



CITY COUNCIL REGULAR MEETING

May 20, 2024 at 7:00 PM

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

AGENDA

Steve Fortenberry, Mayor, Ward 3

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

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

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

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

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

REGULAR MEETING - 7:00 PM

DECLARATION OF A QUORUM AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

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

SPECIAL PRESENTATION(S) AND RECOGNITION(S)

1. Recognition of departing council member Johnny Price.
2. Oath of Office Swearing-in for Steve Fortenberry and Johnny Stephens.

EXECUTIVE SESSION: Notice is given that a closed meeting will be held pursuant to Section 551.074 of the Texas Government Code (V.T.C.A.) so that the Council may discuss personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

3. a. Organization of new City Council - Mayor, Mayor ProTem
b. Council Vacancy - Ward 1

RECONVENE REGULAR MEETING

4. Discussion and possible action concerning Executive Session items if any.

REGULAR AGENDA ITEMS

5. Approval of minutes for the City Council Workshop/Regular Meeting held May 6, 2024.
6. Briefing and discussion concerning Financial Statements ending April 30, 2024.
7. Discussion and possible action on an appointment to the Parks and Beautification Committee.
8. Discussion and possible action concerning the appointment of a member to seat two (2) with McLennan County 9-1-1 Emergency Assistance District.
9. Discussion and possible action concerning the Reimbursement Agreement Preliminary Engineering Services with Union Pacific Railroad Company, granting the City Manager the authority to execute all documents pertaining to the agreement.
10. Briefing and discussion concerning Council priorities for budget preparation.

ADJOURNMENT

I certify that the above notice of meeting was posted on the Public Notice Board located in front of City Hall on **May 15, 2024, by 5:00 PM.**

CITY OF HEWITT

For - Lydia Lopez, by Wanda Brooks

Lydia Lopez, TRMC/CMC
City Secretary

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



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 20, 2024

AGENDA ITEM #: 5.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Approval of minutes for the City Council Workshop/Regular Meeting held May 6, 2024.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

I move approval of the minutes as presented.

ATTACHMENTS:

1. May 6, 2024 Meeting Minutes



CITY COUNCIL WORKSHOP/REGULAR MEETING

May 6, 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 6:01 PM, announced all members were present, and declared a quorum.

WORKSHOP AGENDA

1. Briefing and discussion concerning an update to the City of Hewitt's Strategic Plan 2024-2029
- Library Director Matthew Glaser.
City Manager Bo Thomas introduced Library Director Matthew Glaser, who presented an update to the Library's Strategic Plan.
2. Briefing and discussion concerning a zone change request (Agenda Item 4).
City Manager Bo Thomas introduced Community Development Director Tracy Lankford, who briefed the Council on the zone change request.
3. Briefing and discussion concerning the City of Hewitt's current debt and outstanding principal in the General Fund and Utility Fund.
City Manager Bo Thomas presented.

WORKSHOP ADJOURNMENT

MOTION: Mayor Pro Tem Erica Bruce moved to adjourn the Workshop Meeting at 6:43 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 7:00 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

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.

City Manager Bo Thomas presented. Mayor Steve Fortenberry opened the public hearing at 7:03 pm and called for those wishing to speak in favor of the request. The following appeared to respond to questions: Jonathan Kirby, 2600 N. Central Express Way, Richardson, Texas. Mayor Fortenberry called for those wishing to speak against it. No one spoke against the request. The public hearing closed at 7:04 pm.

MOTION: Council Member Michael Bancale moved to approve **Ordinance 2024-04** to 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-0 Outdoor Commercial to C-2 General Commercial District.

SECOND: Council Member Johnny Price

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

NAYES: None

ABSENT: None

MOTION PASSED.

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.

City Manager Bo Thomas presented. Mayor Steve Fortenberry inquired if any responses had been received. Mr. Thomas stated that no responses were received directly or from the website. Mayor Steve Fortenberry opened the public hearing at 7:14 pm and called for those wishing to speak in favor or against the request. No one appeared. The public hearing was closed at 7:14 pm. Mr. Thomas read the ordinance caption into the record.

MOTION: Mayor Pro Tem Erica Bruce moved to approve **Ordinance 2024-08** authorizing the City Manager to execute all documents related to the ordinance as presented.

SECOND: Council Member Bob Potter

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

NAYES: None

ABSENT: None

MOTION PASSED.

PUBLIC COMMENTS

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

Mayor Steve Fortenberry read the statement above and inquired if the City Secretary had received any public comment forms. The following appeared before the Council to speak: Sally Goldman, President of the Library Board, expressed appreciation for installation of the automated doors; Angela Richter of 206 Chelsea Dr expressed concerns about the flooding in her neighborhood; and Aimee Farris of 204 Chelsea Dr also shared concerns about the flooding in her neighborhood. No other public forms were received.

REGULAR AGENDA ITEMS

6. Approval of minutes of the City Council Workshop/Regular Meeting held on April 15, 2024.
MOTION: Mayor Pro Tem Erica Bruce moved to approve the minutes as presented.
SECOND: Council Member Brad Turner
AYES: Bruce, Turner, Potter, Stephens, Bancale, Price, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.
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.
City Engineer Miles Whitney presented a review of the listed projects.
8. Discussion and presentation of the Summer Reading Program with the Hewitt Public Library.
City Manager Bo Thomas introduced Library Director Matthew Glaser, who presented an overview of the Summer Reading Program.
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.
City Manager Bo Thomas presented. Assistant Police Chief Heath Vanek answered questions.
MOTION: Mayor Pro Tem Erica Bruce moved to approve **Resolution 2024-03** authorizing the City Manager to execute the Memorandum of Understanding with Midway ISD and the Police Chief to execute the Non-Terminal Agreement.
SECOND: Council Member Johnny Price
AYES: Bruce, Price, Bancale, Potter, Turner, Stephens, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

10. Discussion of the FY 2024-2025 Budget Calendar.

City Manager Bo Thomas presented the FY 2024-2025 Budget Calendar.

11. Briefing and discussion concerning Council priorities for budget preparation.

City Manager Bo Thomas asked the Council to communicate any budget priorities as of now to help direct our efforts in the budget process. Council Member Michael Bancale expressed appreciation to the staff for the Five-Year Strategic Plan, the vision for retaining our employees, and the staff's due diligence on spending money where it needs to be spent. He asked the staff to continue that due diligence. Mayor Pro Tem Erica Bruce requested information on salary comparison with the surrounding area, the proposed salary structure for Fire staff, and more details on the proposed Lift Station.

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.

City Manager Bo Thomas presented.

MOTION: Council Member Bob Potter moved to ratify the expenditure for the emergency repair of Ritchie Plant Well # 6 not to exceed \$160,000.

SECOND: Council Member Michael Bancale

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

NAYES: None

ABSENT: None

MOTION PASSED.

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.

City Manager Bo Thomas presented. No action was taken.

ADJOURNMENT

MOTION: Mayor Pro Tem Erica Bruce moved to adjourn the Regular Meeting at 8:10 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 20, 2024

AGENDA ITEM #: 6.

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Briefing and discussion concerning Financial Statements ending April 30, 2024.

STAFF RECOMMENDATION/ITEM SUMMARY:

The financial statements ending April 30, 2024, were sent electronically on May 3, 2024. This is an opportunity for the council to ask questions or comments.

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 20, 2024

AGENDA ITEM #: 7.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

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

STAFF RECOMMENDATION/ITEM SUMMARY:

The Parks and Beautification Committee currently has one vacancy. Attached is an application for board and commission service from Richard D. Driver. Mr. Driver has expressed an interest in serving and will be present for a brief introduction. This term will expire in December 2024.

FISCAL IMPACT:

Amount Budgeted - NA

Line Item in Budget - NA

SUGGESTED MOTION:

I move to approve the appointment of Richard D. Driver to the Parks and Beautification Committee, with a term expiring in December 2024.

ATTACHMENTS:

1. Council-Boards- Commissions-Committees list
2. Driver Richard D. (2024) Boards and Commissions Volunteer Application_202309061550336174

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

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

City Council 2 YR Term – May	Board of Adjustment 2 YR Term – April	Planning & Zoning Commission 2 YR Term – June	Parks & Beautification Committee 2 YR Term – December	Library Board 2 YR Term – December	Civil Service Commission 3 YR Term – December
1 st & 3 rd Monday – 7 PM Brad Turner Ward 1 (05-2025) 425 W. Chapman Rd. (254) 709-3614	3 rd Thursday – 6 PM (04-2024) Chair Jim Winton 1136 Heatherwood (254) 857-9436	1 st Tuesday – 6 PM (06-2024) Paul D. Lasater 1321 Ridgeview (254) 716-0025	3 rd Wed. – 6 PM (12-2024) Jerry Snider 108 Brenda Dr. (254) 307-0613	Quarterly as needed (12-2024) Jerry Snider 108 Brenda Dr. (254) 307-0613	Called (12-2024) Chair Tom Mattern 1204 Ridgeview Cr. (254) 644-9632
Johnny Stephens Ward 1 (05-2024) 305 Travis Ln. (254) 709-3989	(04-2024) Brenda Turner 209 Laredo Dr. (254) 666-0087	(06-2024) Brian Dalrymple 821 Sunny's Halo Dr. (254) 744-9711	(12-2025) Nathan Rusterholtz 1200 Dendron Dr. (972) 978-3202	(12-2025) Betty J. Smith 709 Seminole Trail (254) 666-7931	(12-2025) Vice Chair Sam MacKinnon 113 Emmalyn Dr. (254) 299-7788
Johnny Price Ward 2 (05-2024) 115 Westchester Way (254) 709-3998	(04-2025) Douglas Bergen 264 Earle Rd. (254) 666-0855	(06-2024) Walter H. Peterson 500 Moss Hill Rd. (254) 757-5128	(12-2025) Casey Lowrey 700 Wind Hill Dr. (254) 424-1266	(12-2024) Julie Holcomb 112 Travis Ln. (972) 935-4528	(12-2026) Sammy L. Thomas 100 Coventry Dr. (254) 749-0800
Bob Potter Ward 2 (05-2025) 409 W Wall St. (254) 709-3666	(04-2025) Royce W. Smith 1128 Regina (254) 652-3099	(06-2025) Dustin Crawford 1001 December Dr. (903) 754-1204	(12-2025) Tyler Green 905 Regina Dr. (903) 806-8993	(12-2024) Lydia Dashner 520 Angel Fire Dr. (254) 666-9623	
Mayor Pro Tem Erica Bruce Ward 3 (05-2025) 717 Fieldstone Dr. (254) 709-4050	(04-2025) Drexel King 331 Earle Rd. (919) 518-4801	(06-2025) Bobby Drake 107 Westchester Way (254) 772-7440	(12-2024) Vernon Bailey 301 Tampico Dr. (512) 797-6377	(12-2024) Jennifer Hunt 228 Cross Country Dr. (254) 498-0102	
Mayor Steve Fortenberry Ward 3 (05-2024) 701 Oakmont Dr. (254) 709-0030	Alternate (04-2024) VACANCY	(06-2025) Michael Lee Hix 336 Bowie Ln. (254) 723-5071	(12-2024) VACANCY	(12-2025) Delores K. Sincerney 119 Russell Ln. (254) 744-5752	
Michael S. Bancale At-Large (05-2025) 909 Stoneridge Dr. (254) 709-3522	Alternate (04-2025) VACANCY	(06-2025) Travis Bailey 412 Oklahoma Ave. (254) 666-1492	(12-2024) Ryan A. NeGron 137 Bonham Dr. (346) 818-7831	(12-2025) Sally Goldman 132 Texas (254) 666-2436	

Updated: 02/06/2024

APPLICATION FOR BOARDS & COMMISSIONS TO THE CITY OF HEWITT

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

NAME OF APPLICANT: _____

HOME ADDRESS: _____

DAYTIME TELEPHONE NUMBER: _____ E-MAIL ADDRESS: _____

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

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

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

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

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

OTHER WAYS YOU SERVE YOUR COMMUNITY: _____

SPECIAL INTERESTS/SKILLS/EXPERIENCE/EDUCATION YOU FEEL MAY BE HELPFUL: _____

OCCUPATION/EMPLOYER: _____

REFERENCES (MUST BE HEWITT RESIDENTS): _____ TELEPHONE #: _____

_____ TELEPHONE #: _____

SIGNATURE OF APPLICANT: _____ DATE: _____

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

OFFICE USE ONLY

Date interviewed by Council: _____

Date appointed by Council: _____

Date sworn in by Council: _____

Reappointed: _____

Term to expire: _____

Term to expire: _____

VOLUNTEER SERVICE TO THE HEWITT COMMUNITY

Our community today is a product of the efforts of many dedicated residents who have worked hard to provide a quality environment. This is a result of caring, dedicated citizens who shared their time, expertise and vision. Your city government is governed at the most basic, responsive grass roots level where citizens directly participate in shaping their own future. The City Council members (all of whom are volunteers) solicit the participation of residents who want to serve and play an important role in Hewitt's future.

Prior to appointment to the various boards and commissions, it is recommended that the candidate become familiar with the duties and responsibilities of the appointment being sought by attending at least one meeting of the group to which appointment is being requested.

There are currently five established boards and commissions:

The **Board of Adjustment** addresses appeals filed with the City regarding application, interpretation, or reasonableness of certain ordinances or administrative decisions pertaining to zoning, variances for non-conforming uses of real property, appeals and variances regarding administration and provisions of flood damage control ordinances, etc. The Board of Adjustment has five regular members and two alternates who are normally appointed for two-year terms. There is no regular meeting schedule as this board meets only when necessary. Members and alternates must be residents of Hewitt.*

The **Civil Service Commission** is responsible for adopting, maintaining and enforcing the City of Hewitt Police Officers' Rules and Regulations which govern the hiring and promotional process and serves as a disciplinary appeal board for civil service police officers in the Hewitt Police Department. The Commission is comprised of three commissioners appointed by the City Manager and confirmed by the Hewitt City Council. The commissioners serve staggered, three-year terms. The Commission meets on a called basis as needed. Members must be residents of Hewitt.*

The **Library Board** is an advisory body to the Council on all matters related to the development, expansion, and operation of the Library System. Members serve a two-year term. This board meets quarterly as needed. Members must be residents of Hewitt.*

The **Parks & Beautification Committee** is an advisory body to the City Council on all matters relating to parks and recreational facilities in Hewitt. The Parks & Beautification Committee members serve a two-year term. Meetings are usually held on the bi-monthly on the third Wednesday of the month at 6:00 p.m., with occasional special meetings and projects held throughout the year. Members must be residents of Hewitt.*

The **Planning & Zoning Commission** acts on various issues including zoning, platting of subdivisions, special use permits, long-range planning, and development, etc. The Commission also conducts public hearings requiring citizen input, and develops and recommends planning and zoning ordinances to the City Council when appropriate. Appointments are for two-year terms. Meetings are held on the first Tuesday of each month at 6:00 p.m. Members must be residents of Hewitt.*

** Please review description of "legal residence" on other side.*



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 20, 2024

AGENDA ITEM #: 8.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Discussion and possible action concerning the appointment of a member to seat two (2) with McLennan County 9-1-1 Emergency Assistance District.

STAFF RECOMMENDATION/ITEM SUMMARY:

The McLennan County 9-1-1 Board of Managers are appointed to serve a two-year term. The municipalities within the District jointly appoint these members in even-number years.

Ryan Holt was the sole nominee for seat one (1) and will remain the representative for that position. For seat two (2), three names were received as nominees: Jim Devlin, City of Hewitt; Danielle McGruer, Administrative Assistant for Construction Services at MRB Group; and Henry Van Smith, City of McGregor Emergency Management Coordinator. Each municipality must return the attached ballot form by **5:00 pm, Wednesday, June 5, 2024.**

FISCAL IMPACT:

Amount Budgeted - NA
Line Item in Budget - NA

SUGGESTED MOTION:

I move to cast Hewitt's ballot in favor of Jim Devlin to the McLennan County 9-1-1 Emergency Assistance District.

ATTACHMENTS:

1. McLennan County 911 Emergency Assistance District Appointment Ballot



McLennan County 9-1-1 Emergency Assistance District

Proudly serving the citizens of McLennan County for over 30 years!

April 17, 2024

The Honorable Steve Fortenberry
Mayor, City of Hewitt
200 Patriot Court
Hewitt, TX 76643

Re: Appointment to Seat Two (2) on 9-1-1 Board of Managers

Dear Mayor Fortenberry:

On February 21, 2024, a letter from this office was mailed to each municipality within McLennan County requesting nominees for Seat One (1) and Seat Two (2) on the McLennan County 9-1-1 Board of Managers. During the 45-day collection period that ended April 10, 2024, one individual (Ryan Holt) was nominated for Seat One; therefore, he will remain the representative for that position. For Seat Two (2), three names had been received as nominees. Those names, in alphabetical order, are:

- Jim Devlin (City of Hewitt Assistant City Manager)
- Danielle McGruer (Administrative Assistant for Construction Services at MRB Group)
- Henry Van Smith (City of McGregor Emergency Management Coordinator)

The following pages include a brief personal biography provided by each nominee. Also enclosed is a ballot that is to be used to indicate your city's preference among the three nominees. Please return that ballot either in the provided self-addressed stamped envelope, or by e-mail or fax (both shown on the ballot), by the deadline of June 5, 2024.

When the deadline of June 5, 2024, is reached the ballots will be tabulated, and the individual with a majority of votes cast will be declared the appointee to Seat Two. (Note: Majority is defined as 50% + of the votes cast; not simply more votes than the other nominees. Example: If 10 ballots are returned, and no individual receives six or more, then ballots with the names of the two nominees that received the most votes will be mailed out for a "run-off".) If necessary, this process will repeat until one individual receives at least 50% + of the votes cast, thereby declaring that individual the appointee.

If there are any questions, please feel free to call this office.

Respectfully,

Jesse A. Harrison, ENP
Executive Director

Enclosure

cc: MCEAD 9-1-1 Board of Managers

**McLENNAN COUNTY 9-1-1 EMERGENCY ASSISTANCE DISTRICT
BALLOT for SEAT TWO**

The nominees are listed below in alphabetical order.

Please select only one from the list:

SEAT TWO

(select one)

_____ **JIM DEVLIN**, City of Hewitt Assistant City Manager

_____ **DANIELLE McGRUER**, Administrative Assistant for Construction Services at MRB Group

_____ **HENRY VAN SMITH**, City of McGregor Emergency Management Coordinator

City of _____

Mayor or designee signature: _____

Printed Name and Title: _____

Contact Number: _____

Date: _____

Please return this completed ballot to:

**McLennan County 9-1-1 Emergency Assistance District
Attention: Jesse Harrison, Executive Director
107 Burnett Ct.
Woodway, TX 76712**

(A self-addressed stamped envelope is provided for your convenience).

If you prefer not to mail this form, it may be emailed to rquest@mcead911.org, or faxed to (254) 732-0544.

NOTE: Ballot forms MUST be received at the above address no later than 5:00 pm, Wednesday, June 5, 2024.

JIM DEVLIN

Jim Devlin currently serves as the Assistant City Manager for the City of Hewitt overseeing multiple departments in a community of 16,000 residents. He began working for the City of Hewitt in 2009 as the Assistant Chief of Police over operations, assisting with the implementation of Local Government Code 143 Civil Service, policy development, equipment procurement, and professional development of officers and staff. In 2012 Jim was promoted to Chief of Police and served in that capacity for the next eleven years until he was promoted to his current position. Under his tenure as Chief of Police, the department experienced significant growth to meet the development and expectations of the community utilizing a Community Policing framework, built a state-of-the-art Public Safety Facility, increased transparency with citizens and the media, was instrumental in transitioning the agency to the City of Waco Public Safety Radio system, fostered relationships and fundraising with many local non-profit organizations in McLennan County, and led the Hewitt Police Department to achieve Recognized and Accredited Status with the Texas Police Chiefs Association being the sixtieth agency in the State of Texas to attain this designation.

Jim has thirty years of experience in Municipal Government, holds a Bachelor of Science in Organization Leadership from the University of Charleston, is a graduate of the Institute for Law Enforcement Administration's School of Executive Leadership, holds a Master Peace Officer License and Instructor Proficiency Certification from the Texas Commission on Law Enforcement, and is currently enrolled in the Certified Public Manager Course at Texas State University.

Jim currently serves as the Municipality's Representative for the McLennan County 911 Emergency Assistance District, being elected to that position in 2020. During his time on the Board of Directors, Jim has assisted with budget management/direction, and future planning for the 911 District including the move toward Next Generation 911 services, and a member that assisted with adding a county-wide radio system to the M.C.E.A.D. 911 back-up facility.

Jim serves as the President of the McLennan Community College Law Enforcement Academy Advisory Board and currently serves as a police academy law enforcement trainer at M.C.C.L.E.A., instructing in various courses of instruction since 2010. He also serves on the Waco Metropolitan Planning Organization Technical Advisory Committee as well as the M.P.O. Safety Action Task Force.

In 2019 Jim was appointed as the Region 9 Director for the Texas Police Chiefs Association where he served until his promotion to ACM in 2023. He is a past Board Member of the Central Texas Area Police Chiefs and Sheriffs Association and was recently appointed by the Texas Commission on Law Enforcement through the Office of the Governor, to serve as a member of the "Hiring, Personnel File, and Misconduct" Advisory Committee.

Jim is a member of the Texas City Managers Association, National Emergency Number Association, International Association of Chiefs of Police, Texas Police Chiefs Association, Central Texas Area Police Chiefs and Sheriffs Association, and the Greater Hewitt Chamber of Commerce.

DANIELLE McGRUER

PROFILE

My name is Danielle McGruer, and I am excited to bring my eight years of experience in 911 Emergency Communications to the McLennan County 911 Board of Directors. During this time, I have worked for different organizations, such as the City of Flagstaff for two years, Northern Arizona University for five years, and Woodway Public Safety for one year. Last year, I served as the Court Clerk for the City of Bruceville-Eddy and contributed to the city receiving its first Traffic Safety Initiative Award.

I hold a Bachelor of Arts in Political Science and French Studies from the University of Portland. I am also certified in Telecommunications Operations for Arizona and Texas (ALETs/TLETs) and graduated from the McLennan County Emergency Communications Academy in October 2021. In Arizona, I served as a certified trainer and Assistant Systems Security Officer. I have experience writing training manuals, including the City of Flagstaff Fire Training Manual, and was the Lead Trainer for Northern Arizona University.

I have been a resident of McLennan County for three years and have held leadership positions in various non-profits. Currently, I serve as the Recording Secretary for Bruceville-Eddy United Methodist Church. I work for MRB Group, an architectural and engineering firm, as an administrative assistant for construction services. MRB Group works on municipal projects for McLennan County and surrounding Central Texas areas.

I am dedicated to my community, and I believe my experience, dedication, and leadership skills will add value to the McLennan County 911 Board of Directors.

HENRY VAN SMITH

I WAS BORN IN WACO, TEXAS ON JAN. 4 TH. 1954.

I HAVE LIVED IN MCGREGOR, TEXAS ALL MY LIFE.

I ATTENDED THE MCGREGOR SCHOOLS AND GRADUATED IN 1972

I ATTENDED MCLENNAN COMMUNITY COLLEGE AND GRADUATED IN 1975 WITH A ASSOCIATES OF ART DEGREE AND A CERTIFICATE IN MANAGEMENT.

I WAS EMPLOYED BY SAFEWAY FOOD STORES IN 1970 AND WENT FROM SACKER TO ASST. MANAGER BEFORE LEAVING IN 1986.

I WAS THEN EMPLOYED BY TRIAD FOODS IN MCGREGOR AS STORE MANAGER UNTIL 2003, WHEN THE STORE CLOSED.

I WAS THEN EMPLOYED BY DAVIDS FOOD STORE IN 2003 UNTIL PRESENT AS STORE MANGER

I AM A VOLUNTEER FIREMAN WITH THE MCGREGOR FIRE DEPT. SINCE 1972. I HAVE HELD EVERY OFFICE EXCEPT FOR FIRE CHIEF. I AM CURRENTLY VICE PRESIDENT, COMMUNICATIONS OFFICER, AND CERTIFICATION OFFICER.

I AM THE EMERGENCY MANAGEMENT COORIDINATOR FOR THE CITY OF MCGREGOR SINCE 1976.

I HAVE SERVED AS PRESIDENT AND NOW TREASUER FOR THE EMERGENCY COMMUNICATONS TEAM IN MCGREGOR.

I RECEIVED THE CITIZEN OF THE YEAR AWARD IN 2001 AND THE SON OF HERMANS AWARD IN 2002.

I AM MARRIED SINCE 1976 AND HAVE 1 DAUGHTER AND 1 GRANDDAUGHTER.

I OWN ALONG WITH MY WIFE IRENE'S FLOWERS AND GIFTS IN MCGREGOR SINCE 2006.



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 20, 2024

AGENDA ITEM #: 9.

SUBMITTED BY: Bo Thomas , City Manager

ITEM DESCRIPTION:

Discussion and possible action concerning the Reimbursement Agreement Preliminary Engineering Services with Union Pacific Railroad Company, granting the City Manager the authority to execute all documents pertaining to the agreement.

STAFF RECOMMENDATION/ITEM SUMMARY:

For several years, residents have complained about the width of the railroad crossing at First Street due to the angle and width at which it is situated coming up to Hewitt Drive. This is reimbursement for engineering services to widen the crossing.

FISCAL IMPACT:

Amount Budgeted - \$0.00

Line Item in Budget -

SUGGESTED MOTION:

I move approval of the Reimbursement Agreement Preliminary Engineering Services with Union Pacific Railroad Company, granting the City Manager the authority to execute all documents pertaining to the agreement.

ATTACHMENTS:

1. Reimbursement Agreement - Preliminary Eng.

**REIMBURSEMENT AGREEMENT
PRELIMINARY ENGINEERING SERVICES**

Effective Date:

Estimate: \$10,000.00

THIS REIMBURSEMENT AGREEMENT (**Agreement**) is made and entered into as of the **Effective Date**, by and between UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (**Railroad**), and CITY OF HEWITT, TEXAS (**Agency**).

RECITALS

A. Agency desires to initiate the project more particularly described on Exhibit A attached hereto (**Project**).

B. The Project will affect Railroad's track and right of way at or near the Project area more particularly described on Exhibit A.

C. Railroad agrees to collaborate with Agency on the conceptualization and development of the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

NOW THEREFORE, the parties hereto agree as follows:

1. Railroad, and/or its representatives, at Agency's sole cost and expense, agrees to perform (or shall cause a third-party consultant to perform on Railroad's behalf) the preliminary engineering services work described on Exhibit B attached hereto (**PE Work**). Agency acknowledges and agrees that: (a) Railroad's review of any Project designs, plans and/or specifications, as part of the PE Work, is limited exclusively to potential impacts on existing and future Railroad facilities and operations; (b) Railroad makes no representations or warranties as to the validity, accuracy, legal compliance, or completeness of the PE Work; and (c) Agency's reliance on the PE Work is at Agency's own risk.

2. Notwithstanding the Estimate (**Estimate**), Agency agrees to reimburse Railroad and/or Railroad's third-party consultant, as applicable, for one hundred percent (100%) of all actual costs and expenses incurred for the PE Work. During the performance of the PE Work, Railroad will provide (and/or will cause its third-party consultant to provide) progressive billing to Agency based on actual costs in connection with the PE Work. Within sixty (60) days after completion of the PE Work, Railroad will submit (and/or will cause its third-party consultant to submit) a final billing to Agency for any balance owed for the PE Work. Agency shall pay Railroad (and/or its third-party consultant, as applicable) within thirty (30) days after Agency's receipt of any progressive and final bills submitted for the PE Work. Bills will be submitted to the Agency using the contact information provided on Exhibit C. Agency's obligation hereunder to reimburse Railroad (and/or its third-party consultant, as applicable) for the PE Work shall apply regardless whether Agency declines to proceed with the Project or Railroad elects not to approve the Project.

3. Agency acknowledges and agrees that Railroad may withhold its approval for the Project for any reason in its sole discretion, including without limitation, impacts to Railroad's safety, facilities, or operations. If Railroad approves the Project, Railroad will continue to work with Agency to develop final plans and specifications, and prepare material and force cost estimates for any Project related work performed by Railroad.

4. If the Project is approved by Railroad, Railroad shall prepare and forward to Agency a Construction and Maintenance Agreement (**C&M Agreement**) which shall provide the terms and conditions for the construction and ongoing maintenance of the Project. Unless otherwise expressly set forth in the C&M Agreement, the construction and maintenance of the Project shall be at no cost to Railroad. No construction work on the Project affecting Railroad's property or operations shall commence until the C&M Agreement is finalized and executed by Agency and Railroad.

5. Neither party shall assign this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned, or delayed.

6. No amendment or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

7. This Agreement sets forth the entire agreement between the parties regarding the Project and PE Work. To the extent that any terms or provisions of this Agreement regarding the PE Work are inconsistent with the terms or provisions set forth in any existing agreement related to the Project, such terms and provisions shall be deemed superseded by this Agreement to the extent of such inconsistency.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the Effective Date.

CITY OF HEWITT, TEXAS

UNION PACIFIC RAILROAD COMPANY,
a Delaware Corporation

Signature

Signature

Printed Name

Erik Lewis

Printed Name

Title

Manager I, Industry & Public Projects

Title

Exhibit A

Project Description and Location

Project Description

City of Hewitt, TX proposes to widen the crossing surface at the location referred to below.

Location

Waco Subdivision

DOT	Crossing Type	Milepost	Street Name
416149R	Public	852.87	First Street

Exhibit B

Scope of Project Services

Scope of work includes, but is not limited to the following

- Field diagnostic(s) and inspections
- Plan, specification, and construction review
- Project design
- Preparation of Project estimate for force account or other work performed by the Railroad
- Meetings and travel

Exhibit C

Billing Contact Information

Name	Bo Thomas
Title	City Manager
Address	200 Patriot Court, Hewitt, TX, 76643
Work Phone	(254) 666-6171
Cell Phone	
Email	bthomas@cityofhewitt.com
Agency Project No.	



COUNCIL AGENDA ITEM FORM

MEETING DATE: May 20, 2024

AGENDA ITEM #: 10.

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