERPA, MISD may not disclose education records to a law enforcement unit without prior written consent, except as appropriate in the case of an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The parties further recognize and agree that FERPA permits MISD to disclose personally identifiable student information in order to comply with a lawfully issued subpoena or court order if MISD makes a reasonable attempt to notify the parent or eligible student of the order or subpoena in advance of compliance.

B. Threat Assessment and Safety Planning. Hewitt PD shall provide information relating to a student that is requested by MISD PD for the purpose of conducting a threat assessment or preparing a safety plan relating to that student. Such Hewitt PD records concerning a student may be inspected or copied by MISD PD for the purpose of conducting a threat assessment or preparing a safety plan related to the student in accordance with Texas Family Code §58.008(d)(d-1).

VI. Off Duty Employment.

A. MISD PD may have a need to employ law enforcement officers from Hewitt PD for

special events or occasions. Hewitt PD may approve or deny off-duty employment requests in accordance with Hewitt PD departmental policy and procedures for off duty employment.

B. When employed as an off-duty officer, the off-duty officer shall adhere to the direction of MISD PD's on-duty law enforcement supervisor. Hewitt PD officers will abide by City of Hewitt and Hewitt PD policies at all times.

VII. MISD agrees to pay an annual fee to Hewitt PD for such dispatch services along with the equipment costs within thirty (30) days of the Midway ISD Board of Trustees' approval of this MOU as set forth in Exhibit C – Annual Fee and Equipment Costs. MISD agrees to pay such annual fees and costs within thirty (30) days of each renewal term. The annual fee is subject to annual review by the City of Hewitt.

VIII. **Unified Command.**

A. Definitions

1. Incident Commander (IC): The individual responsible for all incident activities. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all operations at the incident site.
2. Unified Command (UC): An incident command system used when there is more than one agency with incident jurisdiction, or when incidents cross political jurisdictions. Agencies work together through designated members of the UC, often senior person(s) from agencies.

B. Unified incident command must be established as soon as possible.

C. For a critical incident on MISD property:

1. The IC will be an individual from MISD PD.
2. The IC must organize and establish communication between MISD PD and Hewitt PD.
3. MISD PD will take command, but MISD PD and Hewitt PD will work together to resolve the critical incident.

IX. **Liability, Immunities, and Defenses.**

A. Neither party shall be responsible for the acts of an employee of the other party.

B. It is expressly understood and agreed that neither party waives, nor shall be deemed to have waived, any immunity or defense otherwise available to it under Texas or federal law.

C. Nothing in this MOU limits, changes, or otherwise impacts any MOU each agency may have with other agencies.

D. The Parties agree that each party will be individually and respectively responsible for responding to, dealing with, insuring against, defending, and otherwise handling and managing any complaint, claim or cause of action brought against itself and its employees, officers, trustees, and

agents, resulting from the provision of services pursuant to this MOU.

X. Termination, Amendment and Renewal.

A. Either party may withdraw from and terminate this MOU on sixty (60) days' written notice to the other party. Such written notice should be directed to the Chief of Police of the respective agency.

B. The Parties may amend this MOU at any time provided that such amendments are executed in writing and signed by the authorized representative of the governing bodies of each agency.

XI. Non-Terminal Agency Agreement.

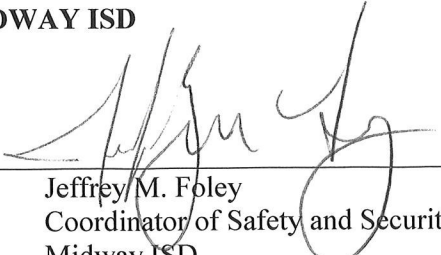
The parties agree to enter into the standard TLETS Non-Terminal Agency Agreement as necessary for the securing of Criminal History information. See Exhibit D.

This MOU is effective when signed by both parties. It shall automatically renew annually, on September 1 of each successive year for up to five (5) years, unless terminated by either party by written notice given according to the terms of this MOU.

--Signatures on Next Page--

Agreed:

MIDWAY ISD

By: 
Jeffrey M. Foley
Coordinator of Safety and Security
Midway ISD

Date: 4-16-2024

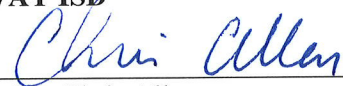
CITY OF HEWITT

By: _____
John McGrath
Chief of Police
Hewitt Police Department

Date: _____

Approved:

MIDWAY ISD

By: 
Dr. Chris Allen
Superintendent
Midway ISD

Date: 4-17-2024

CITY OF HEWITT

By: _____
Bo Thomas
City Manager
City of Hewitt

Date: _____

- Exhibit A: Address of Midway ISD Property
- Exhibit B: Overlapping of Police Jurisdiction
- Exhibit C: Annual Fees and Equipment Costs
- Exhibit D: Non-Terminal Agreement

Exhibit A: Midway ISD Property
(not including unimproved real property)

Midway High School
8200 Mars Dr
Waco, TX 76712

Midway Middle School
800 N Hewitt Dr
Hewitt, TX 76643

River Valley Middle School
4750 Speegleville Rd
McGregor, TX 76657

Castleman Creek Elementary School
755 S. Hewitt Dr
Hewitt, TX 76643

Chapel Park Elementary School
9400 Chapel Rd
Waco, TX 76712

Hewitt Elementary School
900 Panther Way
Hewitt, TX 76643

Park Hill Elementary School
700 Ritchie Rd
Hewitt, TX 76643

South Bosque Elementary School
#1 Wickson Road
Woodway, TX 76712

Speegleville Elementary School
101 Maywood Dr
Woodway, TX 76712

Spring Valley Elementary School
610 Spring Valley Rd.
Hewitt, TX 76643

Residence 23.73 Acres
470 S. Old Temple Road
Hewitt, TX 76643

Woodway Elementary School
325 Estates Dr
Woodway, TX 76712

Midway Administration
13885 Waco Dr
Woodway, TX 76712

Midway Horizons / Information Technology
109 W. Panther Way
Hewitt, TX 76643

Midway Activity Center
8200 Mars Dr – Behind MHS
Waco, TX 76712

Maintenance and Transportation
1208 Jewell Dr
Waco, TX 76712

MPower
800 N Waco Dr (beside Panther Stadium)
Waco, TX 76643

Midway ISD DAEP
901 Old Hewitt Rd
Hewitt, TX 76643

Midway Athletic Complex
800 N Waco Dr – behind MMS
Waco, TX 76643

Midway FFA Barn
10401 Panther Way
Woodway, TX 76712

Midway Support Services
1206 Jewell Dr
Woodway, TX 76712

Midway ISD Grounds
711 & 713 Frank St
Hewitt, TX 76643

Unimproved Real Property

.44 Acres East along Panther Run Rd
Northeast of the Midway Activity Center
Woodway, TX 76712

1.32 Acres along Panther Run Rd
Northeast of the Midway Activity Center
Woodway, TX 76712

.641 Acres along Panther Run Rd
East of the Midway Activity Center
Woodway, TX 76712

.44 Acres
710 Bland St
Hewitt, TX 76643

.44 Acres
712 Bland St
Hewitt, TX 76643

1.43 Across from South Bosque and
Wickson Rd
Woodway, TX 76712

244.09 Acres North of Speegleville Rd and
West of Speegle Rd
Woodway, TX 76712

1.092 Acres West of Midway ISD Building
1200 Jewell Dr
Woodway, TX 76712

94.168 Acres Between Speegleville Rd and
Old Speegleville Rd
Woodway, TX 76712

.23 Acres on Vail Highlands
West of Spring Valley Elementary
Hewitt, TX 76643

.27 Acres
301 Harvey Dr
Woodway, TX 76712

1.74 Acres Across from South Bosque
Wickson Rd
Woodway, TX 76712

Exhibit B: Map of Overlapping Police Jurisdiction
with Waco PD

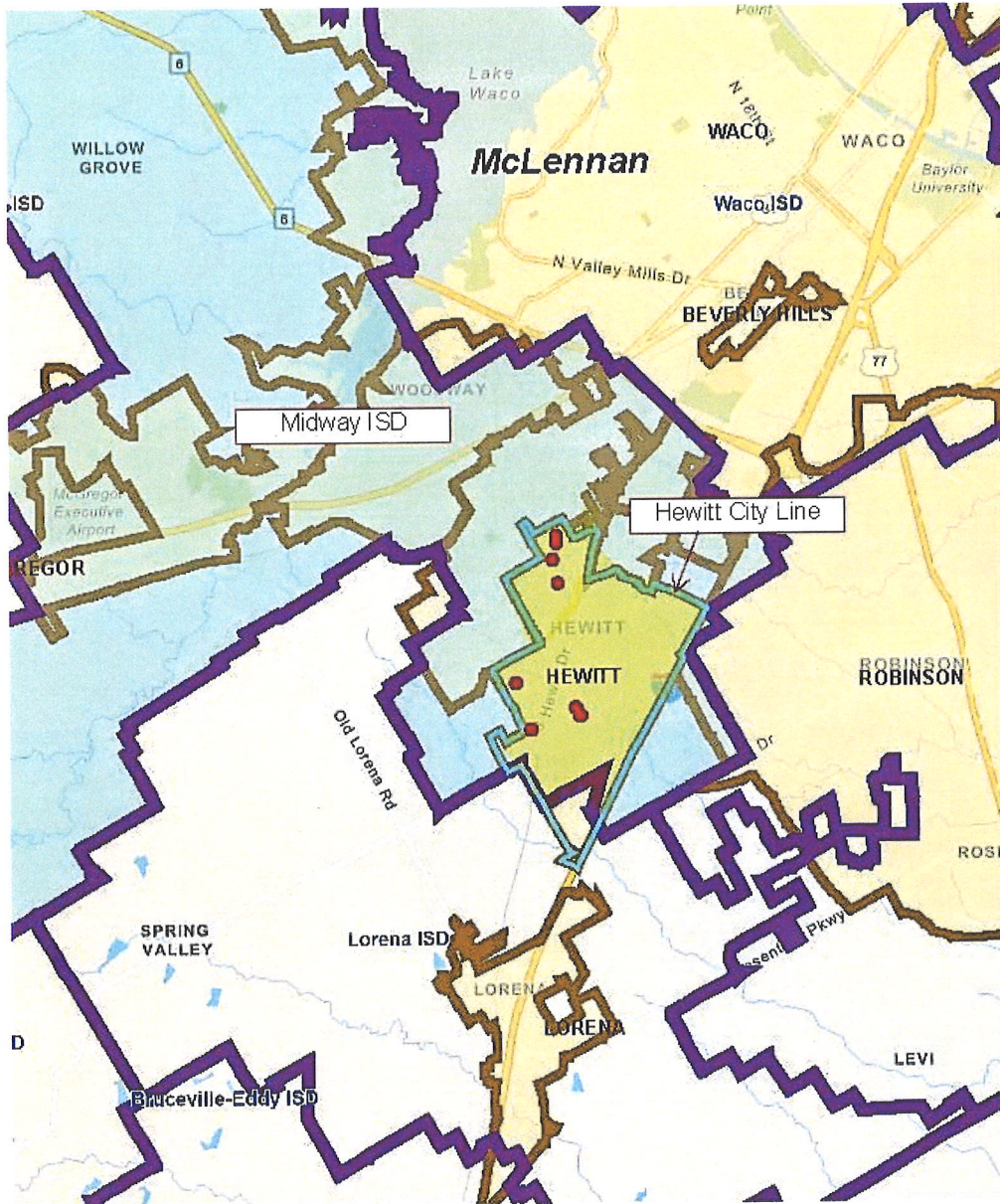


Exhibit C: Annual Fee and Equipment Costs

Annual Dispatch Services Fee - \$18,000

Equipment:

- Programing of 2 radio consoles - \$1,087 (one-time cost)
- Addition of MISD PD to EIS Record Management Systems - \$12,430 (one-time cost)
- EIS Maintenance Contract contribution (5% of annual contract cost) – Currently - \$968.
- MISD understands that implementation of a new CAD/RMS system will require an as yet undetermined (pending vendor selection) fee and annual maintenance cost, replacing the current EIS system costs.

Exhibit D

Hewitt Police Department and Midway Independent School District Police Department Non-Terminal Agreement

This Document constitutes an agreement between the Hewitt Police Department, hereinafter called the **Terminal Agency**, and the Midway Independent School District Police Department, hereinafter called the **Non-Terminal Agency**.

The Terminal Agency agrees to provide the Non-Terminal Agency with access to the Texas Law Enforcement Telecommunications System (TLETS), the Texas Crime Information Center (TCIC), and the National Crime Information Center (NCIC), and associated systems on a twenty-hour hour, seven days per week basis.

The Non-Terminal Agency agrees to abide by all the laws of the United States, the State of Texas, and all preset or hereafter approved rules, policies, and procedures of TLETS, NLETS, TCIC, and NCIC, and any other systems now or in the future associated with TLETS concerning the collection, storage, processing, retrieval, dissemination and exchange of information for criminal justice purposes.

The Terminal Agency reserves the right to suspend service to the Non-Terminal Agency, which may include cancelling of records, entered for the Non-Terminal Agency, when applicable policies are violated. The Terminal Agency may reinstate the service following such instances upon receipt of satisfactory assurances that such violations have been corrected. In order to comply with NCIC policies established by the NCIC Advisory Board, the Non-Terminal Agency agrees to maintain accurate records of all TCUC/NICI entries made through the Terminal Agency and to immediately notify the Terminal Agency of any changes in status of those reports, to include the need for cancellation, addition, deletion or modification of the records. The Terminal Agency agrees to enter, update, and remove all records for the Non-Terminal Agency on a timely basis, as defined by NCIC.

In order to comply with NCIC hit confirmation requirements, the agencies agree to the following:

- If wanted persons records are to be entered into the Terminal Agency's Originating Agency Identifier (ORI), the Non-Terminal Agency must deliver the original warrants to the Terminal Agency to be held on file until such time as the record is cancelled or cleared.
- If property and missing person records are to be entered with the Terminal Agency's ORI, the Non-Terminal Agency must deliver case reports to the Terminal Agency to be held on file until such time as the record is cancelled or cleared. If the records are to be entered with the Non-Terminal Agency's ORI, the Terminal Agency agrees to immediately forward all requests for hit confirmation that might be received at the terminal to the Non-Terminal Agency. The Non-Terminal Agency agrees to comply with the NCIC ten minutes hit confirmation policy.
- If the Non-Terminal Agency is a non-24-hour agency, the records must be entered with the Terminal Agency's ORI and the associated case reports must be held at the Terminal Agency for hit confirmation purposes.

In order to comply with NCIC validation requirements, the Non-Terminal Agency agrees to perform all validation procedures as required by NCIC on all records entered through the Terminal Agency.

Criminal History information obtained from the Terminal Agency will be handled according to the TCIC/NCIC guidelines by the Non-Terminal Agency. Either the Terminal Agency or the Non-Terminal Agency may, upon thirty days prior written notice, discontinue the agreement, except in the event the

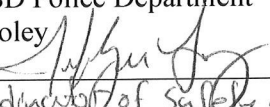
Non-Terminal Agency fails or refuses to comply with any of the provisions herein, in which case the **Terminal Agency may terminate this agreement immediately.**

Upon receipt by the Terminal Agency of any request for information from the associated databases, an Attorney General Opinion may be timely sought.

The Non-Terminal Agency agrees to indemnify and save harmless the Terminal Agency and its employees as well as the Texas Department of Public Safety, its director and employees from and against all claims, demands, actions and suits, including but not limited to any liability for damages by reason of or arising out of any false arrests or imprisonment or any excuse of the Non-Terminal Agency or its employers in the exercise of the enjoyment of this agreement, as permitted by Texas law.

This agreement becomes effective on the ____ day of _____, 2024. In witness whereof, the parties here to caused agreement to be executed by the below listed authorized officers and officials.

Terminal Agency
Hewitt Police Department
By: John McGrath
Signature: _____
Title: _____
Date: _____

Non-Terminal Agency
Midway ISD Police Department
By: Jeff Foley
Signature:  _____
Title: Coordinator of Safety and Security
Date: 4-16-2024



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 10.

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Discussion of the FY 2024-2025 Budget Calendar.

STAFF RECOMMENDATION/ITEM SUMMARY:

Each year, during the planning phase of the budget season, we work to bring you a calendar to ensure deadlines are met with time for department presentations and discussions.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

NA

ATTACHMENTS:

1. Budget Calendar at 4 23 24

**CITY OF HEWITT, TX
BUDGET CALENDAR
ANNUAL BUDGET FY 2024-2025**

CREATION OF BUDGET	
4/1 & 4/15	COUNCIL RECEIVES DEPARTMENTAL STRATEGIC PLANS
	Department heads present their department's 5 year Strategic Plan to City Council in preparation for the new budget year.
4/30	DEADLINE FOR PRELIMINARY TAX ROLL
4/30	BUDGET CREATION BEGINS
	City Manager gives direction to department heads for the budget year. Department Heads prepares their departmental budgets. HR prepares Proposed Salary Schedules, Promotions & Pay Adjustments. If needed, Department heads also prepare Capital Outlay Requests and update Fees for the Master Fee Schedule. Finance Director budgets Revenue and Debt.
5/6 & 5/20	COUNCIL BUDGET EXPECTATIONS
	Council gives budget direction to City Manager for upcoming budget year.
5/24	DEADLINE FOR BUDGET REQUESTS
	In advance to compiling the Proposed Budget, City Manager reviews proposed Salary Schedules and any proposed changes to Titles, Promotions, & Pay Adjustments. City Manager reviews with Department Heads individually their proposed budgets. City Manger also reviews Revenue estimates. The department reviews include General Fund, Utility Fund and Drainage Fund.
6/4	DEADLINE FOR REVIEW WITH CITY MANAGER
	After final review with department heads, the City Manager passes the Proposed Budget to Finance Director for compilation, printing and distribution to the City Council. The Proposed Budget includes a Statement regarding the Financial Condition of the City, Tax Information, Debt Information, Reserves, Capital Expenditures with provisions for financing, if needed, and Personnel Information including Staffing by Fund and Department, PD & FD Step Charts, & a Salary Schedule.
6/21	PROPOSED BUDGET ISSUED TO CITY COUNCIL
7/1 & 7/15	COUNCIL MEETINGS - PROPOSED BUDGET
	City Manager presents Proposed Budget for Council discussion. Council makes changes, if any, to Proposed Budget.
7/25	DEADLINE FOR CERTIFIED TAX VALUES
	Deadline to receive Certified Tax Values from Appraisal District.

(continued)

Calendar for April 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Calendar for May 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Calendar for June 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Calendar for July 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**CITY OF HEWITT, TX
BUDGET CALENDAR
ANNUAL BUDGET FY 2024-2025**

BUDGET AND TAX RATE ADOPTION PROCESS BEGINS	
7/25	TAX ASSESSOR CALCULATES CERTIFIED RATES
	Tax Assessor calculates Rates for No New Revenue (effective), Voter Approval (rollback), I&S (debt), No New Revenue M&O (operations) and De Minimus Rates.
7/20	BUDGET NOTICE PUBLISHED
	* Publish Budget Notice, "Notice of Public Hearing," in newspaper and City website.
8/5	COUNCIL MEETING - TAKE RECORD VOTE
	* Council announces date and place for public hearing on the Proposed Budget. * Council takes record vote on tax rate and announces date and place of two public hearings on the tax rate.
8/12	COUNCIL MEETING - PUBLIC HEARING ON BUDGET & TAX RATE
	* Public Hearing on the Budget. * Public Hearing on Tax Rate. * Announce date for Council to vote on Budget and Tax Rate. (8/19) * On website, add public hearing and tax rate adoption dates.
8/8	TAX ASSESSOR PUBLISHES REQUIRED TAX NOTICE
	* Publish Notice of Public Hearing (by Tax Assessor). (Notice published 5 days before hearing in newspaper and 7 days before hearing on entity website.)
8/19	COUNCIL MEETING-ADOPT TAX RATE & BUDGET
	* Public Hearing on Tax Rate. * Ordinance accepting & approving Tax Roll. * Ordinance Levying a tax rate; special wording on increase in M&O tax revenue and \$\$ on \$100k home. * Ordinance adopting revised Master Fee Schedule. * Ordinance adopting and appropriating Budgets. * Council signs paperwork from Tax Assessor setting rates.
8/20	* Publish Adopted Budget on city website.
10/1	BUDGET BECOMES EFFECTIVE

Calendar for July 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Calendar for August 2024						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 11.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Briefing and discussion concerning Council priorities for budget preparation.

STAFF RECOMMENDATION/ITEM SUMMARY:

City Council has received updates to the Five-Year Strategic Plan. Staff will begin justifying, developing, and preparing the FY '24-'25 Operating and Capital Budget. This is just an opportunity for the Council to provide input regarding priorities for the development of a proposed budget.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

At Council discretion.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 12.

SUBMITTED BY: Kevin Reinke, Utilities Director

ITEM DESCRIPTION:

Discussion and possible action to ratify the expenditure for the emergency repair of Ritchie Plant Well #6, pump, motor, and other equipment to Jurgensen Pump, LLC, not to exceed \$160,000.

STAFF RECOMMENDATION/ITEM SUMMARY:

This item seeks ratification for the expenses to replace the well pump, motor, and other materials related to the job at Well #6 located at the Ritchie Well Plant.

FISCAL IMPACT:

Amount Budgeted - \$150,000

Line Item in Budget - 20-50367-91-00

SUGGESTED MOTION:

I move to ratify the expenditure for the emergency repair at Ritchie Plant Well #6 to Jurgensen, Pump, LLC, not to exceed \$160,000.

ATTACHMENTS:

1. Jurgensen Pump, LLC Quote



JURGENSEN PUMP, LLC
PO Box 256
McGregor, TX 76657

Phone # 254-932-6251 Fax # 254-932-6770

Estimate

Date	Estimate #
4/10/2024	7103

REGULATED BY THE TEXAS
DEPARTMENT OF LICENSING &
REGULATIONS PO BOX 12157
AUSTIN, TX 78711
LICENSE #54576

Name / Address

City of Hewitt
P.O. Box 219
Hewitt, TX 76643

WARRANTY: New well equipment is covered by
Manufacturer's Warranties and these warranties are
the responsibility of the Manufacturers.
LABOR WARRANTY: Is 30-days from
installation of new well equipment

Project

Richie Road Well ...

Description	Qty	Cost	Total
Ritchie Road Well - 250HP 2500V 13" Casing: 0 - 1,720 FT Perforations: 1,720 - 1,916 FT Total Well Depth = 1,930 FT PWL = 1,286 FT Pump Setting = 1,366 FT (6" Pipe 8R), Lower to 1,496 FT			
Labor 60-T Rig & Crew to Pull Well Pump	1	4,500.00	4,500.00
Summit ESP 675 SH20000-18 Stage Pump - 500 GPM at 1,300 FT TDH	1	34,655.00	34,655.00
Summit ESP 513 Series Seal	1	11,845.00	11,845.00
Summit ESP 562 Series 300HP / 3255V / 57 Amp Motor	1	32,870.00	32,870.00
Summit ESP 55' Motor Lead	1	4,250.00	4,250.00
(12) 6" X 42' 8RD Black Pipe w/API Collars per foot	504	35.00	17,640.00
6" 8RD DI Check Valve w/Break Off Plug	2	1,250.00	2,500.00
4" 8RD x 6" 8RD Swage	1	600.00	600.00
(2) 1/4" Toro Airline	3,000	0.30	900.00
Airline Gauge Kit	1	150.00	150.00
Miscellaneous Items - HTH, Buckles, Bandit, Tape, Splice Material	1	650.00	650.00
Hot Shot Services to Jobsite	1	2,500.00	2,500.00
Summit ESP Service Tech at Install	1	4,500.00	4,500.00
Summit ESP 260KVA 480V : 1100-3811V Transformer	1	30,470.00	30,470.00
Field Service for Crew with Rig to Install, Start-up Well Pump	1	6,500.00	6,500.00
Note: - Reuse 992 FT of 6" 8R Pipe - Reuse Cable			
Quote valid for 30 days!		Subtotal	\$154,530.00
		Sales Tax (0.00)	\$0.00
		Total	\$154,530.00



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 6, 2024

AGENDA ITEM #: 13.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Discussion and possible action on **Resolution 2024-04** selecting an elected official of the City of Hewitt as the City's nominee to serve as a member of the governing body of the McLennan County Rural Transit District.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City of Hewitt has the ability to submit the name of a member of Council to serve on this board. This is the opportunity for a member of council to express interest and have their name submitted for consideration.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

I move approval of **Resolution 2024-04** selecting _____ to serve as a member of the governing body of the McLennan County Rural Transit District.

ATTACHMENTS:

1. 24 MCRTD Letter
2. 2024-04 McLennan County Rural Transit District Resolution



Scott M. Felton
McLENNAN COUNTY JUDGE

P.O. BOX 1728 * Waco, Texas 76703-1728 * Phone No. 254-757-5049 * Fax No. 254-757-5196

April 24, 2024

City of Hewitt
Mayor Steve Fortenberry
200 Patriot Crt
Hewitt, TX 76643

Mayor Fortenberry;

The initial term for the Place 8 Director (Precinct 4 Region) of the McLennan County Rural Transit District Board of Directors will expire May 31, 2024.

The County Judge's office is requesting that each incorporated city in the Precinct 4 Region (by resolution) nominate a member of the city's governing body for consideration of becoming a member of the governing body of the district. Once a member has been nominated, please return the completed resolution to our office via email to dustin.chapman@mclennan.gov.

Once the nominees are returned to the County Judge's Office, they will be placed on a ballot which will then be sent to each of the cities in the Precinct 4 Region. Voting will then take place as specified by Section 5.B. of the RESOLUTION OF THE TRANSPORTATION CONFERENCE COMMITTEE PROVIDING FOR THE SELECTION OF THE GOVERNING BODY OF THE MCLENNAN COUNTY RURAL TRANSIT DISTRICT:

B. Process for Places 5-8

Each City within the region that desires to put up a nominee for the place provides the County Judge's Office with a resolution indicating its nominee 90 days before expiration of the term. The nominees are placed on a ballot. A ballot is sent to each of the cities. Each city has 20 votes to split between the nominees. Only 10 of those votes may be cast for the City's own nominee. If there are only 2 nominees, a city need not cast the other 10 votes, but may do so. If there are 3 or more nominees, the city must cast the other 10 votes. The ballots are sent back to the County Judge's Office and compiled. The nominee with the highest total is selected to fill that region's place. If there is a tie, the County Judge will cast a vote to break the tie.

Respectfully,

Scott M. Felton

Scott M. Felton
McLennan County Judge

RESOLUTION NO. 2024-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, SELECTING AN ELECTED OFFICIAL OF THE CITY AS THE CITY'S NOMINEE FOR SERVICE AS A MEMBER OF THE GOVERNING BODY OF THE MCLENNAN COUNTY RURAL TRANSIT DISTRICT

WHEREAS, the Commissioners Court of McLennan County created the McLennan County Rural Transit District in 2015; and

WHEREAS, the City has been requested to nominate a member of its governing body to be considered to become a member on the governing body of the McLennan County Rural Transit District.

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

1. the City Council nominates _____ to serve as a member of the governing body of the McLennan County Rural Transit District.

PASSED AND APPROVED this the 6th day of May 2024.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Michael W. Dixon, City Attorney