



CITY COUNCIL REGULAR MEETING

February 3, 2025, 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
Bob Potter, Council Member: Ward 2 – **Brad Turner**, Council Member: Ward 1
Vacant Seat, Council Member: Ward 2

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

Under Texas Government Code Sec. 551.127, members may attend and participate in the meeting remotely by video conference on a regular, non-emergency basis. 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

SPECIAL PRESENTATION(S) AND RECOGNITION(S)

1. Swearing-in and pinning ceremony of newly hired and promoted firefighters.
2. Presentation of Hewitt's 2024 Racial Profiling Report.

PUBLIC HEARING(S) AND RELATED ACTION

3. Public hearing on Storm Water Mitigation as required by the Texas Commission on Environmental Quality (TCEQ).

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 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.)

REGULAR AGENDA ITEMS

4. Approve minutes of the January 21, 2025, City Council Special Meeting.
5. Presentation of the report from the City Engineer Miles Whitney, P.E.
 - Update on pending utility projects.
 - Update on pending street projects.
 - Update on pending drainage projects.
6. Discussion and possible action on rescheduling the City Council meeting scheduled for February 17, 2025.
7. Discussion and possible action on **Ordinance No. 2025-03**, ordering a Special Election, authorizing the City Manager to execute an Election Services Contract with the McLennan County Elections Administrator, and establishing Early Voting and Election Day Vote Centers and dates/times of operation.
8. Discussion and possible action on **Ordinance No. 2025-04**, ordering a Joint General Election, authorizing the City Manager to execute an Election Services Contract with the McLennan County Elections Administrator, and establishing Early Voting and Election Day Vote Centers and dates/times of operation.

RECESS REGULAR SESSION TO CONVENE EXECUTIVE SESSION

EXECUTIVE SESSION: Notice is given that a closed meeting will be held under 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 (**City Manager's evaluation**).

RECONVENE REGULAR MEETING

9. Discussion and possible action on evaluation/employment of City Manager (if needed).

ADJOURNMENT

I certify that the above notice of meeting was posted on the Public Notice Board in front of City Hall on **January 29, 2025**, by 5:00 PM.

CITY OF HEWITT

Lydia Lopez

Lydia Lopez, TRMC/CMC

City Secretary

In compliance with the Americans with Disabilities Act, the City of Hewitt will provide reasonable accommodations for people attending and/or participating in City Council meetings. The facility is wheelchair-accessible, and accessible parking is 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: February 3, 2025

AGENDA ITEM #: 2.

SUBMITTED BY: John McGrath, Police Chief

ITEM DESCRIPTION:

Presentation of Hewitt's 2024 Racial Profiling Report.

STAFF RECOMMENDATION/ITEM SUMMARY:

Each year, law enforcement agencies must collect information about motor vehicle stops in which a ticket, citation, or warning is issued and for arrests made due to those stops. Additionally, the law requires the agency's chief administrator to submit an annual report to the municipality's governing body and the Texas Commission on Law Enforcement (TCOLE). The 2024 Racial Profiling Report was submitted to TCOLE on January 15, 2025. The 2024 Council Report is attached for review.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

1. Racial Profiling Report 2024



HEWITT POLICE DEPARTMENT

HEWITT, TX

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Racial Profiling Report 2024



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Dear Mayor and Members of the City Council,

Senate Bill 1074 by the 77th Texas Legislature in 2001 established a prohibition against racial profiling by a peace officer. It also established that each law enforcement agency must adopt a written policy on racial profiling that includes defined acts that constitute racial profiling along with a process for receiving and investigating complaints of racial profiling. The legislature also established requirements related to data collection and annual reporting of racial profiling information. These laws are codified in the Texas Code of Criminal Procedure, Articles 2.131 through 2.1385, some of which are further described in this report.

Texas Racial Profiling law requires the agency administrator to submit an annual racial profiling report to the governing body of the municipality served by the agency. This report serves that purpose.

The previous page provides a table of contents listing the included sections to this report: a definition of racial profiling and criminal profiling; Texas Racial Profiling Law as established by the legislature and codified in the Texas Code of Criminal Procedure; Hewitt Police Department policy applicable to the Texas Racial Profiling Law; racial profiling complaints on Hewitt Police Department officers; tables used to report and analyze data as required by law; and additional data not required by law but important to the discussion of racial profiling.

Racial Profiling

Racial Profiling refers to the discriminatory targeting of individuals for a suspicion of crime based upon the individual's ethnicity, race, religion or national origin and other such identifying characteristics. It is unconstitutional policing and it destroys community trust and police legitimacy.

Racial Profiling should be distinguished from Criminal Profiling. Criminal Profiling is based upon evidence gathered from previous crimes, victim or witness testimony that uses knowledge, training, and experience to narrow a field of suspects during a criminal investigation. Factual information, patterns of activity, and motives are some of the aspects considered during criminal profiling, which is a legitimate law enforcement technique.

Code of Criminal Procedure

Texas Code of Criminal Procedure (CCP) prohibits racial profiling by a Peace Officer, defines a "law enforcement agency", a "motor vehicle stop", and the categories contained in "race and ethnicity."

CCP Article 2.131. RACIAL PROFILING PROHIBITED. A Peace Officer may NOT engage in racial profiling.

CCP Article 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING. This article requires each law enforcement agency adopt a written policy on racial profiling, and the policy must:

1. Define acts constituting racial profiling;
2. Prohibit peace officers from engaging in racial profiling;

3. Implement a complaint process for allegations of racial profiling;
4. Provide public education relating to a compliment and complaint process;
5. Require corrective action against a peace officer engaged in racial profiling;
6. Require data collection on traffic stops relating to (referred to as Tier 1):
 - a. Race or ethnicity;
 - b. Whether a search was conducted and, if so, whether it was by consent;
 - c. Whether the officer knew the race of the individual before the stop;
 - d. Whether the officer used physical force that resulted in injury;
 - e. Location of the stop;
 - f. Reason for the stop;
7. Require the agency administrator to submit an annual report to:
 - a. Texas Commission on Law Enforcement;
 - b. The governing body of the municipality served by the agency.
8. Examine the feasibility of installing cameras in each agency law enforcement vehicle used to make traffic stops. Examine the feasibility of equipping each officer with a body worn camera.
9. On the commencement of an investigation involving a complaint of racial profiling on an officer as the result of a traffic stop where video and audio were recorded, the agency will promptly provide the officer a copy of the recordings upon written request of the officer.

CCP Article 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS. This article provides a list of the data that an officer must report to the law enforcement agency for each motor vehicle stop, which must include (referred to as Tier 2 Data):

1. Operator's gender;
2. Operator's race or ethnicity;
3. Reason for the stop;
4. Whether a search was conducted and if so, if the search was by consent;
5. If contraband was found during the search and if so, a description of the contraband;
6. Reason for the search;
 - a. Contraband in plain view;
 - b. Probable cause or reasonable suspicion;

- c. Result of towing or arrest of any person in the vehicle;
- 7. Arrest as a result of the search;
 - a. Based on violation of the Penal Code;
 - b. Based on violation of a traffic law or ordinance;
 - c. Based on an outstanding warrant;
- 8. Approximate location of the stop;
- 9. Result of the stop (verbal warning, written warning, citation);
- 10. Whether the officer used physical force that resulted in injury.

CCP Article 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED. This article requires a law enforcement agency to compile and analyze the information collected under Article 2.132 and 2.133 to determine the prevalence of racial profiling by peace officers employed by the agency. The report must be submitted to TCOLE and the governing body of the municipality no later than March 1 of each year, and must contain:

- 1. A comparative analysis to:
 - a. Compare the number of stops within the jurisdiction of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities;
 - b. Examine the disposition of the stops categorized according to the race or ethnicity of the persons, including any searches resulting from the stops;
 - c. Evaluate and compare the number of searches resulting from the stops and whether contraband was discovered;
- 2. Information relating to each complaint filed with the agency alleging that a peace officer has engaged in racial profiling.

Hewitt Police Department Policy Manual

Policy 2.2 - Biased Based Policing

The Hewitt Police Department has adopted a Biased-Based Policing policy. This policy (updated 11/2024) along with Hewitt Police Department Policies 2.4 and 2.4.1 meet the requirements of CCP article 2.132; Law Enforcement Policy on Racial Profiling.

I. POLICY

We are committed to a respect for constitutional rights in the performance of our duties. Our success is based on the respect we give to our communities, and the respect members of the community observe toward law enforcement. To this end, we shall exercise our sworn duties, responsibilities, and obligations in a manner that does not discriminate on the basis of race, sex, gender, sexual orientation, national origin, ethnicity, age, or religion. Respect for diversity and equitable enforcement of the law are essential to our mission.

All enforcement actions shall be based on the standards of reasonable suspicion or probable cause as required by the Fourth Amendment to the U. S. Constitution and by statutory authority. In all enforcement decisions, officers shall be able to articulate specific facts, circumstances, and conclusions that support probable cause or reasonable suspicion for arrests, searches, seizures, and stops of individuals. Officers shall not stop, detain, arrest, search, or attempt to search anyone based solely upon the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

All departmental orders are informed and guided by this directive. Nothing in this order limits non-enforcement contacts between officers and the public.

II. PURPOSE

The purpose of this order is to provide general guidance on reducing the presence of bias in law enforcement actions, to identify key contexts in which bias may influence these actions, and emphasize the importance of the constitutional guidelines within which we operate.

III. DEFINITIONS

Most of the following terms appear in this policy statement. In any case, these terms appear in the larger public discourse about alleged biased enforcement behavior and in other orders. These definitions are intended to facilitate on-going discussion and analysis of our enforcement practices.

- A. Bias: Prejudice in favor of or against one thing, person, or group compared with another, usually in a way considered to be unfair.
- B. Biased-based policing: Stopping, detaining, searching, or attempting to search, or using force against a person based upon his or her race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.
- C. Ethnicity: A cluster of characteristics that may include race but also cultural characteristics or traits that are shared by a group with a common experience or history.
- D. Gender: Unlike sex, a psychological classification based on cultural characteristics or traits.
- E. Probable cause: Specific facts and circumstances within an officer's knowledge that would lead a reasonable officer to believe that a specific offense has been or is being committed, and that the suspect has committed it. Probable cause will be determined by the courts reviewing the totality of the circumstances surrounding the arrest or search from an objective point of view.
- F. Race: A category of people of a particular decent, including Caucasian,

African, Hispanic, Asian, Middle Eastern, or Native American descent. As distinct from ethnicity, race refers only to physical characteristics sufficiently distinctive to group people under a classification.

- G. Racial profiling: A law-enforcement initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.
- H. Reasonable suspicion: Specific facts and circumstances that would lead a reasonable officer to believe criminal activity is afoot and the person to be detained is somehow involved. Reasonable suspicion will be determined by the courts reviewing the totality of the circumstances surrounding the detention from an objective point of view.
- I. Sex: A biological classification, male or female, based on physical and genetic characteristics.
- J. Stop: An investigative detention. The detention of a subject for a brief period of time, based on reasonable suspicion.

IV. PROCEDURES

A. General Responsibilities

1. Officers are prohibited from engaging in bias-based profiling or stopping, detaining, searching, arresting, or taking any enforcement action including seizure or forfeiture activities, against any person based solely on the person's race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group. These characteristics, however, may form part of reasonable suspicion or probable cause when officers are seeking a suspect with one or more of these attributes.

(TBP: 2.01)

2. Investigative detentions, traffic stops, arrests, searches, and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, subject stops, arrests, nonconsensual searches, and property seizures. Except as provided in number 3 below, officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.
3. Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion. Except as provided above, reasonable suspicion or probable cause shall form the basis for any enforcement actions or decisions. Individuals shall be subjected to stops, seizures, or detentions only upon reasonable suspicion that they have committed, are committing, or are about to commit an offense. Officers shall document the elements of reasonable suspicion and probable cause in appropriate reports.
4. Officers shall observe all constitutional safeguards and shall respect the constitutional rights of all persons.
 - a. As traffic stops furnish a primary source of bias-related complaints, officers shall have a firm understanding of the warrantless searches allowed by law, particularly the use of consent. How the officer disengages from a traffic stop may be crucial to a person's perception of fairness or discrimination.
 - b. Officers shall not use the refusal or lack of cooperation to

justify a search of the person or vehicle or a prolonged detention once reasonable suspicion has been dispelled.

5. All personnel shall treat everyone with the same courtesy and respect that they would have others observe to department personnel. To this end, personnel are reminded that the exercise of courtesy and respect engenders a future willingness to cooperate with law enforcement.
 - a. Personnel shall facilitate an individual's access to other governmental services whenever possible, and shall actively provide referrals to other appropriate agencies.
 - b. All personnel shall courteously accept, document, and forward to the Chief of Police any complaints made by an individual against the department. Further, officers shall provide information on the complaint process and shall give copies of "How to Make a Complaint" or "Compliment" when appropriate.
 6. When feasible, personnel shall offer explanations of the reasons for enforcement actions or other decisions that bear on the individual's well-being unless the explanation would undermine an investigation or jeopardize an officer's safety.
 7. When feasible, all personnel shall identify themselves by name. When a person requests the information, personnel shall give their departmental identification number, name of the immediate supervisor, or any other reasonable information.
- B. Supervisory Responsibilities
1. Supervisors shall be held accountable for the observance of constitutional safeguards during the performance of their duties. Supervisors shall identify and correct instances of bias in the work of their subordinates.

2. Supervisors shall use the disciplinary mechanisms of the department to ensure compliance with this order and the constitutional requirements of law enforcement.
3. Supervisors shall be mindful that in accounting for the actions and performance of subordinates, supervisors are key to maintaining community trust in law enforcement. Supervisors shall continually reinforce the ethic of impartial enforcement of the laws, and shall ensure that personnel, by their actions, maintain the community's trust in law enforcement.
4. Supervisors are reminded that biased enforcement of the laws engenders not only mistrust of law enforcement, but increases safety risks to personnel as well as exposing the employee(s) and department to liability.
5. Supervisors shall be held accountable for repeated instances of biased enforcement of their subordinates.
6. Supervisors shall ensure that all enforcement actions are duly documented per departmental policy. Supervisors shall ensure that all reports show adequate documentation of reasonable suspicion and probable cause, if applicable.
7. Supervisors shall facilitate the filing of any complaints/compliments about law-enforcement service.
8. Supervisors will randomly review one video tape per officer (either body camera and/or in-car camera video) per month. Supervisors are not required to watch each incident of an entire shift; however, reviewing the footage in a manner intended to gain an understanding of that officer's performance and adherence to policy and law is required. Supervisors will document the random

review of the video in the police department's CAD system and note of violations or no violations observed. If any violations of policy or law have been observed they will be addressed through the use of existing internal affairs policy. (TBP: 2.01)

9. Section 8 above applies only to first-line uniformed officers and their immediate supervisors. In the absence of a first-line supervisor this responsibility will move to the Lieutenant.

C. Disciplinary consequences

Actions prohibited by this order shall be cause for disciplinary action, up to and including dismissal.

D. Training (TBP: 2.01)

Officers shall complete all training required by state law regarding bias-based profiling.

V. COMPLAINTS

A. The department shall publish "How to Make a Complaint" folders and make them available at all city facilities and other public locations throughout the city. The department's complaint process and its bias-based profiling policy will be posted on the department's website. Whenever possible, the media will be used to inform the public of the department's policy and complaint process.

B. Complaints alleging incidents of bias-based profiling will be fully investigated as described under Policy 2.4.

C. Complainants will be notified of the results of the investigations when the investigation is completed.

VI. RECORD KEEPING

- A. The department will maintain all required records on traffic stops pursuant to state law.
- B. The information collected above will be reported to the city council annually.
- C. The information will also be reported to TCOLE in the required format.

RACIAL PROFILING COMPLAINTS

During the time period of January 1, 2024 to December 31, 2024 the Hewitt Police Department received 1 allegation of racial profiling against peace officers employed by the City of Hewitt Police Department.

This allegation was addressed per Hewitt Police Department policy under Incident # 2024-01 IA. The allegation was determined to be “Unfounded”. A finding of “Unfounded” is defined as: The evidence indicates that the conduct did not occur.

HEWITT POLICE DEPARTMENT

TRAFFIC STOP DATA YEAR 2024

Total Traffic Stops: 5175

Race/Ethnicity known prior to stop

Yes	270	5.22%
No	4905	94.78%

Race/Ethnicity

Alaskan native/American Indian	41	0.79%
Asian/Pacific Islander	117	2.26%
Black	940	18.16%
White	3033	58.61%
Hispanic/Latino	1044	20.17%

Gender

	Male	%	Female	%
Alaskan native/American Indian	31	0.60%	10	0.19%
Asian/Pacific Islander	77	1.49%	40	0.77%
Black	573	11.07%	367	7.09%
White	1792	34.63%	1241	23.98%
Hispanic/Latino	717	14.3%	327	6.32%
Total	3190		1985	

Reason for the Stop

Violation of the Law Total: 30

Alaskan native/American Indian	1
Asian/Pacific Islander	0
Black	7
White	21
Hispanic/Latino	1

Pre-existing Knowledge Total: 50

Alaskan native/American Indian	1
Asian/Pacific Islander	0
Black	8
White	30
Hispanic/Latino	11

Moving Traff Violation Total: 2429

Alaskan native/American Indian	24
Asian/Pacific Islander	79
Black	420
White	1431
Hispanic/Latino	475

Vehicle Traff Violation Total: 2666

Alaskan native/American Indian	17
Asian/Pacific Islander	36
Black	505
White	1551
Hispanic/Latino	557

Search Conducted

	Yes	No	% Searched
Alaskan native/American Indian	1	40	2.4%
Asian/Pacific Islander	4	113	3.4%
Black	98	842	10.4%
White	168	2865	5.5%
Hispanic/Latino	59	985	5.7%
Total	330	4845	6.3%

Reason for Search

Consent Total 55 / % of Searches per group (SPG):

Alaskan native/American Indian	0	0%
Asian/Pacific Islander	2	50.0%
Black	5	5.1%%
White	42	25.0%
Hispanic/Latino	6	10.2%

Contraband in Plain View Total: 6

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	3
Hispanic/Latino	3

Prob Cause Total 224/% of SPG

Alaskan/American Indian	1	100%
Asian/Pacific Islander	1	25%
Black	74	75.5%
White	103	61.3%
Hispanic/Latino	45	76.3%

Inventory Total 15 / % of SPG

Alaskan/American Indian	0	0
Asian/Pacific Islander	0	0
Black	6	6.1%
White	7	4.2%
Hispanic/Latino	2	3.4%

Incident to Arrest Total 30/ % of SPG

Alaskan/American Indian	0	0%
Asian/Pacific Islander	0	0%
Black	13	13.3%
White	15	8.9%
Hispanic/Latino	2	3.4%

Was Contraband Discovered

	Yes	No	Hit Rate%
Alaskan/American Indian	1	0	100%
Asian/Pacific Islander	1	3	25%
Black	54	44	55%
White	89	79	53%
Hispanic/Latino	38	21	64%
Total (HIT RATE)	183	147	55.5%

Did Finding Contraband Result in Arrest

	Yes	No	%
Alaskan/American Indian	0	1	0
Asian/Pacific Islander	0	1	0
Black	4	50	8.0%
White	13	76	17.1%
Hispanic/Latino	3	35	8.6%
Total	20	163	12.3%

Description of Contraband (one stop may result in more than one contraband type being seized)

Drugs Total 144 / % of Contraband for Race/Ethnicity

Alaskan/American Indian	0	0
Asian/Pacific Islander	1	100%
Black	44	81.5 %
White	72	80.9%
Hispanic/Latino	27	71.1%

Currency Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Weapons Total 6 / % of
Contraband for Race/Ethnicity

Alaskan/American Indian	0	0
Asian/Pacific Islander	0	0
Black	2	3.7%
White	4	4.5%
Hispanic/Latino	0	0

Alcohol Total 23 / % of
Contraband

Alaskan/American Indian	0	0
Asian/Pacific Islander	0	0
Black	9	16.7%
White	6	6.7%
Hispanic/Latino	8	21.1%

Stolen Property Total: 2

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	2
Hispanic/Latino	0

Other Total: 22

Alaskan native/American Indian	1
Asian/Pacific Islander	0
Black	3
White	11
Hispanic/Latino	7

Result of the Stop

Verbal Warning Total: 3552

Alaskan native/American Indian	27
Asian/Pacific Islander	90
Black	611
White	2153
Hispanic/Latino	671

Written Warning Total: 283

Alaskan native/American Indian	2
Asian/Pacific Islander	6
Black	65
White	167
Hispanic/Latino	43

Citation Total: 1216

Alaskan native/American Indian	12
Asian/Pacific Islander	19
Black	238
White	633
Hispanic/Latino	314

Written Warning and Arrest Total: 4

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	2
Hispanic/Latino	2

Citation and Arrest Total: 8

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	2
White	4
Hispanic/Latino	2

Arrest Total: 112

Alaskan native/American Indian	2
Asian/Pacific Islander	2
Black	29
White	51
Hispanic/Latino	28

ARREST FOR (more than one may apply per arrest)

Penal Code Violation Total: 73

Alaskan native/American Indian	2
Asian/Pacific Islander	1
Black	16
White	33
Hispanic/Latino	21

Traffic Law Violation Total: 16

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	6
White	6
Hispanic/Latino	4

City Ordinance Violation Total: 0

Alaskan native/American Indian	0
Asian/Pacific Islander	0
Black	0
White	0
Hispanic/Latino	0

Existing Warrant Total: 35

Alaskan native/American Indian	0
Asian/Pacific Islander	1
Black	9
White	18
Hispanic/Latino	7

Physical Force Resulting in Bodily Injury During the Stop

	Yes	No
Alaskan native/American Indian	0	41
Asian/Pacific Islander	0	117
Black	0	938
White	0	3029
Hispanic/Latino	0	1042
Total	0	5167

COMPARISON TABLES

Table 1. Total Traffic Stops

Race/Ethnicity	Total	Percentage
Alaska Native or American Indian	41	0.79%
Asian or Pacific Islander	117	2.26%
Black	940	18.16%
White	3033	58.61%
Hispanic or Latino	1044	20.17%
TOTAL	5175	100% (Rounded)

In 94.78% of all traffic stops, officers reported that they did not know the race/ethnicity of the driver prior to the stop.

Table 2. Results of Stops

Race/Ethnicity	Traffic Stops	Citation	Citation %	Verbal Warning	Verbal %	Written Warning	Written %	Arrest	Arrest %
Alaska Native/ American Indian	41	12	1.0	27	0.8	2	0.7	2	1.8
Asian/ Pacific Islander	117	19	1.6	90	2.5	6	2.1	2	1.8
Black	940	238	19.6	611	17.2	65	23.0	29	25.9
White	3033	633	52.1	2153	60.6	167	59.0	51	45.5
Hispanic/ Latino	1044	314	25.8	671	18.9	43	15.2	28	25.0
TOTAL	5175	1216	100	3552	100	283	100	112	100

Table 3. Consent Search

Race/Ethnicity	Searches	Consent Searches	Consent %
Alaska Native or American Indian	1	0	0
Asian or Pacific Islander	4	2	3.6
Black	98	5	9.1
White	168	42	76.4
Hispanic or Latino	59	6	10.9
TOTAL	330	55	100

6.4% of all traffic stops resulted in a search

Table 4. Detailed Search Data

Race and Ethnicity	Searches	Contraband Found Yes	Finding Result in Arrest	Finding Result in Arrest %	Percent Searches	Percent Contraband Found
Alaska Native or American Indian	1	1	0	0%	0.3%	0.5%
Asian or Pacific Islander	4	1	0	0%	1.2%	0.5%
Black	98	54	4	7.4%	29.7%	29.5%
White	168	89	13	14.6%	50.9%	48.6%
Hispanic or Latino	59	38	3	7.9%	17.9%	20.8%
TOTAL	330	183	20	10.9	100%	100%

CONTRABAND HIT RATE

“Hit rate” is the common term used in law enforcement to determine the percentage of searches by peace officers that result in contraband being found. Hit rates by race/ethnicity groups may be examined to help determine the prevalence of racial profiling occurring within a law enforcement agency. Nationally, an effective hit rate is generally considered to be approximately twenty to thirty percent. If racial groups have low hit rates, or there is substantial difference in hit rates among the groups, it may imply that racial groups are being subjected to different standards. As can be observed in the chart below, the three groups with the most searches conducted reflect a hit rate of fifty-three (53) percent or more, well above the average nationally, indicating officers are conducting searches on the appropriate persons. Additionally, there is not great disparity among the hit rates associated with those groups.

Race and Ethnicity	Searches	Contraband Found Yes	Contraband Hit Rate
Alaska Native or American Indian	1	1	100%
Asian or Pacific Islander	4	1	25%
Black	98	54	55%
White	168	89	53%
Hispanic or Latino	59	38	64%

SUMMARY

A review of traffic stop data by Hewitt Police Department peace officers during the 2024 calendar year reveals that over 58% of vehicle operators stopped by officers were white. However, one must look further than just the number of individuals in a group that were stopped to determine if racial profiling may be occurring within a law enforcement agency.

Important factors to be considered are the percentage of stops when the officer did not know the race/ethnicity of the operator; is there a demonstrated difference in the outcome for groups once the race/ethnicity has been determined; is there a demonstrated low hit rate for a group; and is there a demonstrated significant difference in outcome for groups after contraband was found.

- The included data indicates in a vast majority (94.78%) of the traffic stops conducted by Hewitt officers, the officers did not know the race/ethnicity of the driver prior to initiating the traffic stop. This is a 2% increase over last year and consistent with national averages.
- There was not a significant difference in the result of the stop when compared to the number of stops for each group (only groups with relevant number of stops included).

	T-stops %	Verbal Warning %	Written Warning %	Citation %	Arrest %
Black	18.2	17.2	23.0	19.6	25.9
White	58.6	60.6	59.0	52.1	45.5
Hispanic/Latino	20.2	18.9	15.2	25.8	25.0

- The hit rate for each group was well above 20-30%, which is considered an acceptable hit rate. The rate of arrest after finding contraband during a search was lower for Black and Hispanic/Latino than White (only groups with relevant numbers of contraband found included).

	Hit Rate	Finding Resulted in Arrest
Black	55%	7.4%
White	53%	14.6%
Hispanic/Latino	64%	7.9%

CONCLUSION

The 2024 Racial Profiling Report concludes that Hewitt Police Officers are finding contraband when expected based upon sound law enforcement practices and not due to a focus on a person's race, ethnicity, or biased-based factors. Furthermore, the report validates that HPD is in full compliance with the state racial profiling statutes regarding prevention policies, data collection, vehicle search analysis, and reporting.



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2025

AGENDA ITEM #: 3.

SUBMITTED BY: Scott Coleman, Director of General Services

ITEM DESCRIPTION:

Public hearing on Storm Water Mitigation as required by the Texas Commission on Environmental Quality (TCEQ).

STAFF RECOMMENDATION/ITEM SUMMARY:

The Texas Commission on Environmental Quality (TCEQ) requires the City to hold annual public hearings regarding Storm Water Mitigation as part of our Storm Water Management Plan. The purpose of this public hearing is to allow the public to apprise the City of issues regarding drainage in natural watersheds that may not be readily known by staff.

Also, it is an opportunity for the public to make us aware of additional runoff issues in our creeks and waterways.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2025

AGENDA ITEM #: 4.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Approve minutes of the January 21, 2025, City Council Special Meeting.

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 - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

I move approval of the minutes as presented but to allow for corrections.

ATTACHMENTS:

1. January 21, 2025, City Council Special Meeting minutes



CITY COUNCIL SPECIAL MEETING

January 21, 2025, at 7:00 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
Bob Potter, Council Member: Ward 2 – **Brad Turner**, Council Member: Ward 1
Vacant Seat, Council Member: Ward 2

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 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 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 Steve 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

1. Approve minutes of the January 6, 2025, City Council Workshop/Regular Meeting.

MOTION: Council Member Michael Bancale moved approval of the minutes as presented but to allow for corrections.

SECOND: Council Member Bob Potter

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

NAYES: None

ABSENT: None

MOTION PASSED.

2. Briefing and discussion concerning the Financial Statements ending December 31, 2024.
City Manager Bo Thomas advised that Finance Director Lee Garcia previously sent the December Financial Statement electronically on January 7, 2025, for review. The Council raised no questions or concerns.
3. Discussion and possible action on approving the Quarterly Investment Report for the quarter ending December 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 December 31, 2024.
SECOND: Council Member Michael Bancale
AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

ADDENDUM TO AGENDA

4. Discussion and possible action to approve the purchase of a 2024 F150 for use in the Parks Department.
City Manager Bo Thomas presented.
MOTION: Mayor Pro Tem Erica Bruce moved to approve the purchase of a 2024 Ford F150 4X2 regular cab from Chastang Ford for the amount of \$37,957.00
SECOND: Council Member Brad Turner
AYES: Bancale, Potter, Stephens, Turner, Bruce, and Fortenberry
NAYES: None
ABSENT: None
MOTION PASSED.

RECESS REGULAR SESSION TO CONVENE EXECUTIVE SESSION

Mayor Steve Fortenberry recessed the Regular Session to convene to the following Executive Session at 7:14 PM.

EXECUTIVE SESSION: Notice is given that a closed meeting will be held under 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 (**City Manager's evaluation**).

RECONVENE REGULAR MEETING

Mayor Steve Fortenberry reconvened the Regular Session at 8:16 P.M.

5. Discussion and possible action on evaluation/employment of City Manager (if needed).
Council Member Brad Turner requested that this item be postponed to the City Council Regular Meeting on February 3, 2025, to allow the Council more time to evaluate all the data.

ADJOURNMENT

MOTION: Council Member Bob Potter to adjourn the meeting at 8:18 PM.

SECOND: Mayor Pro Tem Erica Bruce

AYES: Bancale, Potter, 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: February 3, 2025

AGENDA ITEM #: 5.

SUBMITTED BY: Miles Whitney, P.E.

ITEM DESCRIPTION:

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

Update on pending utility projects.

Update on pending street projects.

Update on pending drainage projects.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

No action is required.

ATTACHMENTS:

1. Hewitt-PR-1.28.25

HEWITT TEXAS

CITY ENGINEER'S REPORT

January 28, 2025

Utility Projects

Commerce Park Plant Improvements

- Well
Contract on hold till Plant portions progress.
- Plant
 - The tank contractor has completed the wire winding process and is spraying on the outer layer of the walls.
 - Site piping should be the next task, after the completion of the tank.

Lift Station No. 4

- Working on preliminary alignments to document potential conflicts and well as working on preliminary pump designs.

Street/Transportation Projects

E. Wall and Briarfield

Project will begin advertising for bids in the coming week.

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: February 3, 2025

AGENDA ITEM #: 6.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on rescheduling the City Council meeting scheduled for February 17, 2025.

STAFF RECOMMENDATION/ITEM SUMMARY:

The City Council meeting scheduled for February 17, 2025, is an official city holiday. The Council has the option to hold the scheduled meeting, reschedule the meeting to another date, or cancel the meeting.

FISCAL IMPACT:

Amount Budgeted - N/A

Line Item in Budget - N/A

SUGGESTED MOTION:

This motion is at the Council's discretion.

ATTACHMENTS:

None



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2025

AGENDA ITEM #: 7.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on **Ordinance No. 2025-03**, ordering a Special Election, authorizing the City Manager to execute an Election Services Contract with the McLennan County Elections Administrator, and establishing Early Voting and Election Day Vote Centers and dates/times of operation.

STAFF RECOMMENDATION/ITEM SUMMARY:

According to the provisions of the Texas Election Code and the City Charter, **Ordinance No. 2025-03** orders a Special Election for May 3, 2025. The Special Election will elect a Council Member for a vacant seat in Ward 2, Place 2, in conformity with the valid provisions of the Charter of the City of Hewitt and the laws of the State of Texas. The term for this seat will expire in May 2026.

The City will contract with the McLennan County Elections Administrator to conduct the election. This contract allows the City to share election expenses with other entities. The entities will pay a pro-rata share of the election cost; however, the cost for each entity may increase depending on election cancelations.

Staff recommends approval of this ordinance ordering the Special Election.

FISCAL IMPACT:

Amount Budgeted - \$7,000.00

Line Item in Budget - 10 50210 61 00/20 50210 93 00

SUGGESTED MOTION:

I move to approve **Ordinance No. 2025-03** ordering the Special Election to be held on May 3, 2025, and authorizing the City Manager to execute the Election Services Contract with the Elections Administrator of McLennan County.

ATTACHMENTS:

1. 2025-03 ORDINANCE ORDERING A SPECIAL ELECTION

ORDINANCE NO. 2025-03

AN ORDINANCE OF THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 3, 2025, TO ELECT A COUNCIL MEMBER TO FILL A VACANT SEAT IN WARD 2, PLACE 2; DESIGNATING POLLING LOCATIONS; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; AUTHORIZING EXECUTION OF ELECTION SERVICES CONTRACT, AND ESTABLISHING EARLY VOTING AND ELECTION DAY VOTE CENTERS AND DATES/TIMES OF OPERATION.

WHEREAS, there is a vacant seat for a Council Member in Ward 2, Place 2, with a term expiring in May 2026, resulting in the need to order a Special Election to elect one (1) person for the unexpired term under the City Charter and Election Code;

WHEREAS, the Texas Constitution, the Texas Election Code, and the City Charter apply to said Special Election, and to comply with applicable laws, an ordinance is required to order the election and establish procedures consistent with the Constitution, the Code, and the Charter; and

WHEREAS, the election will be held jointly with McLennan County and other entities on May 3, 2025, to provide a convenient and cost-saving election to the voters in their respective jurisdictions;

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

Section 1. A Special Election is hereby ORDERED to be held on May 3, 2025, for voting to elect one (1) person to fill the vacant seat in Ward 2, Place 2, to fill an unexpired term ending in May 2026. This election will be conducted under the Texas Election Code and the Election Services Contract by and between McLennan County and other governmental entities. The first day to apply for a place on the ballot with the City Secretary was Wednesday, January 15, 2025, at 8:00 AM, with the last day for filing being Friday, February 14, 2025, at 5:00 PM, under Election Codes Sections 143.006 and 143.007.

Section 2. The Mayor and Council are hereby directed to issue the Order of Special Election attached as **Exhibit “A”** as required by the Texas Election Code in the form provided by the McLennan County Election Administrator.

Section 3. The McLennan County Election Administrator will administer the Special Election under a joint election agreement and a contract for election services. For this election, all election officials shall be appointed and designated under the provisions of the election services contract. The Elections Administrator will serve as the Early Voting Clerk. The City Manager is

authorized to execute a contract for election services with the McLennan County Elections Administrator.

Section 4. McLennan County will execute Joint Election Services Contract and Agreements with Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, and McLennan Community College.

Section 5. The locations of Early Voting Sites and information on dates/hours of operations, as provided for by the Joint Election Agreement, are as follows:

EARLY VOTING SITES

McLennan County Elections Administration Office (Main Early Voting Site)

Records Building (Basement)
214 North 4th Street, Suite 300
Waco, TX 76701

Waco Multi-Purpose Community Center

1020 Elm Avenue
Waco, TX 76704

West Waco Library

5301 Bosque Boulevard
Waco, TX 76710

Hewitt City Hall/Library

200 Patriot Court
Hewitt, TX 76643

Applications for ballots by mail shall be received and processed by the McLennan County Elections Administrator, P.O. Box 2450, Waco, Texas 76703-2450. Ballot applications must be received no later than the close of business on April 22, 2025.

Early Voting for the Special Election shall begin Monday, April 21, 2025, and end Tuesday, April 29, 2025. The dates and hours designated for early voting by personal appearance at the early voting locations shall be set forth below and are also listed on the Order of Special Election attached as **Exhibit “A”**:

Dates	Hours
Monday, April 21 - Friday, April 25, 2025	8:00 AM – 5:00 PM
Saturday, April 26, 2025	7:00 AM – 7:00 PM
Sunday, April 27, 2025	1:00 PM – 6:00 PM

Monday, April 28 - Tuesday, April 29, 2025	7:00 AM – 7:00 PM
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The election officers for this election's early voting ballot board shall be appointed and designated by the provisions of the election services contract to process ballots cast in early voting.

Section 6. On Election Day, the polls shall be open from 7:00 AM to 7:00 PM. Election Day Vote Centers are listed on **Exhibit “B.”**

Section 7. Voting on the election date and early voting shall be done using a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Texas Election Code (“Code”), as amended. McLennan County shall provide the specific voting machines to be used under the Contract for Elections Services with the McLennan County Elections Administrator.

Section 8. Notice of the elections hereby ordered shall be given under Texas state law. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be published and/or posted in connection with the conduct of these elections.

PASSED and APPROVED this 3rd day of February 2025.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM & LEGALITY:

Michael W. Dixon, City Attorney

EXHIBIT “A”

ORDER OF SPECIAL ELECTION (ORDEN DE LA ELECCIÓN ESPECIAL)

An election is hereby ordered to be held on May 3, 2025, for voting in a Special Election to elect one (1) person to serve an unexpired term for one (1) City Council Member (Ward 2, Place 2) for the City of Hewitt.

(Por la presente se ordena que se llevará a cabo una elección el 3 de mayo de 2025, para votar en una Elección Especial para elegir una (1) persona para que sirvan los termino no completo para una (1) miembro del ayuntamiento (distrito electoral número 2, lugar número 2) para la ciudad de Hewitt.)

The execution of a Joint Election Agreement with Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, and McLennan Community College is hereby authorized and approved.

(La ejecución de un acuerdo de elección conjunta con Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, y McLennan Community College se autoriza y aprueba.)

LOCATION(S) OF POLLING PLACES (DIRECCIÓN(ES) DE LAS CASILLAS ELECTORALES)

**See attached List
(Véase la lista adjunta)**

Early Voting by personal appearance will be conducted at:
(La votación adelantada en persona se llevará a cabo todos los días en:)

**Early Voting Sites:
(Lugares de votación adelantada)**

McLennan County Elections Administration Office (Main Early Voting Site)
Records Building (Basement)
214 North 4th Street, Suite 300
Waco, TX 76701

Waco Multi-Purpose Community Center
1020 Elm Avenue
Waco, TX 76704

West Waco Library
5301 Bosque Boulevard
Waco, TX 76710

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

The dates and times of Early Voting are:

(Los días y horas de votación adelantada son:)

Monday (lunes)	April 21, 2025 (21 de abril de 2025)	No Early Voting – State Holiday (No hay votación anticipada –Feriado estatal)
Tuesday (martes)	April 22, 2025 (22 de abril de 2025)	8:00 AM - 5:00 PM
Wednesday (miércoles)	April 23, 2025 (23 de abril de 2025)	8:00 AM - 5:00 PM
Thursday (jueves)	April 24, 2025 (24 de abril de 2025)	8:00 AM - 5:00 PM
Friday (viernes)	April 25, 2025 (25 de abril de 2025)	8:00 AM - 5:00 PM
Saturday (sabado)	April 26, 2025 (26 de abril de 2025)	7:00 AM - 7:00 PM
Sunday (domingo)	April 27, 2025 (27 de abril de 2025)	1:00 PM - 6:00 PM
Monday (lunes)	April 28, 2025 (28 de abril de 2025)	7:00 AM - 7:00 PM
Tuesday (martes)	April 29, 2025 (29 de abril de 2025)	7:00 AM - 7:00 PM

Applications to vote by mail should be mailed to:

(Las solicitudes para poder votar por deben ser enviadas a:)

McLennan County Elections Administration
Mailing Address: P.O. Box 2450 Waco, Texas 76703-2450
Physical Address: 214 N. 4th Street, Suite 300, Waco, Texas 76701
Fax: (254) 757-5041
Phone: (254) 757-5043
ballotbymail@co.mclennan.tx.us
www.mclennanvotes.com

Applications for ballot by mail must be received no later than the close of business on April 22, 2025:

(Las solicitudes para votar por correo tendrán que ser recibidas antes del fin del día laboral el 22 de abril 2025:)

Issued this the _____ day of _____, 2025.
(Emitada el día _____ de _____ 2025.)

Mayor, City of Hewitt
(alcalde, ciudad de Hewitt)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

EXHIBIT “B”

MAY 3, 2025, ELECTION DAY VOTE CENTERS

(3 de mayo de 2025 Centros de Voto Para el Día de las Elecciones)

Bellmead Civic Center	3900 Parrish Street, Bellmead
Cesar Chavez Middle School	700 S. 15 th Street, Waco
Chalk Bluff Baptist Church	5993 Gholson Road, Waco
China Spring ISD Administration Bldg.	12166 Yankie Road, China Spring
Crawford First United Methodist	375 W 6 th Street, Crawford
Dewey Community Center	925 N. 9 th Street, Waco
Fellowship Bible Church	5200 Speegleville Road, McGregor
Gholson First Baptist Church	228 Wildcat Circle, Gholson
H. G. Isbill Junior High	305 S. Van Buren Street, McGregor
Heart of Texas Council of Governments	1514 S. New Road, Waco
Hewitt City Hall/Library	200 Patriot Court, Hewitt
Lacy Lakeview Civic Center	505 E. Craven Avenue, Waco
Lake Shore United Methodist Church	3311 Park Lake Drive, Waco
Lorena First Baptist Church	307 E. Center Street, Lorena
Mart ISD Administration Building	1100 JL Davis Avenue, Mart
MCC Conference Center	4601 N. 19 th Street, Waco
Midway ISD Information Technology Center	109 Panther Way, Hewitt
Moody First United Methodist Church	500 6 th Street, Moody
South Waco Community Center	2815 Speight Avenue, Waco
South Waco Library	2737 S. 18 th Street, Waco
St. Alban’s Episcopal Church	305 N. 30 th Street, Waco
St. Louis Activity Center (Windsor Ave. Parking)	2415 Cumberland Avenue, Waco
University High School	3201 S. New Road, Waco
Waco 25 th Street Fire Station	1006 N. 25 th Street, Waco
Waco Convention Center	100 Washington Avenue, Waco
West Waco Library/Genealogy Center	5301 Bosque Boulevard, Waco
Woodway City Hall	922 Estates Drive, Woodway
Woodway First Baptist Church (The Venue)	110 Ritchie Road, Woodway



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2025

AGENDA ITEM #: 8.

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Discussion and possible action on **Ordinance No. 2025-04**, ordering a Joint General Election, authorizing the City Manager to execute an Election Services Contract with the McLennan County Elections Administrator, and establishing Early Voting and Election Day Vote Centers and dates/times of operation.

STAFF RECOMMENDATION/ITEM SUMMARY:

According to the provisions of the Texas Election Code and the City Charter, Ordinance No. 2025-04 orders the Joint General Election for May 3, 2025. The Joint General Election will be conducted to elect Council Members for Ward 1, Place 1; Ward 2, Place 1, Ward 3, Place 1, and Ward-At-Large in conformity with the valid provisions of the Charter of the City of Hewitt and the laws of the State of Texas. The terms for these seats will expire in May 2027.

The City will contract with the McLennan County Elections Administrator to conduct the election. This contract allows the City to share election expenses with other entities. The entities will pay a pro-rata share of the election cost; however, the cost for each entity may increase depending on election cancelations.

Staff recommends approval of this ordinance ordering the Joint General Election.

FISCAL IMPACT:

Amount Budgeted - \$7,000.00

Line Item in Budget - 10 50210 61 00/20 50210 93 00

SUGGESTED MOTION:

I move to approve **Ordinance No. 2025-04** ordering the Joint General Election to be held on May 3, 2025, authorizing the City Manager to execute the Election Services Contract with the Elections Administrator of McLennan County.

ATTACHMENTS:

1. 2025-04 ORDINANCE ORDERING A GENERAL ELECTION

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS, ORDERING A JOINT GENERAL ELECTION TO BE HELD ON MAY 3, 2025 TO ELECT COUNCIL MEMBERS FOR WARD 1, PLACE 1; WARD 2, PLACE 1; WARD 3, PLACE 1; AND AT-LARGE; DESIGNATING POLLING LOCATIONS; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; AUTHORIZING EXECUTION OF ELECTION SERVICES CONTRACT, AND ESTABLISHING EARLY VOTING AND ELECTION DAY VOTE CENTERS AND DATES/TIMES OF OPERATION.

WHEREAS, the terms for Council Members in Ward 1, Place 1; Ward 2, Place 1; Ward 3, Place 1; and At-Large expire May of 2025, resulting in the need to order a General Election to elect one (1) person for each position under the City Charter and Election Code; and

WHEREAS, the Texas Constitution, the Texas Election Code, and the City Charter apply to said General Election, and to comply with applicable laws, an ordinance is required to order the election and establish procedures consistent with the Constitution, the Code, and the Charter; and

WHEREAS, the election will be held jointly with McLennan County and other entities on May 3, 2025, to provide a convenient and cost-saving election to the voters in their respective jurisdictions;

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

Section 1. An election is hereby ORDERED to be held on May 3, 2025, for voting in a General Election to elect one (1) person for each position to serve the full term of two (2) years for City Council Members in Ward 1, Place 1; Ward 2, Place 1; Ward 3, Place 1; and At-Large. This election will be conducted under the Texas Election Code and the Election Services Contract by and between McLennan County and other governmental entities. The first day to apply for a place on the ballot with the City Secretary was Wednesday, January 15, 2025, at 8:00 AM, with the last day for filing being Friday, February 14, 2025, at 5:00 PM, under Election Codes Sections 143.006 and 143.007.

Section 2. The Mayor and Council are hereby directed to issue the Order of General Election attached as **Exhibit “A”** as required by the Texas Election Code in the form provided by the McLennan County Election Administrator.

Section 3. The McLennan County Election Administrator will administer the General Election under a joint election agreement and a contract for election services. For this election, all election officials shall be appointed and designated under the provisions of the election services contract. The Elections Administrator will serve as the Early Voting Clerk. The City Manager is

authorized to execute a contract for election services with the McLennan County Elections Administrator.

Section 4. McLennan County will execute Joint Election Services Contract and Agreements with Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, and McLennan Community College.

Section 5. The locations of Early Voting Sites and information on dates/hours of operations, as provided for by the Joint Election Agreement, are as follows:

EARLY VOTING SITES

McLennan County Elections Administration Office (Main Early Voting Site)

Records Building (Basement)
214 North 4th Street, Suite 300
Waco, TX 76701

Waco Multi-Purpose Community Center

1020 Elm Avenue
Waco, TX 76704

West Waco Library

5301 Bosque Boulevard
Waco, TX 76710

Hewitt City Hall/Library

200 Patriot Court
Hewitt, TX 76643

Applications for ballots by mail shall be received and processed by the McLennan County Elections Administrator, P.O. Box 2450, Waco, Texas 76703-2450. Ballot applications must be received no later than the close of business on April 22, 2025.

Early Voting for the General Election shall begin Monday, April 21, 2025, and end Tuesday, April 29, 2025. The dates and hours designated for early voting by personal appearance at the early voting locations shall be set forth below and are also listed on the Order of General Election attached as **Exhibit “A”**:

Dates	Hours
--------------	--------------

Monday, April 21 - Friday, April 25, 2025	8:00 AM – 5:00 PM
Saturday, April 26, 2025	7:00 AM – 7:00 PM
Sunday, April 27, 2025	1:00 PM – 6:00 PM
Monday, April 28 - Tuesday, April 29, 2025	7:00 AM – 7:00 PM

The election officers for this election's early voting ballot board shall be appointed and designated by the provisions of the election services contract to process ballots cast in early voting.

Section 6. On Election Day, the polls shall be open from 7:00 AM to 7:00 PM. Election Day Vote Centers are listed on **Exhibit “B.”**

Section 7. Voting on the election date and early voting shall be done using a lawfully approved voting system. The preparation of the voting equipment to be used in connection with such voting system and the official ballots for the Election shall conform to the Texas Election Code (“Code”), as amended. McLennan County shall provide the specific voting machines to be used under the Contract for Elections Services with the McLennan County Elections Administrator.

Section 8. Notice of the elections hereby ordered shall be given under Texas state law. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be published and/or posted in connection with the conduct of these elections.

PASSED and APPROVED this 3rd day of February 2025.

CITY OF HEWITT, TEXAS

Steve Fortenberry, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM & LEGALITY:

Michael W. Dixon, City Attorney

EXHIBIT “A”

ORDER OF GENERAL ELECTION (ORDEN DE LA ELECCIÓN GENERAL)

An election is hereby ordered to be held on May 3, 2025, for voting in a General Election to elect one (1) person for each position to serve the full term of two (2) years for four (4) City Council Members (Ward 1, Place 1, Ward 2, Place 1, Ward 3, Place 1, and At-Large) for the City of Hewitt.

(Por la presente se ordena que se llevará a cabo una elección el 3 de mayo de 2025, para votar en una elección general para elegir una (1) persona para que sirvan los termino completos de dos (2) años para los cuatro (4) miembros del ayuntamiento (distrito electoral número 1, lugar número 1, distrito electoral número 2, lugar número 1, distrito electoral número 3, lugar número 1, y en general) para la ciudad de Hewitt.)

The execution of a Joint Election Agreement with Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, and McLennan Community College is hereby authorized and approved.

(La ejecución de un acuerdo de elección conjunta con Bellmead, Crawford, Gholson, Hewitt, Lacy Lakeview, Lorena, Mart, McGregor, Waco, Woodway, Bosqueville ISD, Connally ISD, Crawford ISD, Gholson ISD, La Vega ISD, Lorena ISD, Mart ISD, McGregor ISD, Midway ISD, Waco ISD, y McLennan Community College se autoriza y aprueba.)

LOCATION(S) OF POLLING PLACES (DIRECCIÓN(ES) DE LAS CASILLAS ELECTORALES)

**See attached List
(Véase la lista adjunta)**

Early Voting by personal appearance will be conducted at:
(La votación adelantada en persona se llevará a cabo todos los días en:)

**Early Voting Sites:
(Lugares de votación adelantada)**

McLennan County Elections Administration Office (Main Early Voting Site)
Records Building (Basement)
214 North 4th Street, Suite 300
Waco, TX 76701

Waco Multi-Purpose Community Center
1020 Elm Avenue
Waco, TX 76704

West Waco Library
5301 Bosque Boulevard
Waco, TX 76710

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

The dates and times of Early Voting are:

(Los días y horas de votación adelantada son:)

Monday (lunes)	April 21, 2025 (21 de abril de 2025)	No Early Voting – State Holiday (No hay votación anticipada –Feriado estatal)
Tuesday (martes)	April 22, 2025 (22 de abril de 2025)	8:00 AM - 5:00 PM
Wednesday (miércoles)	April 23, 2025 (23 de abril de 2025)	8:00 AM - 5:00 PM
Thursday (jueves)	April 24, 2025 (24 de abril de 2025)	8:00 AM - 5:00 PM
Friday (viernes)	April 25, 2025 (25 de abril de 2025)	8:00 AM - 5:00 PM
Saturday (sabado)	April 26, 2025 (26 de abril de 2025)	7:00 AM - 7:00 PM
Sunday (domingo)	April 27, 2025 (27 de abril de 2025)	1:00 PM - 6:00 PM
Monday (lunes)	April 28, 2025 (28 de abril de 2025)	7:00 AM - 7:00 PM
Tuesday (martes)	April 29, 2025 (29 de abril de 2025)	7:00 AM - 7:00 PM

Applications to vote by mail should be mailed to:

(Las solicitudes para poder votar por deben ser enviadas a:)

McLennan County Elections Administration
Mailing Address: P.O. Box 2450 Waco, Texas 76703-2450
Physical Address: 214 N. 4th Street, Suite 300, Waco, Texas 76701
Fax: (254) 757-5041
Phone: (254) 757-5043
ballotbymail@co.mclennan.tx.us
www.mclennanvotes.com

Applications for ballot by mail must be received no later than the close of business on April 22, 2025:

(Las solicitudes para votar por correo tendrán que ser recibidas antes del fin del día laboral el 22 de abril 2025:)

Issued this the _____ day of _____, 2025.
(Emitada el día _____ de _____ 2025.)

Mayor, City of Hewitt
(alcalde, ciudad de Hewitt)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

Signature of Councilperson
(Firma del Concejal)

EXHIBIT “B”

MAY 3, 2025 ELECTION DAY VOTE CENTERS

(3 de mayo de 2025 Centros de Voto Para el Día de las Elecciones)

Bellmead Civic Center	3900 Parrish Street, Bellmead
Cesar Chavez Middle School	700 S. 15 th Street, Waco
Chalk Bluff Baptist Church	5993 Gholson Road, Waco
China Spring ISD Administration Bldg.	12166 Yankie Road, China Spring
Crawford First United Methodist	375 W 6 th Street, Crawford
Dewey Community Center	925 N. 9 th Street, Waco
Fellowship Bible Church	5200 Speegleville Road, McGregor
Gholson First Baptist Church	228 Wildcat Circle, Gholson
H. G. Isbill Junior High	305 S. Van Buren Street, McGregor
Heart of Texas Council of Governments	1514 S. New Road, Waco
Hewitt City Hall/Library	200 Patriot Court, Hewitt
Lacy Lakeview Civic Center	505 E. Craven Avenue, Waco
Lake Shore United Methodist Church	3311 Park Lake Drive, Waco
Lorena First Baptist Church	307 E. Center Street, Lorena
Mart ISD Administration Building	1100 JL Davis Avenue, Mart
MCC Conference Center	4601 N. 19 th Street, Waco
Midway ISD Information Technology Center	109 Panther Way, Hewitt
Moody First United Methodist Church	500 6 th Street, Moody
South Waco Community Center	2815 Speight Avenue, Waco
South Waco Library	2737 S. 18 th Street, Waco
St. Alban’s Episcopal Church	305 N. 30 th Street, Waco
St. Louis Activity Center (Windsor Ave. Parking)	2415 Cumberland Avenue, Waco
University High School	3201 S. New Road, Waco
Waco 25 th Street Fire Station	1006 N. 25 th Street, Waco
Waco Convention Center	100 Washington Avenue, Waco
West Waco Library/Genealogy Center	5301 Bosque Boulevard, Waco
Woodway City Hall	922 Estates Drive, Woodway
Woodway First Baptist Church (The Venue)	110 Ritchie Road, Woodway