

# HEWITT TEXAS

## CITY COUNCIL WORKSHOP/REGULAR MEETING

April 20, 2026, at 6:00 PM

Hewitt Public Safety Training Room City, 100 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](http://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 via videoconference. Should that occur, a quorum of members will be physically present at the location noted above on this agenda.

#### WORKSHOP MEETING - 6:00 PM

#### WORKSHOP DECLARATION OF A QUORUM AND CALL TO ORDER

#### WORKSHOP AGENDA

1. Briefing and discussion concerning the City of Hewitt's Strategic Plan 2026-2031.  
Police, Fire, Community Development, General Services, Human Resources, Library, City Secretary

#### WORKSHOP ADJOURNMENT

#### REGULAR MEETING - 7:00 PM

#### DECLARATION OF A QUORUM AND CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### PUBLIC HEARING(S) AND RELATED ACTION

2. Public hearing and possible action on **Ordinance No. 2026-04** rezoning property located in the 1700 block of Spring Valley Road, known as Lot 2, Block 1, Valley Spring Estates, Property ID 412289, from C-2 General Commercial District to R-4 Multi-family High Density District.

## **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**

3. Approve minutes of the April 6, 2026, City Council Workshop/Regular Meeting.
4. Discussion and possible action to appoint newly designated alternate member Steven Dvorak to a regular member status on the Board of Adjustment.
5. Discussion regarding the delays in the Commerce Park Water Well and GST/PS Improvements project.
6. Discussion and possible action on **Ordinance No. 2026-05** adopting the 2026 Amended Water Conservation and Drought Contingency Plan.
7. Request for future workshops and/or agenda items.
8. Briefing and discussion concerning the City of Hewitt's Strategic Plan 2026-2031 (continued discussion from Workshop, if needed).

## **ADJOURNMENT**

I certify that the above notice of meeting was posted on the Public Notice Board located in front of City Hall on **April 14, 2026**, by 5:00 PM.

## **CITY OF HEWITT**

**Lydia Lopez**

Lydia Lopez, TRMC/MMC  
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 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.*

# HEWITT TEXAS

## COUNCIL AGENDA ITEM FORM

---

**MEETING DATE:** April 20, 2026

**AGENDA ITEM #:** 2.

**SUBMITTED BY:** Tracy Lankford, Community Development Director

**ITEM DESCRIPTION:**

Public hearing and possible action on **Ordinance No. 2026-04** rezoning property located in the 1700 block of Spring Valley Road, known as Lot 2, Block 1, Valley Spring Estates, Property ID 412289, from C-2 General Commercial District to R-4 Multi-family High Density District.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

David Mercer submitted a request to change the zoning designation of this tract, located in the 1700 block of Spring Valley Rd., shown in the attached documents from C-2 General Commercial District to R-4 Multi-family High Density District. This tract is located between the Dollar Store and the railroad west of Hewitt Dr. and is currently undeveloped. The Planning and Zoning Commission met on Tuesday, April 7, 2026, to consider the request. After a public hearing and deliberation, the commission recommended denying the request by a vote of 5 in favor, with 1 member abstaining.

Due to the recommendation of the Planning and Zoning Commission to deny this request, an affirmative vote of at least **three-fourths (3/4)** of all council members is required to overrule their recommendation.

**FISCAL IMPACT:**

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

**SUGGESTED MOTION:**

I move to \_\_\_\_\_ **Ordinance 2026-04** rezoning property located in the 1700 block of Spring Valley Road, known as Lot 2, Block 1, Valley Spring Estates, Property ID 412289, from C-2 General Commercial District to R-4 Multi-family High Density District.

**ATTACHMENTS:**

1. PZ Minutes 04072026
2. P&Z Agenda Packet 04072026
3. 2026-04 Rezone ordinance -David Mercer 1700 blk Spring Valley C-2 to R-4
4. Exhibit A

# HEWITT TEXAS

## PLANNING & ZONING COMMISSION NOTICE OF MEETING

April 7, 2026, at 6:00 PM

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

## MINUTES

---

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

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

### CALL TO ORDER

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

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

*Acting Charman Travis Bailey called the meeting to order at 6:00PM.*

### PUBLIC HEARING(S) AND RELATED ACTION

1. Public Hearing for a request made by David Mercer to rezone property located Lot 2 Block 1 Spring Valley Estates, in the 1700 block of Spring Valley Road, from C-2 General Commercial District to R-4 Multi-family High Density District.

*Public Hearing opened at 6:01PM. Speaking in favor of the project, Davis Mercer, residing at 1927 Columbus Ave, Waco. He is the applicant and was here to answer all questions and concerns regarding the project. Kyle Lands, owner of the property, spoke in favor of project stating this land has been vacant for many years with no one wanting to purchase it. Nathan Embry, residing at 106 Silver Spur, McGregor, spoke that he has known Mr. Mercer for many years and knows his projects are well built and following all codes. Speaking against project, Mark Bowles, owner of "The Vault" storage at 1709 Spring Valley, which is adjacent to this property. Mr. Bowles addressed concerns about storm water and traffic, as there is only one drive access allowed to the property per TxDot. Public Hearing closed at 6:29PM.*

### REGULAR AGENDA ITEMS

2. Discussion and Possible action to a request made by David Mercer to rezone property located Lot 2 Block 1 Valley Spring Estates, in the 1700 block of Spring Valley Road, from C-2 General Commercial District to R-4 Multi-family High Density District.

*Discussion was had about if this property could feasibly hold the apartments that Mr. Mercer is proposing without causing additional storm water issues or traffic. A motion was made by Paul Lasater, seconded by Brian Dalrymple, to deny the proposed rezoning request. Travis Bailey, Dustin Crawford, and Mike Hix also voted to deny the rezone request, while Bobby Drake abstained from voting. The request was denied with 5 votes, 1 abstaining. This motion will go before City Council April 20, 2026.*

3. Appoint a new chairperson

*Paul Lasater made a motion to have himself considered for the vacant Chairman position. All members are in favor, Paul Lasater will be new Chairman.*

4. Consider approval of minutes for the December 17, 2024 regular Planning and Zoning meeting.

*A motion was made by Travis Bailey, seconded by Bobby Drake, to approve the minutes as submitted, but allow for corrections. All six in favor, motion passed.*

**ADJOURNMENT**

*Meeting is adjourned at 6:36PM.*

Approved: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Brittney Cantu  
City of Hewitt Zoning Secretary

\_\_\_\_\_  
Tracy Lankford  
Community Development Director

# HEWITT TEXAS

## PLANNING & ZONING COMMISSION NOTICE OF MEETING

April 7, 2026, at 6:00 PM

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

### AGENDA

---

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

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

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

#### CALL TO ORDER

#### PUBLIC HEARING(S) AND RELATED ACTION

1. Public Hearing for a request made by David Mercer to rezone property located Lot 2 Block 1  
Spring Valley Estates, in the 1700 block of Spring Valley Road, from C-2 General Commercial  
District to R-4 Multi-family High Density District.

#### REGULAR AGENDA ITEMS

2. Discussion and Possible action to a request made by David Mercer to rezone property located  
Lot 2 Block 1 Spring Valley Estates, in the 1700 block of Spring Valley Road, from C-2  
General Commercial District to R-4 Multi-family High Density District.
3. Appoint a new chairperson
4. Consider approval of minutes for the December 17, 2024 regular Planning and Zoning meeting.

#### ADJOURNMENT

I, the undersigned authority, do hereby certify that the above notice of a meeting of the Planning and  
Zoning Commission of the City of Hewitt, Texas, was posted on a Public Notice Board located in front  
of City Hall on April 1, 2026, by 5:00 PM.

CITY OF HEWITT

**Brittney Cantu**

Brittney Cantu  
City of Hewitt Zoning Secretary

In compliance with the Americans with Disabilities Act, the City of Hewitt will provide reasonable accommodations for people attending and/or participating in 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 Zoning Secretary at 254.666.6173.

# HEWITT TEXAS

## PLANNING AND ZONING ADMENDMENT OF THE ZONING ORDINANCE

Legal Description of Property: Valley Springs Estates Lot 2 Block 1 Acres 2.702

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

Property sits on the Southwest corner of the S. Hewitt Dr. & Spring Valley Rd. intersection.  
Property is adjacent to the Dollar General at 1711 W. Spring Valley Rd.

Zoning Change From C-2 to R-4

Please describe the interest in property:

Multi-family.

Existing Building(s) on Property: Property is currently vacant.

Total square feet of all Buildings on Property: Zero.

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

Ownership (deed): Doc. #/MCC No.: see attached.

Please provide the proposed meeting date for this application to be considered (See Meeting Schedule): 4.7.2026


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

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

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

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

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

Name of Property Owner: Kyle Lands  
Telephone Number: 254-749-0798  
Mailing Address: P.O. box 594  
Email Address: K9Lands@aol.com  
Signature of Property Owner:   
Date: 2-25-26

Name of Applicant/Representative: David Mercer  
Telephone Number: 254-716-3780  
Mailing Address: 1927 Columbus Ave. Waco, TX 76701  
Email Address: david@merckgc.com  
Signature of Applicant/Representative: \_\_\_\_\_  
Date: 2.23.2026

**Kyle Lands**  
2222 N Old Bruceville Rd  
Bruceville, TX 76630

February 25, 2026

City of Hewitt  
Attn: Planning & Zoning Department

Re: Authorization for Zoning Amendment Request  
Property Address: W Spring Valley Rd, Lorena, TX 76655  
Legal Description: VALLEY SPRING ESTATES Lot 2 Block 1 Acres 2.702

To Whom It May Concern:

I, **Kyle Lands**, am the legal owner of the above-referenced property located in the City of Hewitt, Texas.

This letter serves as formal authorization for **David Mercer**, the prospective purchaser of the property, the limited purpose of submitting a zoning amendment request with the City of Hewitt.

Thank you for your assistance.

Sincerely,

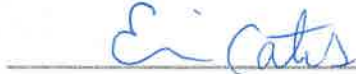
Kyle Lands



**NOTARY ACKNOWLEDGMENT**

STATE OF TEXAS §  
COUNTY OF McLennan §

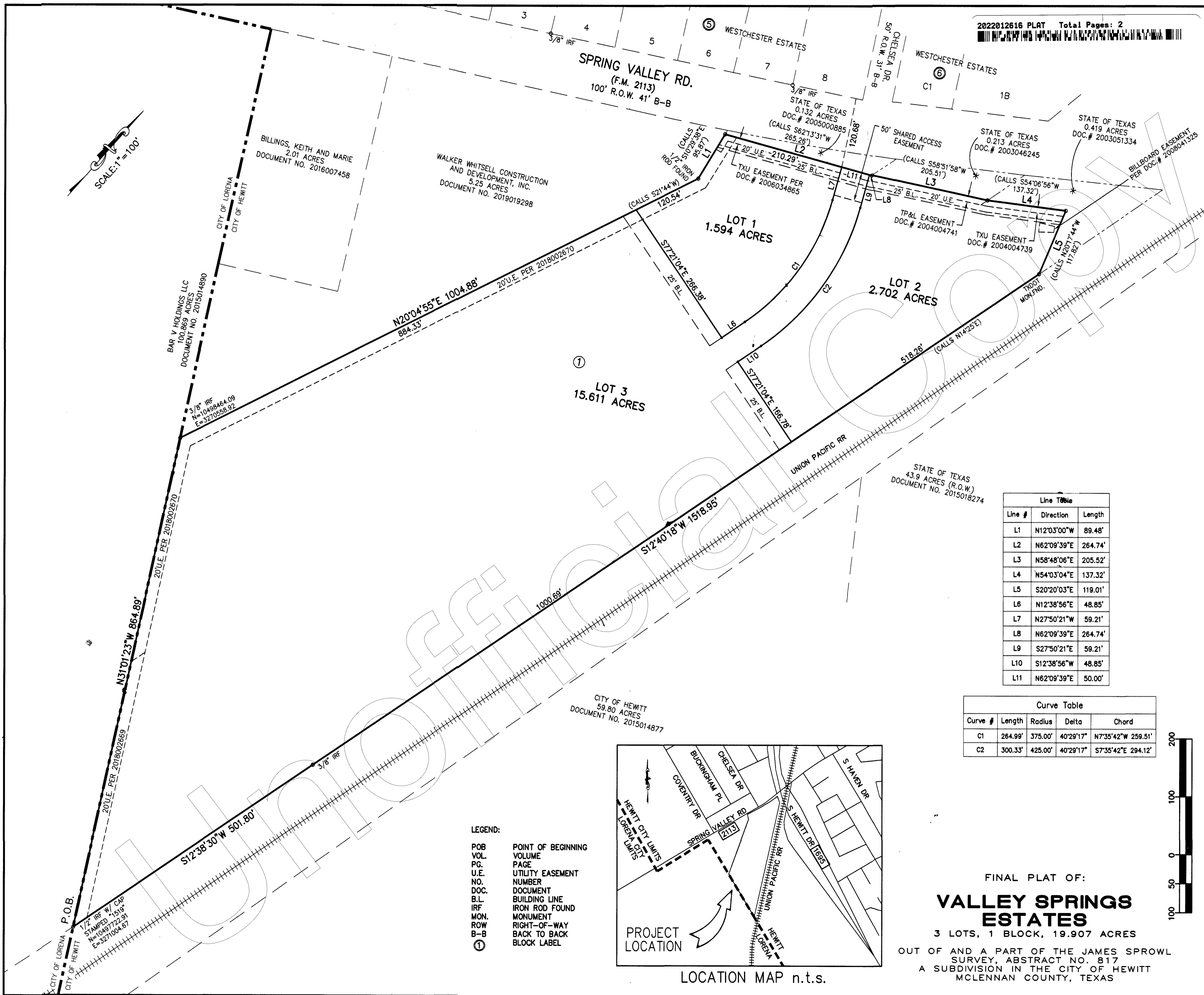
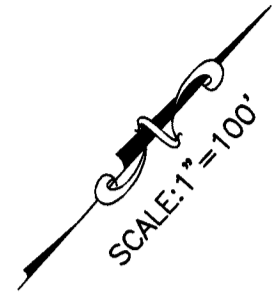
This instrument was acknowledged before me on the 25 day of Feb, 2026.



Notary Public, State of Texas

Printed Name: Erin Cates  
My Commission Expires: 1-24-28



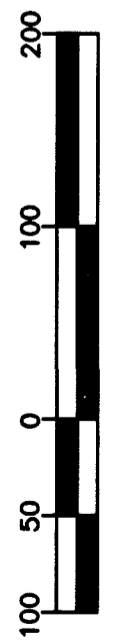


Line Table

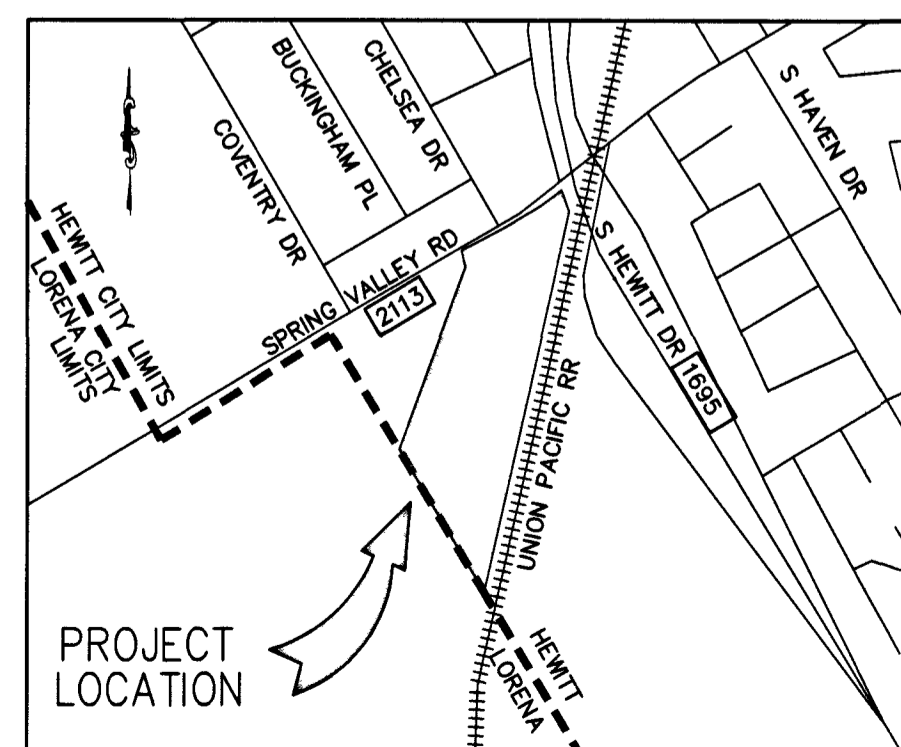
Line #	Direction	Length
L1	N12°03'00\"W	89.48'
L2	N62°09'39\"E	264.74'
L3	N58°48'06\"E	205.52'
L4	N54°03'04\"E	137.32'
L5	S20°20'03\"E	119.01'
L6	N12°38'56\"E	48.85'
L7	N27°50'21\"W	59.21'
L8	N62°09'39\"E	264.74'
L9	S27°50'21\"E	59.21'
L10	S12°38'56\"W	48.85'
L11	N62°09'39\"E	50.00'

Curve Table

Curve #	Length	Radius	Delta	Chord
C1	264.99'	375.00'	40°29'17\"	N7°35'42\"W 259.51'
C2	300.33'	425.00'	40°29'17\"	S7°35'42\"E 294.12'



- LEGEND:
- POB POINT OF BEGINNING
  - VOL. VOLUME
  - PG. PAGE
  - U.E. UTILITY EASEMENT
  - NO. NUMBER
  - DOC. DOCUMENT
  - B.L. BUILDING LINE
  - IRF IRON ROD FOUND
  - MON. MONUMENT
  - ROW RIGHT-OF-WAY
  - B-B BACK TO BACK
  - ① BLOCK LABEL



FINAL PLAT OF:  
**VALLEY SPRINGS ESTATES**  
 3 LOTS, 1 BLOCK, 19.907 ACRES  
 OUT OF AND A PART OF THE JAMES SPROWL SURVEY, ABSTRACT NO. 817  
 A SUBDIVISION IN THE CITY OF HEWITT MCLENNAN COUNTY, TEXAS

**TURLEY ASSOCIATES, INC.**  
 ENGINEERING • PLANNING • SURVEYING  
 301 N. 3rd St.  
 TEMPLE, TEXAS 76500  
 254.773.2400  
 www.turley-inc.com  
 TBPE No. F-1658 • TBPLS No. 10056000

© TURLEY ASSOCIATES, INC.  
 THIS DRAWING IS THE PROPERTY OF TURLEY ASSOCIATES INC. AND MUST BE SURRENDERED UPON REQUEST. THE INFORMATION THEREON MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF TURLEY ASSOCIATES INC.

FINAL PLAT FOR:  
**VALLEY SPRINGS ESTATES**  
 JAMES SPROWL SURVEY, ABSTRACT NO. 817  
 MCLENNAN COUNTY, TEXAS

PREPARED FOR:  
**MARK AND ELIZABETH BOWLES**  
 515 N. HEWITT DRIVE  
 HEWITT, TEXAS 76643

REVISIONS

DATE	DESCRIPTION	DFTR
2/11	2/10 COMMENTS	AMJ

DRAFTSMAN: REC/AMJ  
 DATE: JULY 15, 2021  
 COMPUTER FILE NAME: 21-1772\_FINAL PLAT  
 JOB NUMBER: 21-1772  
 DRAWING NUMBER: 211772-C

PAGE # **01**

BEING A 19.907 ACRE TRACT OF LAND SITUATED IN THE JAMES SPROWL SURVEY, ABSTRACT NO. 817, MCLENNAN COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN 15.607 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED JUNE 22, 2021 FROM KYLE L. LANDS A/K/A KYLE LEE LANDS, A MARRIED MAN AND MARVIN RAY LANDS, A SINGLE MAN TO MARK S. BOWLES AND ELIZABETH A. BOWLES AND BEING OF RECORD IN DOCUMENT NO. 2021024537, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN 6 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JULY 28, 1987 FROM CHARLETTE RENEE THREADGILL TO KYLE L. LANDS AND BEING OF RECORD IN VOLUME 1605, PAGE 522, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN 7.912 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED OCTOBER 31, 1983 FROM F. M. LANDS AND WIFE, CARRIE B. LANDS TO MARVIN RAY LANDS AND BEING OF RECORD IN VOLUME 1460, PAGE 74, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN 6.778 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED OCTOBER 31, 1983 FROM F. M. LANDS AND WIFE, CARRIE B. LANDS TO KYLE LEE LANDS AND BEING OF RECORD IN VOLUME 1460, PAGE 77, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH CAP STAMPED "1519" FOUND BEING THE SOUTHEAST CORNER OF THE SAID BOWLES TRACT AND BEING THE MOST NORTHERLY SOUTHEAST CORNER OF THAT CERTAIN 100.869 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED DATED MAY 13, 2015 FROM VER-MAN, LLC, A LOUISIANA LIMITED LIABILITY COMPANY TO BAR V HOLDINGS LLC, A TEXAS LIMITED LIABILITY COMPANY AND BEING OF RECORD IN DOCUMENT NO. 2015014890, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING IN THE WEST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD AS EVIDENCED ON THE GROUND FOR CORNER;

THENCE N. 31' 01' 23" W., 864.89 FEET DEPARTING THE SAID WEST RIGHT-OF-WAY LINE AND WITH THE SOUTHWEST BOUNDARY LINE OF THE SAID BOWLES TRACT AND WITH THE NORTHEAST BOUNDARY LINE OF THE SAID 100.869 ACRE TRACT TO A 3/8" IRON ROD FOUND BEING THE SOUTHWEST CORNER OF THE SAID BOWLES TRACT AND BEING THE MOST SOUTHERLY CORNER OF THAT CERTAIN 5.25 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN DATED JUNE 5, 2019 FROM JIM DANIELS AND WIFE, MARGARET DANIELS TO WALKER WHITSELL CONSTRUCTION AND DEVELOPMENT, INC., A TEXAS CORPORATION AND BEING OF RECORD IN DOCUMENT NO. 2019019298, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS FOR CORNER;

THENCE DEPARTING THE SAID 100.869 ACRE TRACT AND WITH THE WESTERLY BOUNDARY LINE OF THE SAID BOWLES TRACT AND WITH THE SOUTHEASTERLY BOUNDARY LINE OF THE SAID 5.25 ACRE TRACT AND CONTINUING WITH THE WESTERLY BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1460, PAGE 77 ) THE FOLLOWING TWO ( 2 ) CALLS:

- 1. N. 20' 04' 55" E., 1004.88 FEET ( CALLS S. 21' 44' W. ) TO A 1/2" IRON ROD FOUND FOR CORNER;
2. N. 12' 03' 00" W., 89.48 FEET ( CALLS S. 10' 29' 38" E., 95.87 FEET ) TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET BEING THE SOUTHWEST CORNER OF THAT CERTAIN 0.132 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED DECEMBER 2, 2004 FROM KYLE LEE LANDS TO THE STATE OF TEXAS AND BEING OF RECORD IN DOCUMENT NO. 2005000885, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SPRING VALLEY ROAD ( ALSO KNOWN AS FARM-TO-MARKET HIGHWAY NO. 2113 ) FOR CORNER;

THENCE DEPARTING THE SAID 5.25 ACRE TRACT AND THE SAID WESTERLY BOUNDARY LINE AND WITH THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE ( 3 ) CALLS:

- 1) N. 62' 09' 39" E., 264.74 FEET WITH THE SOUTHEAST BOUNDARY LINE OF THE SAID 0.132 ACRE TRACT ( CALLS S. 62' 13' 31" W., 265.26 FEET ) AND OVER AND ACROSS THE SAID LANDS TRACT ( VOLUME 1460, PAGE 77 ) AND CONTINUING WITH THE NORTH BOUNDARY LINE OF THE SAID BOWLES TRACT AND CONTINUING OVER AND ACROSS THE SAID LANDS TRACT ( VOLUME 1460, PAGE 77 ) TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET BEING IN THE EAST BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1460, PAGE 77 ) AND BEING THE SOUTHEAST CORNER OF THE SAID 0.132 ACRE TRACT AND BEING IN THE WEST BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1460, PAGE 74 ) AND BEING THE SOUTHWEST CORNER OF THAT CERTAIN 0.213 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED SEPTEMBER 2, 2003 FROM MARVIN RAY LANDS TO THE STATE OF TEXAS AND BEING OF RECORD IN DOCUMENT NO. 2003046245, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS FOR CORNER;
2) N. 58' 48' 06" E., 205.52 FEET DEPARTING THE SAID LANDS TRACT ( VOLUME 1460, PAGE 77 ) AND THE SAID 0.132 ACRE TRACT AND THE SAID WEST BOUNDARY LINE AND WITH THE SOUTHEAST BOUNDARY LINE OF THE SAID 0.213 ACRE TRACT ( CALLS S. 58' 51' 58" W., 205.51 FEET ) AND OVER AND ACROSS THE SAID LANDS TRACT ( VOLUME 1460, PAGE 74 ) TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET BEING THE SOUTHEAST CORNER OF THE SAID 0.213 ACRE TRACT AND BEING IN THE EAST BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1460, PAGE 74 ) AND BEING IN THE WEST BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1605, PAGE 522 ) AND BEING THE SOUTHWEST CORNER OF THAT CERTAIN 0.419 ACRE TRACT OF LAND DESCRIBED IN A DEED DATED AUGUST 25, 2003 FROM KYLE L. LANDS TO THE STATE OF TEXAS AND BEING OF RECORD IN DOCUMENT NO. 2003051334, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS FOR CORNER;
3) N. 54' 03' 04" E., 137.32 FEET DEPARTING THE SAID LANDS TRACT ( VOLUME 1460, PAGE 74 ) AND THE SAID 0.213 ACRE TRACT AND THE SAID WEST BOUNDARY LINE AND WITH THE SOUTHEAST BOUNDARY LINE OF THE SAID 0.419 ACRE TRACT ( CALLS S. 54' 06' 56" W., 137.32 FEET )

AND OVER AND ACROSS THE SAID LANDS TRACT ( VOLUME 1605, PAGE 522 ) TO A 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET BEING AN INTERIOR ELL CORNER OF THE SAID 0.419 ACRE TRACT FOR CORNER;

THENCE S. 20' 20' 03" E., 119.01 FEET DEPARTING THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND WITH A WEST BOUNDARY LINE OF THE SAID 0.419 ACRE TRACT ( CALLS N. 20' 17' 44" W., 117.82 FEET ) AND CONTINUING OVER AND ACROSS THE SAID LANDS TRACT ( VOLUME 1605, PAGE 522 ) TO A TEXAS DEPARTMENT OF TRANSPORTATION MONUMENT FOUND BEING THE SOUTHEAST CORNER OF THE SAID 0.419 ACRE TRACT AND BEING IN THE EASTERLY BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1605, PAGE 522 ) AND BEING IN THE AFOREMENTIONED WEST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD FOR CORNER;

THENCE S. 12' 40' 18" W., 1518.95 FEET DEPARTING THE SAID 0.419 ACRE TRACT AND WITH THE EASTERLY BOUNDARY LINE OF THE SAID LANDS TRACT ( VOLUME 1605, PAGE 522 ) ( CALLS N. 14' 25' E. ) AND CONTINUING WITH THE EASTERLY BOUNDARY LINE OF THE SAID BOWLES TRACT AND WITH THE SAID WEST RIGHT-OF-WAY LINE TO A 3/8" IRON ROD FOUND FOR CORNER;

THENCE S. 12' 38' 30" W., 501.80 FEET CONTINUING WITH THE EASTERLY BOUNDARY LINE OF THE SAID BOWLES TRACT AND THE SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING AND CONTAINING 19.907 ACRES OF LAND.

THIS PROPERTY IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48309C0540D DATED DECEMBER 20, 2019.

BUILDING SETBACK LINES PROVIDED FROM CODE OF ORDINANCES CITY OF HEWITT, TEXAS

BEARING BASE: TEXAS STATE PLANE COORDINATE SYSTEM (NAD 1983) CENTRAL ZONE AS DETERMINED BY GPS OBSERVATION.

BENCHMARK: 1/2" IRON ROD FOUND IN CONCRETE WITH CAP STAMPED "1519" AT THE SOUTHEAST BOUNDARY CORNER. EL=636.12'

PROPERTY SURVEYED MARCH 16, 2021.

WATER PROVIDED BY: CITY OF HEWITT - CCN 10038
SEWER PROVIDED BY: CITY OF HEWITT
ELECTRIC SERVICE PROVIDED BY: ONCOR ELECTRIC
ZONING: C2

ALL CORNERS ARE 1/2" IRF STAMPED "RPLS 2475" UNLESS STATED OTHERWISE

STATE OF TEXAS
COUNTY OF McLennan

MARK S. BOWLES, ELIZABETH A. BOWLES, KYLE LEE LANDS AND MARVIN RAY LANDS BEING THE OWNERS OF THE PROPERTY DESCRIBED HEREON AND WISHING TO SUBDIVIDE SAME INTO LOTS AND BLOCK DO HEREBY ADOPT THE PLAT ATTACHED HERETO AND TITLED "VALLEY SPRINGS ESTATES", TO THE CITY OF HEWITT, MCLENNAN COUNTY, TEXAS ( BEING A 19.907 ACRE TRACT OF LAND SITUATED IN THE JAMES SPROWL SURVEY, ABSTRACT NO. 817, MCLENNAN COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED JUNE 22, 2021 FROM KYLE L. LANDS A/K/A KYLE LEE LANDS, A MARRIED MAN AND MARVIN RAY LANDS, A SINGLE MAN TO MARK S. BOWLES AND ELIZABETH A. BOWLES AND BEING OF RECORD IN DOCUMENT NO. 2021024537, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED JULY 28, 1987 FROM CHARLETTE RENEE THREADGILL TO KYLE L. LANDS AND BEING OF RECORD IN VOLUME 1605, PAGE 522, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED OCTOBER 31, 1983 FROM F. M. LANDS AND WIFE, CARRIE B. LANDS TO MARVIN RAY LANDS AND BEING OF RECORD IN VOLUME 1460, PAGE 74, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS AND BEING A PART OR PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A WARRANTY DEED DATED OCTOBER 31, 1983 FROM F. M. LANDS AND WIFE, CARRIE B. LANDS TO KYLE LEE LANDS AND BEING OF RECORD IN VOLUME 1460, PAGE 77, OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS) DO HEREBY DEDICATE ALL STREETS, ALLEYS, PARKS, RIGHTS-OF-WAY, ALL LAND INTENDED FOR PUBLIC USE AND EASEMENTS SHOWN HEREON TO THE USE OF THE PUBLIC FOREVER. ANY PRIVATE IMPROVEMENTS PLACED IN SAID RIGHTS-OF-WAY OR EASEMENTS SHALL BE PLACED AT NO RISK OR OBLIGATION TO THE PUBLIC AND CITY OF HEWITT, TRUSTEE OF THE PUBLIC TO HOLD THESE EASEMENTS AND THE CITY SHALL HAVE NO RESPONSIBILITY TO REPAIR OR REPLACE SUCH IMPROVEMENTS IF THEY ARE DAMAGED OR DESTROYED IN THE UTILIZATION OF THESE RIGHTS-OF-WAY OR EASEMENTS. THE SALE OF THE LOTS SHOWN ON THIS PLAT SHALL BE MADE THEREWITH SUBJECT TO RESTRICTIONS AND THE CONDITIONS RECORDED IN MCLENNAN COUNTY, TEXAS REAL PROPERTY RECORDS PERTAINING TO SUCH SUBDIVISION.

Signature of Mark S. Bowles
MARK S. BOWLES
515 N HEWITT DR
HEWITT, TEXAS 76643

Signature of Elizabeth A. Bowles
ELIZABETH A. BOWLES
515 N HEWITT DR
HEWITT, TEXAS 76643

Signature of Kyle Lee Lands
KYLE LEE LANDS
P.O. BOX 594
HEWITT, TEXAS 76643

Signature of Marvin Ray Lands
MARVIN RAY LANDS
2222 NORTH OLD BRUCEVILLE ROAD
BRUCEVILLE, TEXAS 76630

STATE OF TEXAS
COUNTY OF McLennan

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MARK S. BOWLES, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18 DAY OF FEBRUARY 2022.

Signature of Notary Public
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF McLennan

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED ELIZABETH A. BOWLES, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND SHE ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18 DAY OF FEBRUARY 2022.

Signature of Notary Public
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF MCLENNAN

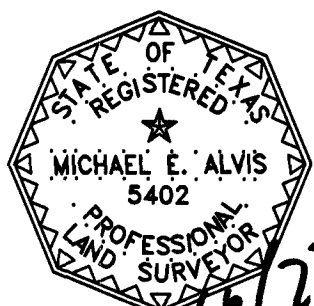
APPROVED THIS THE 28th DAY OF March 2022, BY THE BUILDING OFFICIAL OF THE CITY OF HEWITT, TEXAS.

Signature of Building Official
BUILDING OFFICIAL
ZONING SECRETARY

STATE OF TEXAS
COUNTY OF BELL

THAT I, MICHAEL E. ALVIS, DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY OF THE PLATTED LAND AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF HEWITT, TEXAS.

Signature of Michael E. Alvis
MICHAEL E. ALVIS R.P.L.S., No. 5402



STATE OF TEXAS
COUNTY OF MCLENNAN

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED KYLE LEE LANDS, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17 DAY OF FEBRUARY 2022.

Signature of Notary Public
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS
COUNTY OF McLennan

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED MARVIN RAY LANDS, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 17 DAY OF FEBRUARY 2022.

Signature of Notary Public
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

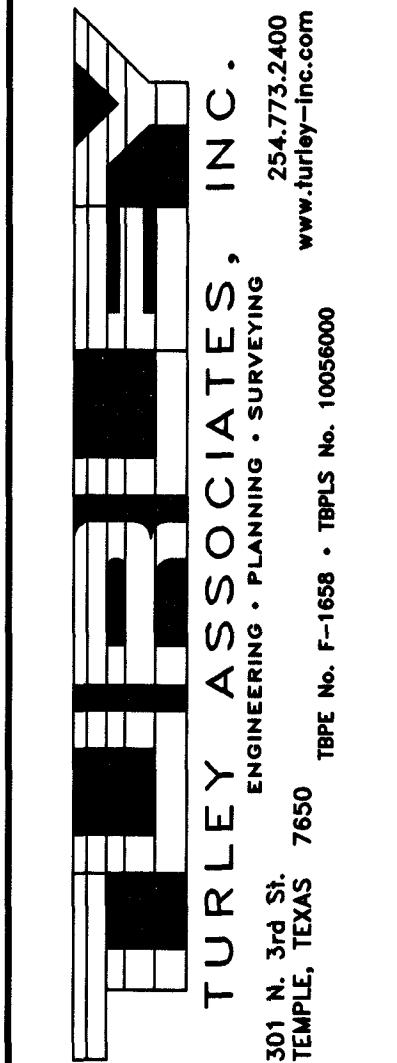
FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Signature of J.A. Andy Harwell
J. A. "Andy" Harwell, County Clerk
03/31/2022 02:20 PM
Fee: \$37.00
2022012616 PLAT
McLennan County, Texas

FINAL PLAT OF:

VALLEY SPRINGS ESTATES
3 LOTS, 1 BLOCK, 19.907 ACRES

OUT OF AND A PART OF THE JAMES SPROWL SURVEY, ABSTRACT NO. 817 A SUBDIVISION IN THE CITY OF HEWITT MCLENNAN COUNTY, TEXAS



TURLEY ASSOCIATES, INC.

THIS DRAWING IS THE PROPERTY OF TURLEY ASSOCIATES INC. AND MUST BE SURRENDERED UPON REQUEST. THE INFORMATION THEREON MAY NOT BE REPRODUCED WITHOUT THE WRITTEN PERMISSION OF TURLEY ASSOCIATES INC.

FINAL PLAT FOR:
VALLEY SPRINGS ESTATES
JAMES SPROWL SURVEY, ABSTRACT NO. 817
MCLENNAN COUNTY, TEXAS

PREPARED FOR:
MARK AND ELIZABETH BOWLES
515 N. HEWITT DRIVE
HEWITT, TEXAS 76643

REVISIONS

Table with 3 columns: DATE, DESCRIPTION, D/FTR. Row 1: 2/11, 2/10 COMMENTS, AMJ

DRAFTSMAN: AMJ
DATE: JULY 15, 2021
COMPUTER FILE NAME: 21-1772 PLAT
JOB NUMBER: 21-1772
DRAWING NUMBER: 211772-C

PAGE# 02

**ORDINANCE NO. 2026-04**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS AMENDING ORDINANCE NO. 11-15-99 AND ALL AMENDMENTS THERETO, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF HEWITT, TEXAS, CHANGING THE ZONING CLASSIFICATIONS OF THE HEREIN DESCRIBED PROPERTY FROM C-2 GENERAL COMMERCIAL TO R-4 MULTI-FAMILY HIGH DENSITY DISTRICT, PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by David Mercer to rezone property known as, known as, Lot 2, Block 1, Spring Valley Estates, Property ID 412289, from C-2 General Commercial District to R-4 Multi-family High Density District.

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

**WHEREAS**, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on April 20, 2026, after due notice in the manner provided by law; and

**WHEREAS**, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, April 7, 2026, after due notice in the manner provided by law; and

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

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

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

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

**SECTION ONE.** That certain tract or parcel of land in McLennan County, Texas, known as Lot 2, Block 1, Spring Valley Estates, Property ID 412289, from C-2 General Commercial District to R-4 Multi-family High Density District.

**SECTION TWO.** A proposed map of the area is shown in Exhibit "A".

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

**SECTION FOUR.** That all provisions of the ordinances of the City of Hewitt in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Hewitt not in conflict with the provisions of this Ordinance shall remain in full force and effect.

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

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

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

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

**PASSED AND APPROVED** this the 20th day of April 2026 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

**CITY OF HEWITT**

BY: \_\_\_\_\_  
Steve Fortenberry, Mayor

ATTEST:

\_\_\_\_\_  
Lydia Lopez, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Michael W. Dixon, City Attorney



# HEWITT TEXAS

## COUNCIL AGENDA ITEM FORM

---

**MEETING DATE:** April 20, 2026

**AGENDA ITEM #:** 3.

**SUBMITTED BY:**

**ITEM DESCRIPTION:**

Approve minutes of the April 6, 2026, City Council Workshop/Regular Meeting.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

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

**FISCAL IMPACT:**

Amount Budgeted - N/A

Line Item in Budget - N/A

**SUGGESTED MOTION:**

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

**ATTACHMENTS:**

1. April 6, 2026, City Council Workshop-Regular Meeting Minutes

# HEWITT TEXAS

## CITY COUNCIL WORKSHOP/REGULAR MEETING

April 6, 2026, 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  
**Bob Potter**, Council Member: Ward 2 – **Brad Turner**, Council Member: Ward 1  
**Vacant Seat**, Council Member: Ward 2

#### WORKSHOP MEETING - 6:00 PM

#### WORKSHOP DECLARATION OF A QUORUM AND CALL TO ORDER

*Mayor Steve Fortenberry called the Workshop Meeting to order at 6:00 p.m., and announced a quorum of members was present. Council Member Johnny Stephens was absent.*

#### WORKSHOP AGENDA

1. Briefing and discussion concerning a 2026 Water Conservation and Drought Contingency Plan Update.  
*Kevin Reinke, Utilities Director, presented amendments to the plan.*
2. Briefing and discussion concerning the City of Hewitt's Strategic Plan 2026-2031.  
Utility Department, Police Department, and Fire Department  
*City Manager Bo Thomas briefly explained the purpose of the strategic planning process, noting that it will assist with the development of the budget. He then introduced Utilities Director Kevin Reinke, who was the first to present his department's Strategic Plan.*

Utilities Department — Presented by Utilities Director Kevin Reinke

#### WORKSHOP ADJOURNMENT

**MOTION:** Council Member Michael Bancale moved to adjourn the Workshop meeting at 6:47 p.m.

**SECOND:** Council Member Bob Potter

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

**NAYES:** None

**ABSENT:** Stephens

**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 p.m., and announced a quorum of members was present. Council Member Johnny Stephens was absent.*

## **PLEDGE OF ALLEGIANCE**

*Mayor Steve Fortenberry led the Pledge of Allegiance.*

## **PUBLIC COMMENTS**

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

*Mayor Fortenberry read the public comment statement. The City Secretary reported that no public comment forms were received.*

## **REGULAR AGENDA ITEMS**

3. Approve minutes of the March 16, 2026, City Council Workshop/Regular Meeting.  
**MOTION:** Council Member Bob Potter moved to approve the minutes as presented, but to allow for corrections.  
**SECOND:** Council Member Michael Bancale  
**AYES:** Potter, Turner, Bruce, Bancale, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**
  
4. Presentation of the City Engineer's Report by 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 reviewed the listed projects. A general discussion was held about Commerce Park Plant improvements, delays in the project's completion, and when the well will be operational. Mayor Pro Tem Erica Bruce suggested the contractor be invited to attend a meeting to discuss the project.*
  
5. Discussion and possible action on reappointment(s) to the Board of Adjustment.  
*City Manager Bo Thomas presented.*  
**MOTION:** Council Member Brad Turner moved to approve the reappointment of Jim Winton to serve another two-year term ending in April 2028.  
**SECOND:** Mayor Pro Tem Erica Bruce  
**AYES:** Turner, Bruce, Bancale, Potter, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**

6. Discussion and possible action on the bid award to purchase 2026 - Plant No. 1; Emergency Standby Generator.  
*City Manager Bo Thomas presented.*  
**MOTION:** Council Member Michael Bancale moved approval of the bid award for 2026 — Plant No.1, Emergency Standby Generator, to Texas Municipal & Industrial, LLC, totaling \$226,169, and authorized a 10% contingency of the awarded contract amount to be used at the discretion of the City Manager.  
**SECOND:** Council Member Bob Potter  
**AYES:** Bruce, Bancale, Potter, Turner, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**
  
7. Discussion and possible action on the appointment of Dick Kettler as Hewitt's Associate Municipal Court Judge.  
*City Manager Bo Thomas presented.*  
**MOTION:** Council Member Brad Turner moved to approve the appointment of Dick Kettler to serve as the City of Hewitt's Associate Municipal Court Judge.  
**SECOND:** Mayor Pro Tem Erica Bruce  
**AYES:** Bancale, Potter, Turner, Bruce, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**
  
8. Discussion and possible action on the 2026 Interlocal Agreement for Household Hazardous Waste Collection with the City of Waco.  
*City Manager Bo Thomas presented.*  
**MOTION:** Council Member Bob Potter moved approval of the 2026 Interlocal Agreement for Household Hazardous Waste Collection with the City of Waco, and authorized the City Manager to execute all documents and allocate funding for participation costs.  
**SECOND:** Council Member Michael Bancale  
**AYES:** Bancale, Potter, Turner, Bruce, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**
  
9. Discussion and possible action to approve **Resolution No. 2026-01** adopting the amended Employee Policies and Procedures Manual.  
*City Manager Bo Thomas presented.*  
**MOTION:** Council Member Michael Bancale moved to approve **Resolution No. 2026-01** adopting the amended Employee Policies and Procedures Manual.  
**SECOND:** Mayor Pro Tem Erica Bruce  
**AYES:** Turner, Bruce, Bancale, Potter, and Fortenberry  
**NAYES:** None  
**ABSENT:** Stephens  
**MOTION PASSED.**

10. Discussion and possible action on **Resolution No. 2026-02** authorizing the Police Chief to submit a grant application from the Motor Vehicle Crime Prevention Authority (MVCPA) Grant Program — SB 224 Catalytic Converter Grant Program.

*City Manager Bo Thomas presented.*

**MOTION:** Council Member Brad Turner moved to approve **Resolution No. 2026-02** authorizing the Police Chief to submit a grant application from the Motor Vehicle Crime Prevention Authority Grant program — SB 224 Catalytic Converter Grant Program.

**SECOND:** Council Member Bob Potter

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

**NAYES:** None

**ABSENT:** Stephens

**MOTION PASSED.**

11. Discussion and possible action on **Resolution No. 2026-03** selecting an elected official of Hewitt as the City's nominee for service as a member of the governing body of the McLennan County Rural Transit District.

*City Manager Bo Thomas presented and stated that this was an opportunity for a council member to express interest and have their name submitted for consideration. No one expressed an interest in serving in this capacity. No action was taken.*

12. Request for future workshops and/or agenda items.

*City Manager Bo Thomas advised that workshops were scheduled through May. Mayor Pro Tem Erica Bruce requested a list of the upcoming workshops.*

#### **RECESS REGULAR MEETING TO CONVENE EXECUTIVE SESSION.**

*Mayor Steve Fortenberry recessed the Regular Meeting to convene the following Executive Session at 7:45 p.m.*

**EXECUTIVE SESSION** 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 (City Manager).

#### **RECONVENE REGULAR MEETING**

Mayor Steve Fortenberry reconvened the Regular Meeting at 8:58 p.m.

#### **ADJOURNMENT**

**MOTION:** Council Member Michael Bancale moved to adjourn the Regular Meeting at 8:58 p.m.

**SECOND:** Council Member Bob Potter

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

**NAYES:** None

**ABSENT:** Stephens

**MOTION PASSED.**

Approved: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Lydia Lopez, City Secretary

\_\_\_\_\_  
Steve Fortenberry, Mayor

# HEWITT TEXAS

## COUNCIL AGENDA ITEM FORM

---

**MEETING DATE:** April 20, 2026

**AGENDA ITEM #:** 4.

**SUBMITTED BY:** Lydia Lopez, City Secretary

**ITEM DESCRIPTION:**

Discussion and possible action to appoint newly designated alternate member Steven Dvorak to a regular member status on the Board of Adjustment.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

Steven Dvorak was recently appointed to the Board of Adjustment as an alternate member. Due to a vacancy in a regular member position held by Brenda Turner, Mr. Dvorak was contacted regarding his willingness to serve as a regular member. He has indicated his acceptance.

**FISCAL IMPACT:**

Amount Budgeted - N/A

Line Item in Budget - N/A

**SUGGESTED MOTION:**

I move to approve the appointment of Steven Dvorak as a regular member of the Board of Adjustment with a term expiring in April 2028.

**ATTACHMENTS:**

None

# HEWITT TEXAS

## COUNCIL AGENDA ITEM FORM

---

**MEETING DATE:** April 20, 2026

**AGENDA ITEM #:** 6.

**SUBMITTED BY:** Kevin Reinke, Utilities Director

**ITEM DESCRIPTION:**

Discussion and possible action on **Ordinance No. 2026-05** adopting the 2026 Amended Water Conservation and Drought Contingency Plan.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

In 2021, the Hewitt City Council adopted a Water Conservation and Drought Contingency Plan. The Texas Water Development Board requires water providers serving more than 3,300 connections to update and adopt a new plan every five (5) years. Staff updated the Water Conservation and Drought Contingency Plan and presented the changes to Council during the workshop meeting of April 6, 2026.

Attached is the Ordinance 2026-05 adopting the amended 2026 Water Conservation and Drought Contingency Plan. Approval of this ordinance will maintain compliance.

**FISCAL IMPACT:**

Amount Budgeted - N/A

Line Item in Budget - N/A

**SUGGESTED MOTION:**

I move approval of **Ordinance No. 2026-05** adopting the 2026 Amended Water Conservation and Drought Contingency Plan.

**ATTACHMENTS:**

1. 2026-05 Water Conservation and Drought Contingency Plan - 2026
2. 2026 WATER CONSERVATION- DROUGHT CONTENGENCY PLAN

**ORDINANCE NO. 2026-05**

**AN ORDINANCE ADOPTING THE 2026 WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN FOR THE CITY OF HEWITT AND AMENDING THE CITY OF HEWITT CODE OF ORDINANCES, CHAPTER 78, ARTICLE VI, DIVISIONS 1, 2, and 3, WATER DROUGHT CONTINGENCY PLAN TO ADOPT SAID PLAN, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING A PENALTY NOT TO EXCEED \$2,000, PROVIDING THAT EACH DAY OF VIOLATION IS A SEPARATE OFFENSE AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Texas Commission on Environmental Quality (TCEQ) requires all wholesale and retail public water suppliers serving 3,300 connections or more to update both the Water Conservation Plan (30 TAC §288.30 [1]) and Drought Contingency Plan (30 TAC §288.30 [5]) every five years; and

**WHEREAS**, City staff has updated the Plan to show updated water data and wastewater tables for the past five years, and

**WHEREAS**, the City Council has reviewed the proposed 2026 City of Hewitt Water Conservation & Drought Contingency Plan,

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

**Section 1.** That the Hewitt City Council adopts the 2026 Water Conservation & Drought Contingency Plan for the City of Hewitt, as attached hereto as Exhibit "A."

**Section 2.** That Article VI, Water Management/Conservation and Emergency Water Management Plan, Divisions 1, 2, 3, of Chapter 78, Utilities, of the Code of Ordinances, shall be amended in its entirety to read as follows:

**Article VI. Adoption of Water Conservation and Drought Contingency Plan.**

- a)** A copy of the 2026 Water Conservation & Drought Contingency Plan shall be on file and available for inspection in the office of the City Secretary and the Director of Utilities and on the city's website.
- b)** The city manager or their designee shall review the plan and the provisions within this division at least every five years and recommend needed changes.

- c) The provisions of the plan and this division shall apply to persons, customers, and property served by the city wherever situated, including customers such as water supply corporations, municipal corporations, and any others that receive water from the city on a contract basis.
- d) Nothing in the plan or this division shall be interpreted to limit the authority of the mayor, the city council, or the city manager to seek emergency relief under the provisions of any state or federal disaster relief regulations.

**Section 3.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4.** That the terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part thereof.

**Section 5.** The City Council intends and is hereby ordained that the provisions of this ordinance shall become and be a part of the Code of Ordinances of the City of Hewitt, Texas, and that sections of this ordinance may be renumbered or re-lettered to accomplish such intention.

**Section 6.** A violation of this ordinance shall be a Class C misdemeanor, and the penalty for violating this ordinance shall be provided for in Section 1-12 of the Code of Ordinances of the City of Hewitt, Texas, which shall be a fine not exceeding \$2,000. Each day a violation exists, it shall be a separate offense.

**Section 7.** It was found that an urgent public necessity requires the immediate passage of this ordinance.

**Section 8.** This ordinance shall be in full force and effect from and after its date of passage.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

**CITY OF HEWITT, TEXAS**

\_\_\_\_\_  
Steve Fortenberry, Mayor

ATTEST:

\_\_\_\_\_  
Lydia Lopez, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

---

Michael W. Dixon, City Attorney

# City of Hewitt



**2026**

## **Water Conservation Plan**

**A - 2026 Water Conservation Plan**

**B - 2026 Drought Contingency Plan**



A



---

The City of Hewitt Water Conservation Plan is intended to enable the city to meet or exceed its own water conservation goals, including: quantified 5- and 10-year GPCD targets and in general, reduce consumption, loss, waste and peak demand while improving water use efficiency and extending the life of the water supply and system.

**CITY OF HEWITT WATER CONSERVATION PLAN**

**TABLE OF CONTENTS**

1. INTRODUCTION AND OBJECTIVES..... 1

2. POPULATION AND SERVICE DATA..... 2

3. CONVENIENCE AND NECESSITY (CCN)..... 3

UTILITY PROFILE

4. RETAIL POPULATION AND PROJECTED DATA ..... 4

5. WATER SOURCES AND SUPPLY DATA..... 5

6. CUSTOMER DATA..... 6

7. WATER USE SERVICE AREA DATA ..... 7

8. WATER DELIVERED/SOLD BY ACCOUNT TYPE- PREVIOUS 5 YEARS..... 8

9. PROJECTED WATER DEMANDS ..... 9

WATER CONSERVATION

10. IMPLEMENATATION..... 10

11. RECORD MANGEMENT SYSTEM..... 11

12. NON-PROMOTIONAL WATER RATE STRUCTURE ..... 12

13. CONSERVATION/QUANTIFICATION OF POTENTIAL SAVINGS ..... 13

14. YEAR-ROUND CONSERVATION MEASURES ..... 14

15. UTILITY CONTACT INFORMATION ..... 15

**Appendix A** – City of Hewitt Ordinance No. 2014XXX

**Appendix B** – Copy of Transmittal Letter to Brazos G Regional Planning Group

# HEWITT TEXAS

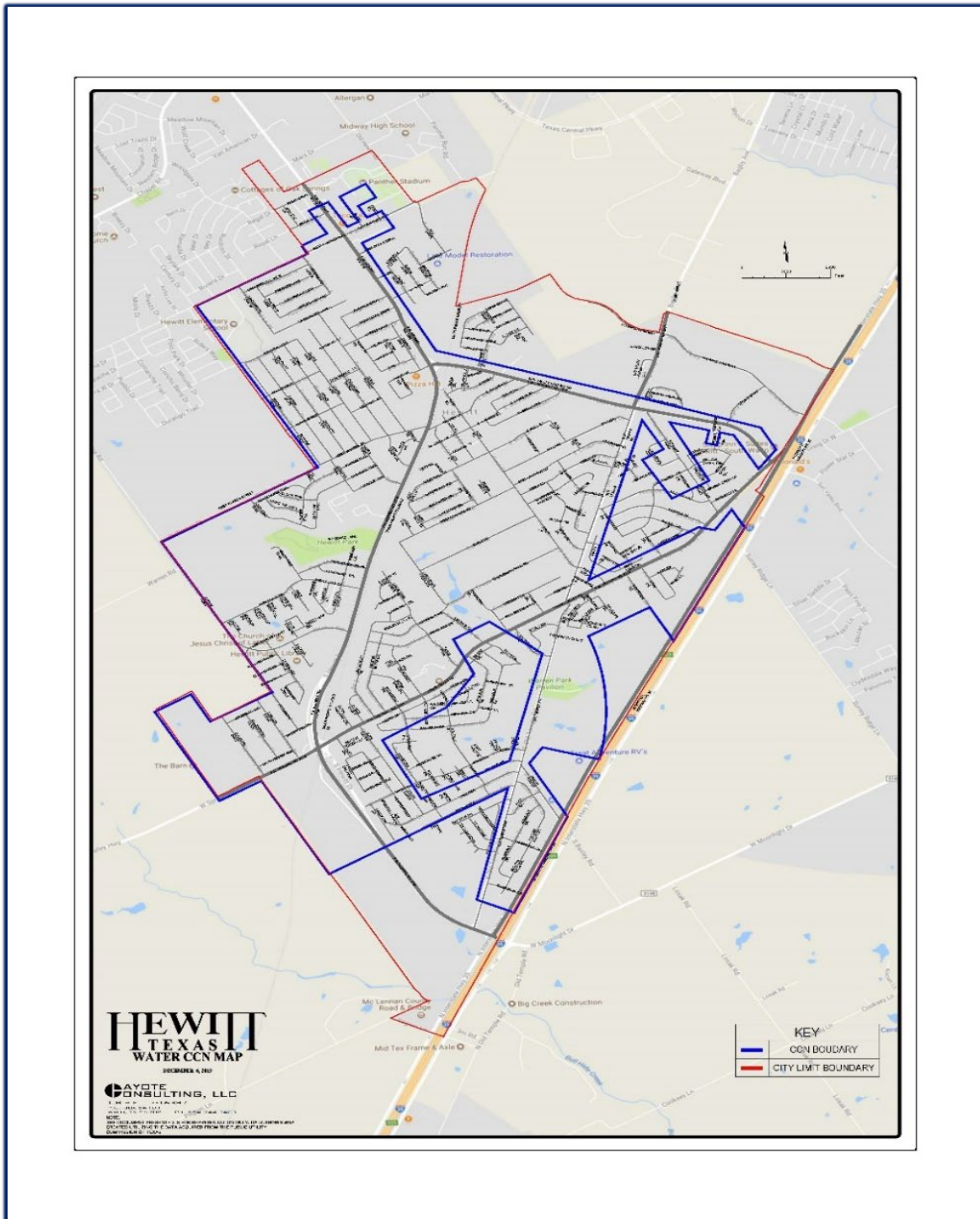
## INTRODUCTION AND OBJECTIVES

Water supply has always been a key issue in the development of Texas. In recent years, the increasing population and economic development in Region G have led to growing demands for water. The city recognizes the value of the city's water supply resources; efforts to avoid water loss and to conserve using reasonable and cost-effective measures are proposed in the plan. A complete evaluation of the city's water system and customer use characteristics is provided in the water conservation utility profile. The city's water conservation plan has a five-year planning horizon. The conservation measures and initiatives of the city are proposed for achieving the future conservation goals and water use targets. Recognizing the need for efficient use of existing water supplies, the Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation and drought contingency plans for public water suppliers. The City of Hewitt has prepared and adopted this Water Conservation and Drought Contingency Plan pursuant to TAC Title 30, Part 1, Chapter 288. The objectives of the water conservation plan are:

- To reduce water consumption
- To reduce the loss and waste of water
- To reduce summertime peak demand
- To improve efficiency in the use of water
- To extend the life of current water supplies

# POPULATION AND SERVICE AREA DATA

SERVICE AREA SIZE (IN SQUARE MILES): **7.3**



CONVENIENCE AND NECESSITY (CCN).



**Texas Commission On  
Environmental Quality**

**By These Presents Be It Known To All That  
City of Hewitt**

having duly applied for certification to provide water utility service for the convenience and necessity of the public, and it having been determined by this Commission that the public convenience and necessity would in fact be advanced by the provision of such service by this Applicant, is entitled to and is hereby granted this

**Certificate of Convenience and Necessity No. 10038**

to provide continuous and adequate water utility service to that service area or those service areas in McLennan County as by final Order or Orders duly entered by this Commission, which Order or Orders resulting from Application No. 36717-C are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these presents do evidence the authority and the duty of City of Hewitt to provide such utility service in accordance with the laws of this State and Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this **September 14, 2012**

  
For the Commission

## UTILITY PROFILE

### RETAIL POPULATION AND PROJECTED DATA

CURRENT RETAIL POPULATION SERVED FOR WATER: **17,058**      WASTEWATERS: **17,058**

#### HISTORICAL RETAIL POPULATION

Year	Population
2025	17,058
2024	16,900
2023	16,350
2022	16,072
2021	15,978

#### PROJECTED RETAIL POPULATION

Year	Population
2030	17,500
2040	17,955
2050	18,421
2060	18,999
2070	19,390

#### PROJECTED YEARLY PROJECTED POPULATIONS & DEMANDS

Year	Population	Water Demand (Gallons)
2027	17,100	660,000,000
2028	17,200	666,100,000
2029	17,350	672,760,000
2030	17,500	672,766,000
2031	17,700	679,493,000
2032	17,850	686,000,000
2033	18,000	692,000,000
2034	18,100	699,000,000
2035	18,200	706,000,000
2036	18,300	712,000,000

*It is anticipated that the population growth of this community, located along IH-35 and adjacent to the City of Waco, will continue to be significant for the long-term future. The average projected annual population growth rate developed by the TWDB from 2020-2070 is 2.6%. Prudent planning for future use on a conservative basis will be essential to ensure that the City of Hewitt does not have a shortfall in its water supplies for the future. Based on historical population numbers from the City of Hewitt and projected populations from the State Water Plan, Hewitt's Population within the city water service area has been charted above. To better estimate the total true population the City of Hewitt should expect to serve, the State Water Plan's predicted growth rate for the City of Hewitt has been applied to the population currently served by City water and is represented in the table above.*

## WATER SOURCES AND SUPPLY DATA

### CURRENT WATER SUPPLY SOURCES AND THE AMOUNTS AUTHORIZED (IN ACRE FEET) WITH EACH.

Water Type	Source	Amount Authorized
Surface Water	City of Waco	1,960.000
	City of Lorena	273.1313
Groundwater	Hudson Branch of Trinity Aquifer	1,841.3175
Other	N/A	N/A

### TREATMENT AND DISTRIBUTION SYSTEM

DESIGN DAILY CAPACITY OF SYSTEM (MGD): 6.174

STORAGE CAPACITY (MGD): 7.45

ELEVATED (MGD): 1.85

GROUND (MGD): 5.6

IF SURFACE WATER, DO YOU RECYCLE FILTER BACKWASH TO THE HEAD OF THE PLANT?

YES  NO IF YES, APPROXIMATE AMOUNT (MGD): N/A

### HISTORICAL SYSTEM INPUT

Year	Self-Supplied In Gallons	Imported In Gallons	Total System Input	Exported In Gallons	Total GPCD
2025	517,575,879	104,354,000	621,929,879	0	97
2024	477,896,970	126,192,965	604,089,935	0	87
2023	457,006,122	180,720,000	637,726,122	0	92
2022	491,743,000	142,963,000	633,988,000	0	99
2021	437,743,000	77,404,810	515,147,810	0	82
Historic Average	5Yr. 411,433,560	126,326,955	602,576,349	0	91

*Historical water use data reflects treated water, determined from master meters at the point where treated water enters the distribution system.*

## CUSTOMER DATA

### CURRENT NUMBER OF ACTIVE CONNECTIONS

RESIDENTIAL  COMMERCIAL

YR 2025	Metered	Non-Metered	Totals
Single-Family	5460	0	5460
Multi-Family	342	0	342
Commercial	341	0	341
Industrial/Mining	0	0	0
Institutional	55	0	55
Agriculture	0	0	0
Other/Wholesale	0	0	0

### NUMBER OF NEW CONNECTIONS PER YEAR FOR MOST RECENT THREE YEARS.

Year	2025	2024	2023
<b>Treated Water Users</b>			
Single-Family/ multi-family	43	36	80
Commercial	9	7	31

### FIVE HIGHEST VOLUME ANNUAL WATER USE CUSTOMERS.

Customer	Use (1,000 gal/year)	Treated or Raw Water
The Icon of Hewitt	6,900,000	Treated
Engel Brookside Apartments	4,037,980	Treated
White Water Express Car Wash	2,700,000	Treated
New Era Apartments	3,800,082	Treated
Midway ISD	5,000,000	Treated

# WATER USE SERVICE AREA DATA

AMOUNT FOR THE PREVIOUS FIVE YEARS

THIS IS  DIVERTED  TREATED WATER.

Year	2025	2024	2023	2022	2021
<i>Month</i>					
January	41,945,000	35,518,000	35,717,000	35,524,000	26,664,000
February	33,170,000	32,513,000	31,513,000	31,519,000	28,800,000
March	45,894,000	38,436,000	39,531,000	39,059,000	38,230,000
April	47,933,000	39,473,000	40,127,000	47,150,000	44,494,000
May	49,397,000	38,226,000	44,313,000	52,355,000	36,895,000
June	51,373,000	48,950,000	57,634,000	71,235,000	48,237,000
July	58,084,000	70,817,000	82,685,000	85,486,000	50,042,000
August	67,432,000	79,503,000	90,985,000	74,575,000	61,695,000
September	59,543,000	61,975,000	66,286,000	62,075,000	65,557,000
October	63,128,000	68,583,000	54,419,000	60,716,000	46,669,000
November	45,347,000	45,859,000	37,637,000	36,899,000	34,747,000
December	39,660,000	38,872,000	37,733,000	37,250,000	31,963,000
Totals	602,966,000	598,680,000	618,586,000	633,988,200	514,993,000

*The above figures were determined (e.g., from a master meter located at the point of a diversion from the source or located at a point where raw water enters the treatment plant, or from water sales).*

## **\*METERED AT WELL HEAD**

*Raw water diversions are metered, calculated, and tracked at least daily as part of the treatment process, control, and reporting. A spreadsheet of water use is updated on a daily basis.*

WATER DELIVERED/SOLD AND RECORDED BY ACCOUNT TYPES FOR THE PAST FIVE YEARS.

Year	2025	2024	2023	2022	2021
<b>Account Types</b>					
Single-Family/multi-family	402,731,900	481,660,200	514,081,700	517,704,800	418,818,500
Commercial	87,956,400	60,269,800	53,916,100	46,410,000	44,047,700
Industrial/Mining	0	0	0	0	0
Institutional	33,468,000	18,563,100	24,842,400	22,645,600	21,602,000
Agriculture	0	0	0	0	0
Other/Wholesale	0	0	0	0	0

PREVIOUS RECORDS FOR WATER LOSS FOR THE PAST FIVE YEARS (THE DIFFERENCE BETWEEN WATER DIVERTED OR TREATED AND WATER DELIVERED OR SOLD).

Year	Amount (gallons)	Percent %
2025	18,663,348	1
2024	35,974,932	6
2023	37,709,921	6
2022	42,158,397	6
2021	29,468,439	5

WATER SUPPLY SYSTEM DATA

QUANTIFIED 5-YEAR AND 10-YEAR GOALS FOR WATER SAVINGS

	Historic 5-year Average	Baseline	5-year goal for year 2026	10-year goal for year 2031
<b>Total GPCD</b>	93	99	105	106
<b>Residential GPCD</b>	72	99	90	91
<b>Water Loss GPCD</b>	8	16	9	9

Notes: Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

## REGIONAL WATER PLAN-POPULATION PROJECTIONS

---

**AVERAGE 2.6 CUSTOMERS PER CONNECTION UNIT. POPULATION GROWTH PROJECTION BY 2.6%**

---

Entity Id	WUGName	Region	County	2020	2030	2040	2050	2060	2070
566	County-Other, McLennan	G	McLennan	9,914	8,377	7,334	6,003	4,688	3,404
County-Other, McLennan Total Population				9,914	8,377	7,334	6,003	4,688	3,404
935	Hewitt	G	McLennan	17,373	19,949	22,225	24,514	26,795	29,034
Hewitt Total Population				17,373	19,949	22,225	24,514	26,795	29,034
6415	McLennan County WCID 2	G	McLennan	1,762	1,902	2,025	2,149	2,273	2,395
McLennan County WCID 2 Total Population				1,762	1,902	2,025	2,149	2,273	2,395

*Projected water supply demands from the Regional Water Planning Group for the next ten years plus. Population trends, historical water use, and economic growth in the service area over the next ten years plus and any additional water supply requirements from such growth.*

---

### 2021 Regional Water Plan - Population Projections for 2020-2070 Municipal Water User Group Summary

## WATER CONSERVATION PLAN

### IMPLEMENTATION

---

- Metering and measuring the amount of raw water pumped will continue as an essential part of the City's treatment process control and reporting requirements. Metering device(s) will be tested and calibrated within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;
- Increased water accounting, including a record management system of monthly production, meter consumption, and water losses that is desegregated by the customer class;
- The plan includes a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement. The meter replacement program will be maintained, testing/replacing meters once they reach 2.5 million gallons of consumption. Accuracy of meters and fail rates will be continually monitored and appropriate adjustments made to the replacement program;
- Annual water audits to determine water loss will continue to be conducted. The city will work towards reducing water loss by continued repairs and preplacement of aged distribution mains. The city will continue maintaining accurate records of leaks, repairs, flushing, construction and firefighting;
- Leaking water lines will continue to be repaired or replaced as quickly as is possible. On-call, after-hours crews will continue responding to leaks at all hours;
- The city will continue efforts to inform and educate the public on water conservation issues. In addition to year-round efforts, each year, as the high-use season of summer approaches, these efforts will be increased and expanded. Just prior to and during the summer months, the city will encourage the conservation of water through media, mail-outs and other avenues;
- The current non-promotional, inclining block rate will continue to be the rate structure for the City of Hewitt. The rate structure will be evaluated on an ongoing basis and considerations for adjustments will be made as appropriate.
- Continued compliance with the State's plumbing code requirements and the City's use of the International Plumbing Code

## RECORD MANAGEMENT SYSTEM

---

### METHOD FOR TRACKING IMPLEMENTATION AND EFFECTIVENESS

Overall progress toward conservation goals of reducing consumption, loss, waste and peak demand and improving efficiency of usage will be evaluated annually when the water conservation annual report is completed. The following methods will be used to evaluate individual portions of the plan:

- Records regarding meter replacement will be maintained and examined annually. Failure rates, along with “re-read” work orders (orders to re-read a meter are automatically generated whenever there is a high or low discrepancy outside normal variance), leaks and meter model/make will be compared in order to evaluate the replacement cycle.
- Water loss accounting will be evaluated by periodically examining multi-year loss trends, with the specific goal of identifying any discrepancies or variances and determining the cause.
- Leak detection and repair will be evaluated annually by examining comprehensive records showing number of leaks, locations, time before repair, estimated loss of water through leak, estimated loss of water through flushing. This information will be compared to water loss information for the same time period.
- Public information and education efforts will be evaluated by documenting actions, such as: number of press releases issued, number of stories written or produced, number of interviews given, number of bill inserts sent, number of presentations given and number and location of advertisements placed. This information will then be evaluated with consumption during the same time period and compared against data from previous years.
- The city’s water rate structure will continue to be evaluated by examining consumption trends. Records will be kept on consumption for each rate class. This information will be compared, along with cost-of-service considerations, with historic trends and adjustments will be made to the rate structure as appropriate.
- The Plan will be reviewed and updated, as appropriate, based on an assessment of previous five-year targets and any other new or updated information.

NON-PROMOTIONAL WATER RATE STRUCTURE: EFFECTIVE 12/1/2025

---

Hewitt’s conservation water rate is an increasing block rate, which increases as the quantity used increases. Prices per thousand gallons increase at specific “tiers” in consumption. Each tier of the rate structure is designed to send a price signal to the consumers as their discretionary consumption of water increases.

<b>Residential, Commercial, Institutional, and Builders- Base Rate 1<sup>st</sup> 3;000 Gal</b>	
<b>5/8"</b>	<b>\$32.75</b>
<b>1"</b>	<b>\$73.75</b>
<b>1.5 – 2"</b>	<b>\$220.75</b>
<b>3" – 4"</b>	<b>\$441.00</b>
<b>6"</b>	<b>\$661.50</b>
<b>Volume Rate- Per 1,000 Gal</b>	
<b>3,001 – 7,000 Gal</b>	<b>\$5.75</b>
<b>7,001 – 12,000 Gal</b>	<b>\$6.40</b>
<b>12,001 + Gal</b>	<b>\$6.85</b>

## CONSERVATION MEASURES AND QUANTIFICATION OF POTENTIAL SAVINGS

---

The water usage reduction goals from 97 GPCD to 95 GPCD by the year 2025 and to maintain this level based on the City's conservation efforts. These efforts are described generally in the Plan. The quantity of savings can be estimated by identifying an appropriate water saving in GPCD based on guidance information and historical data. As part of the City's water management efforts further quantification with respect to the City's conservation applications and results will be documented to support future adjustments to the conservation goals

## WHOLESALE WATER CONTRACT PROVISIONS:

---

All wholesale water contracts entered into, renewed or extended after adoption of this plan, shall include a provision that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, § 11.039.

## COORDINATION WITH REGIONAL WATER PLANNING GROUPS

---

The service area of the City of Hewitt Water Utility is located within the Brazos G Water Planning Group. The City of Hewitt Water Utility will provide a copy of this Plan to the Brazos G Water Planning Group upon approval by City Council.

## AGRICULTURAL WATER USE

---

Agricultural use is for golf course and sports field irrigation, not for irrigation in the production of crops, so no production process is applicable to the City of Hewitt's Plan.

## IMPLEMENTATION AND ENFORCEMENT

---

Upon the completion and review of the Water Conservation Plan, the City Council will be asked to approve the Plan by ordinance.



**YEAR-ROUND CONSERVATION MEASURES**

All landscape irrigation is prohibited from **9:00 A.M.** to **6:00 P.M.** Handheld watering is still allowed.

Water waste/Runoff: Runoff of more than 10 feet from the edge of the property will be considered water waste.

All landscape and other outdoor water usage at each service address shall be limited to the scheduled days listed below, based on the last digit in the meter service address or the type of connection; however, landscape and outdoor water usage is prohibited from **9:00 A.M.** to **6:00 P.M.**

**Last Digit Address Residential:**

**Allowed Landscape Water Days**

**Odd**

**Sunday, Tuesday and Friday**

**Even**

**Monday, Wednesday and Saturday**

**All Non-Residential**

**Monday and Friday**

**THURSDAY- NO WATERING STORAGE RECOVERY DAY**

### Water Utility Contact Information

<b>Name of Water Supplier:</b>	City of Hewitt	
<b>Address:</b>	103 N Hewitt Dr. / PO Box 219 Hewitt, TX 76643	
<b>Telephone Number:</b>	(254)666-3151	Fax: (254) 666-3741
<b>Water Right No.(s):</b>	1550031	
<b>Regional Water Planning Group:</b>	Brazos G Regional Planning Group	
<b>Water Conservation Coordinator (or person responsible for implementing conservation program):</b>	Toccara Keaton	Phone: (254) 666-3151 ext. 262
<b>Form Completed by:</b>	Toccara Keaton	
<b>Title:</b>	Water Conservation Coordinator	
<b>Signature:</b>	Toccara Keaton	Date:

# APPENDIX A

CITY OF HEWITT ORDINANCE No. 2021 XXX

## APPENDIX B

### Copy of Transmittal Letter to Brazos G Regional Planning Group



City of Hewitt  
Utility Services  
P.O. Box 219  
Hewitt, TX 76643  
(254) 666-3151

Utility Director: Kevin Reinke

April 2026

Wayne Wilson, Chair – Brazos G R WPG

C/O

Pamela Hennemann via (pamela.hanneman@brazos.org)

Brazos River Authority

P.O. Box 7555

Waco, Texas 76714

**RE: City of Hewitt Water Conservation Plan for Region G Planning Group**

Dear Wayne,

On April 2026 the City of Hewitt has adopted our Water Conservation 5-year Plan and updated Drought Contingency Plan.

This plan is consistent with the water supply planning in Region G and meets the standards for water conservation planning in Tac, Chapter 28.

Attached you will find a copy of the amended Water Conservation and Drought Contingency Plan.

If any additional information is needed for the Planning Group, please contact the following individuals.

Utilities Director: Kevin Reinke

(254) 666-3151 Ext 285

Email: [kreinke@cityofhewitt.com](mailto:kreinke@cityofhewitt.com)

Water Conservation Coordinator: Toccara Keaton

(254) 666-3151 Ext 261

Email: [tkeaton@cityofhewitt.com](mailto:tkeaton@cityofhewitt.com)

Sincerely,

City Of Hewitt Water Department

A large, bold, blue letter 'B' with a gold outline, centered within a white rectangular box. The box is centered on the page.



# City of Hewitt

## 2026

### Drought Contingency Plan

---

**The City of Hewitt Drought Contingency Plan is intended to conserve the available water supply and protect the integrity of water supply facilities, with particular regard to domestic water use, to sanitation and fire protection, and to protect and preserve public health, welfare and safety to minimize the adverse impacts of water supply shortage or to other water supply emergency conditions.**

# CITY OF HEWITT WATER DROUGHT CONTINGENCY PLAN

SECTION I: DECLARATION OF POLICY, PURPOSE, AND INTENT.....	1
SECTION II: PUBLIC INVOLVEMENT.....	1
SECTION III: PUBLIC EDUCATION AND NOTIFICATION .....	1
SECTION IV: WHOLESALE CONTRACT PROVISIONS .....	2
SECTION V: COORDINATION WITH REGIONAL WATER PLANNING GROUPS .....	2
SECTION VI: AUTHORIZATION .....	2
SECTION VII: APPLICATION .....	2
SECTION VIII: DEFINITIONS .....	2
SECTION IX: EMERGENCY RELIEF.....	4
SECTION X: CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES .....	4
TRIGGERING STAGES, RESPONSES AND GOALS .....	5
• Stage 1 Triggers–MILD Water Shortage .....	5
• Stage 1 Responses .....	5
• Stage 1 Goal .....	6
• Stage 2 Triggers–MODERATE Water Shortage .....	6
• Stage 2 Responses .....	6
• Stage 2 Goal .....	8
• Stage 3 Triggers–SEVERE Water Shortage .....	8
• Stage 3 Responses .....	9
• Stage 3 Goal .....	11
• Stage 4 Triggers–EMERGENCY Water Shortage .....	11
• Stage 4 Responses .....	11
• Stage 4 Goal .....	12
SECTION XI: ENFORCEMENT.....	12
SECTION XII: VARIANCE .....	13
SECTION XIII: STATE MANDATED WATER RESTRICTIONS .....	14
Appendix A – City of Hewitt Ordinance No. 2021 – xx	

## **CITY OF HEWITT DROUGHT CONTINGENCY PLAN:**

### **SECTION I: DECLARATION OF POLICY, PURPOSE, AND INTENT**

---

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard to domestic water use, to sanitation and fire protection, and to protect and preserve public health, welfare, and safety to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Hewitt hereby adopts the following regulation and restriction on the delivery and consumption of water through ordinance no. 2021 – XXX. A copy is attached as appendix A.

Water uses regulated or prohibited under this drought contingency plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortages or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in section IX of this plan.

### **SECTION II: PUBLIC INVOLVEMENT**

---

Opportunity for the public to provide input into the preparation of the Plan was provided by the City of Hewitt by means of a public meeting and by publishing the Plan on the city's website ([www.cityofhewitt.com](http://www.cityofhewitt.com)). A public notice was provided regarding a public meeting, which was held to accept input on The Plan. Additionally, citizens were invited to send comments electronically after viewing the Plan online.

### **SECTION III: PUBLIC EDUCATION AND NOTIFICATION**

---

The City of Hewitt will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases, bill inserts, website updates and other outreach methods as appropriate. Upon implementation and/or termination of any stage of the Plan, the public will be notified through local media and website updates.

## SECTION IV: WHOLESALE CONTRACT PROVISIONS

---

All wholesale water contracts entered into, renewed or extended after adoption of this plan, shall include a provision that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, § 11.039.

## SECTION V: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

---

The service area of the City of Hewitt is located within the Brazos G Regional Water Planning Group. The City of Hewitt has provided a copy of this Plan to the Brazos G Regional Water Planning Group.

## SECTION VI: AUTHORIZATION

---

The City Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## SECTION VII: APPLICATION

---

The provisions of this Plan shall apply to all person, customers, and property utilizing water provided by the City of Hewitt. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

## SECTION VIII: DEFINITIONS

---

For the purposes of this Plan, the following definitions shall apply:

**Aesthetic water use:** water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

**Commercial and institutional water use:** water use, which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

**Conservation:** those [triggering conditions] practices, techniques, and technologies greater than the baseline conservation practices, that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that

a supply is conserved and made available for future or alternative uses. Baseline conservation practices are those actions expected from customers as good citizens; including, but not limited to:

- Turning off or re-programming automatic sprinkler systems during precipitation events or in soil-saturated conditions;
- Implementing landscape irrigation to maximize impact, e.g., not irrigating in the afternoon or highest evaporative loss hours;

**Customer:** any person, company, or organization using water supplied by the City of Hewitt.

**Domestic water use:** water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

**Even number address:** street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

**Industrial water use:** the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

**Landscape irrigation use:** water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

**Mean Sea Level (msl):** the level of the ocean's surface, especially the level halfway between high and low tide, used as a standard in reckoning land elevation or sea depths.

**Non-essential water use:** water uses that are neither essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi- type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than firefighting.

**Odd numbered address:** street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

**Water shortage emergency:** a condition in which the ordinary water demands and requirements of the City’s wholesale and retail customers cannot be met such that there would be insufficient water for human consumption, public health (sanitation), and fire protection. A water shortage emergency may be limited in either areal or temporal extent.

## **SECTION IX: EMERGENCY RELIEF**

---

Nothing in the Plan shall be interpreted to limit the authority of the mayor, the city council, or the city manager to seek emergency relief under the provisions of any state or federal disaster relief regulations.

## **SECTION X: CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES**

---

The City Manager or his/her designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

Criteria triggering the implementation of various stages of the Drought Contingency Plan, include, but are not limited to, the following:

1. General, geographical, or weather-related condition or emergency, including but not limited to drought conditions resulting in a decrease in the Lake Waco reservoir level;
2. Water system failures/emergencies (i.e., pressure zone deficiencies, chemical spills, broken water mains, power outages, electrical failures, failures of storage tanks or other equipment, treatment plant breakdown, and water contamination);
3. An inability to recover approximately ninety (90) percent of water stored in all Storage facilities within a defined period;
4. A catastrophic decrease in the Lake Waco reservoir level, loss of a well, and/or delivery capabilities resulting in an inability, presently or in the immediate future, to recover resources sufficient to provide services necessary for the public health and welfare;
5. Contamination of one or more of the city's well(s) or one of the Waco connections, by accidental or intentional means. The City of Hewitt emergency response plan shall initiate in any contamination occurrence.

The level of the Lake Waco reservoir shall be determined based on the official reading by the U.S. Army Corps of Engineers and stated as an elevation above mean sea level (msl).

## **TRIGGERING STAGES, RESPONSES AND GOALS**

*Generally.* Should a water shortage emergency occur, the City Manager may exercise his or her discretion to: 1) request special voluntary water restrictions, 2) initiate Stages 1 - 4 mandatory restrictions, and/or 3) prohibit wastage and restrict certain uses of water deemed nonessential during the emergency. Initiation of a specific Stage is dependent on climatic and water system conditions, and does NOT necessarily require a progression from Stage One through Stage Three to reach Stage Four.

Pro rata curtailment of water delivery to wholesale water customers, as provided in Texas Water Code, §11.039, may be triggered by criteria within or without the plan and may be implemented during in any stage of the plan.

The City of Hewitt has alternative sources of limited water through the City of Waco and the City of Lorena, from which to draw or make use of as a water supply management measure during a water shortage. If the City of Waco implements any drought response stages, the City of Hewitt is **REQUIRED** to implement the same drought response stages.

### ***Stage 1 Triggers - MILD Water Shortage***

**1. Criteria for implementation of Stage 1.**

The City manager shall implement stage 1 restrictions when:

- (a) The Lake Waco reservoir level decreases to 457 msl (at which the reservoir is at about 72% of its capacity).**
  - (b) There is an inability to recover approximately ninety (90) percent of water stored in all storage facilities within a twenty-four (24) hour period.**
  - (c) Weather forecasts and stream flow conditions, in the opinion of the city manager, warrant restrictions on the use of water.**
- 2. Upon recommendation of the City Manager, Stage 2 response procedures shall become effective.**
- 3. A Stage may be upgraded or downgraded at any time by the City Manager.**
- 4. Criteria for termination - Stage 1 shall be terminated at the discretion of the City Manager.**

### ***Stage 1 Responses***

**Mandatory restrictions – Criminal penalties do not apply during Stage 1 restrictions.**

**Upon implementation by the city, the following restrictions shall apply unless specifically exempted:**

- 1. The city shall limit use of water for municipal purposes to those activities necessary to maintain the public health, safety and welfare and any computer-controlled irrigation systems that incorporate evapotranspiration data in setting irrigation run times.**

2. The city shall monitor “excessive watering” and issue notifications to customers. “Excessive watering” occurs where run-off extends for a distance greater than ten (10) feet from the customer’s property or where there is washing or hosing down of buildings, sidewalks, driveways, patios, porches, parking surfaces or other paved surfaces.

### *Stage 1 Goal*

Reduction of previous three-year average daily use by 1%

### *Stage 2 Triggers - MODERATE Water Shortage*

1. Criteria for implementation of Stage 2. The city manager shall implement stage 2 restrictions when:
  - (a) The Lake Waco reservoir level decreases to 452 msl (at which the reservoir is at about 60% of its capacity)
  - (b) There is an inability to recover approximately ninety (90) percent of water stored in all storage facilities within a twenty-four (24) hour period.
  - (c) Weather forecasts and stream flow conditions, in the opinion of the City Manager, warrant restrictions on the use of water.
2. Upon recommendation of the City Manager, Stage 2 response procedures shall become effective.
3. A Stage may be upgraded or downgraded at any time by the City Manager.
4. Criteria for termination - Stage 2 shall be terminated at the discretion of the City Manager.

### *Stage 2 Responses*

Mandatory restrictions – Criminal penalties do apply during Stage 2 restrictions.

Upon implementation by the city, the following restrictions shall apply unless specifically exempted:

1. All landscape and other outdoor water usage at each service address shall be limited to two days a week based on the last digit in the meter service address or the type of

connection; however, landscape and outdoor water usage is prohibited from 6:00 A.M. to 7:00 P.M.

<b>Last Digit Address Residential:</b>	<b>Allowed Landscape Water Days</b>
<b>Odd</b>	<b>Tuesday and Saturday</b>
<b>Even</b>	<b>Wednesday and Sunday</b>
<b>All Non-Residential accounts</b>	<b>Monday and Friday</b>

**Thursday – No Watering, Storage Recovery day**

2. Apartments, office building complexes, or other properties containing multiple addresses, will be identified by the lowest physical street address number. Where there are no numbers, a number will be assigned by the Building Official.
3. Watering of newly installed landscaping is exempt from Stage 2 restrictions for no more than one month from the date of planting. After the first month, the landscape water day's schedule and hourly restrictions must be followed.

***Stage 2 Goal***

Reduction of previous three-year average daily use by 5%

***Stage 3 Triggers – SEVERE Water Shortage***

1. Criteria for implementation of Stage 3. The city manager shall implement stage 3 restrictions when:
  - (a) The Lake Waco reservoir level to 449 msl (at which the reservoir is at about 50% of its capacity) or inability to recover approximately ninety (90) percent of water stored in all storage facilities within a thirty (30) hour period.
  - (b) Weather forecasts and stream flow conditions, in the opinion of the city manager, warrant restrictions on the use of water.
  - (c) The total amount of water available, as determined by the Utilities Director, to the city from its developed water sources is less than a 24-month supply.

2. Upon recommendation of the City Manager, Stage 3 response procedures shall become effective.
3. A Stage may be upgraded or downgraded at any time by the City Manager.
4. Criteria for termination - Stage 3 shall be terminated at the discretion of the City Manager.

***Stage 3 Responses***

**Mandatory restrictions – Criminal penalties do apply during Stage 3 restrictions.**

Upon implementation by the city, the following restrictions shall apply unless specifically exempted:

1. All landscape and outdoor water usage at each service address shall continue according to the landscape water days schedule identified below; however, landscape and outdoor water usage is prohibited from 6:00 A.M. to 7:00 P.M.

Last Digit Address:	Allowed Landscape Water Day
0, 1	Monday
2, 3	Tuesday
4, 5	Wednesday
6, 7	Thursday
8, 9	Friday

**Saturday and Sunday – No Watering, Storage Recovery days**

2. Apartments, office building complexes, or other property containing multiple addresses will be identified by the lowest physical address number. Where there are no numbers, a number will be assigned by the Building Official.
3. Existing swimming pools, hot tubs, spas, ornamental ponds and fountains may be replenished with a hand-held hose to maintain operational purposes only.
4. Permitting of new swimming pools, hot tubs, spas, ornamental ponds or fountain construction is prohibited, except that those previously permitted or under construction

at the time Stage 3 restrictions are initiated may complete construction and may be filled one time only. Filling occurs when an amount of water equal to at least seventy-five (75) percent of the water capacity is placed in the structure or facility.

5. Excessive water run-off from any landscaped area onto streets, alleys, or parking lots is prohibited. Run-off is excessive when it extends for a distance greater than ten (10) feet from the customer's property.
6. Washing or hosing down of buildings, sidewalks, driveways, patios, porches, parking areas, or other paved surfaces is prohibited.

*Exceptions:*

- (a) Commercial landscape nurseries are exempt from Stage 3 restrictions (*except for restrictions on hours when watering may occur*), but all such nurseries shall cease using water to clean pavement and sidewalk areas except for health and safety reasons.
- (b) Commercial full-service or self-service car wash facilities, including those at service stations and automobile dealership facilities, shall cease using water to clean pavement and sidewalk areas except for health and safety reasons and are exempt from Stage 3 restrictions if they meet one or more of the following conditions:
  - (i) Commercial car wash facilities using conveyORIZED, touchless, and / or rollover in-bay technology if they reuse a minimum of fifty percent of water from previous vehicle rinses in subsequent washes.
  - (ii) Commercial car wash facilities using reverse osmosis to produce water rinse with a lower mineral content if they incorporate the unused concentrate in subsequent vehicle washes.
  - (iii) Self-service spray wands used that emit no more than three gallons of water per minute.

- (c) Golf course landscape watering is exempt from Stage 3 restrictions so long as golf course irrigation systems are operated with a computer-controlled irrigation system that incorporates evapotranspiration data in setting irrigation run times.

### *Stage 3 Goal*

Reduction of previous three-year average daily use by 7%

### *Stage 4 Triggers - EMERGENCY Water Shortage*

1. Requirements for implementation of Stage 4. The City Manager shall implement stage 4 restrictions when:
  - (a) The Lake Waco reservoir level to 445 msl (at which the reservoir is at about 40% of its capacity)
  - (b) There is a determination by the City Manager that catastrophically decreasing lake reservoir levels and/or delivery capabilities with an inability to recover to provide services necessary for public health, safety, and welfare exist.
  - (c) Weather forecasts and stream flow conditions, in the opinion of the city manager, warrant restrictions on the use of water.
  - (d) The total amount of water available, as determined by the Utilities Director, to the city from its developed water sources is less than a 12-month supply.
2. Upon recommendation of the City Manager, Stage 4 response procedures shall become effective.
3. A Stage may be upgraded or downgraded at any time by the City Manager.
4. Criteria for termination - Stage 4 shall be terminated at the discretion of the City Manager.

### *Stage 4 Responses*

Mandatory restrictions – Criminal penalties do apply during Stage 4 restrictions.

Upon implementation by the city, the following restrictions shall apply unless specifically exempted:

1. Any and all outdoor/landscaping water usage is prohibited until the emergency is alleviated. This applies to all metered water users using the city's public water supply and includes all residential (single or multi-family), commercial (car wash, nurseries, business), recreational (public/private golf courses, parks, athletic fields), religious, health care, school and municipal entities.
2. Use of water for municipal purposes shall be limited to only those activities necessary to maintain the public health, safety and welfare, as determined by the city.
3. Use of water from fire hydrants is prohibited except for firefighting and health and safety related activities.

#### *Stage 4 Goal*

Reduction of previous three-year average daily use by 10%

#### **SECTION XI: ENFORCEMENT**

---

1. No person shall intentionally, knowingly, recklessly or with criminal negligence allow the use of water from the city for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Division or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the city, in accordance with provisions of this Division.
2. Any person, including a person classified as a water customer of the city, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this plan and that the parent could not have reasonably known of the violation. Proof that

the notices required under Section 26- 94 have been given shall constitute a rebuttal presumption that the person has knowledge of and/or is aware of the declaration of a drought or emergency contingency stage, but such presumption may be rebutted by evidence that the person was out of city at the time of the declaration and could not reasonably have become aware of the declaration since returning to the city.

3. Any person who violates this Division is guilty of a misdemeanor and upon conviction shall be punished by a fine as provided in Section 1-14, General Penalty. Each day that one or more of the provisions in this plan is violated shall constitute a separate offense.
4. If a person is observed violating a Stage 2 or greater restriction, including but not limited to vehicle washing, landscape watering, or construction water use, for a second time, the city shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur.
5. If a person is convicted of three (3) or more distinct violations of this Division, the city shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur.
6. Services discontinued under such circumstances shall be restored only upon payment of reconnection charge established by city policy and any other costs incurred by the city in discontinuing service. In addition, suitable assurance must be given to the city that the same action shall not be repeated while the plan is in effect.
7. The City is entitled to pursue all other criminal and civil remedies to which it is entitled under statutes or other ordinances. Compliance with this Division may also be sought through injunctive relief in the district court.

## **SECTION XII: VARIANCES**

---

1. A customer may file an application for a variance from this plan for the property receiving water service with the City Manager. The City Manager may determine the proper information and require that the applicant provide such information to evaluate the variance request.

2. The City Manager may grant a variance from the Plan upon his/her determination that special circumstances exist that upon strict enforcement of the plan will adversely affect the health, sanitation, or fire protection for the public or the applicant.
3. Variances granted under this section will expire upon escalation of the plan to the next higher phase or termination of the plan.

### **SECTION XIII: STATE MANDATED WATER RESTRICTIONS**

---

1. If a State agency with jurisdiction over water rights and use lawfully orders that drought response restrictions on water usage be imposed, the water restrictions shall be implemented, regardless of whether any of the criteria for implementation stated in Sec. 26-97 or Sec. 26-98 have been met.
2. The city manager shall notify the public of the implementation of the state mandated restrictions as provided in Sec. 26-94. Said notice shall set out the specific restrictions to be implemented.
3. No person shall intentionally, knowingly, recklessly, or with criminal negligence allow the use of water from the city for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner:
  - (a) Contrary to the notice issued under subsection 2 above; or
  - (b) Contrary to the state mandated restriction; or
  - (c) In excess of state mandated usage limits.
4. If a violation of the mandated restriction occurs, notice of the violation may be given as provided in Sec. 26-95 and the violation may be punished as provided in Sec. 26-96.