

HEWITT TEXAS

NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Dinner Workshop** meeting of the governing body of the City of Hewitt will be held on the **4th day of November, 2013 at 5:30 PM in Hewitt City Hall, 105 Tampico Drive**, Hewitt, Texas, at which time the following subjects will be discussed:

1. City Manager's update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects.
 - b. Briefing and discussion concerning drainage issues.
 - c. Briefing and discussion concerning masonry in commercial and industrial zoning districts.
 - d. Briefing and discussion concerning December 14, 2013 Christmas Parade - "It's a K-9 kind of Christmas".
 - e. Briefing and discussion concerning employee accrual of sick leave.
 - f. Briefing and discussion concerning Public Safety Facility.
 - g. Briefing and discussion concerning Public Safety operations – Police & Fire
2. Review regular meeting agenda items.
3. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - Pursuant to § 551.087 – Deliberation regarding Economic Development Negotiations.
4. Close Executive Session.
5. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 4:00 AM/PM on November 1, 2013.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact the Hewitt City Secretary at (254) 666-6171 at least 24 hours prior to the meeting, so that appropriate arrangements can be made.

HEWITT TEXAS

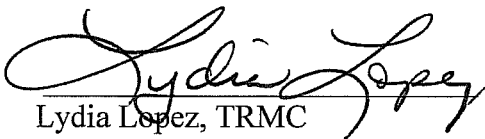
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **4th day of November, 2013 at 7:00 PM in the City Council Room at Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas,** at which time the following subjects will be discussed:

1. Pledge of Allegiance to the U.S. Flag
2. Consider approval of minutes of the Council Dinner Workshop/Regular Meeting of October 21, 2013.
3. Hear visitors on matters pertaining to city business.
4. Consider request to grant a special exception to the temporary moratorium on residential accessory structure at 321 Russell Lane.
5. Consider request to grant a special exception to the temporary moratorium on residential accessory structure at 699 Castleman Creek.
6. Consider and take appropriate action concerning acceptance of the guaranteed maximum price (GMP) for the construction of the Public Safety Facility from K4 Construction in the total amount of \$3,630,524.00.
7. Consider and act on an ordinance of the City of Hewitt, Texas, amending Chapter 78, "Utilities", adding Section 78-7 Water and Wastewater Consumption Rate for New Construction, providing for repeal of conflicting ordinances, providing for severability; providing for publication in caption form; and providing an effective date.
8. Adjourn.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Hewitt, Texas was posted on the Public Notice Board located in front of City Hall at 4:00 AM PM on November 1, 2013.

CITY OF HEWITT


Lydia Lopez, TRMC
City Secretary

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WORKSHOP ITEM #1 a.

HEWITT TEXAS II

CITY ENGINEER'S REPORT October 30, 2013

Note: All schedules, dates and references to completion dates are approximate and subject to change.

Street Improvements:

Devonshire Street & Drainage Improvements

The contractor has finished asphalt paving on Devonshire. They are now working on the related concrete pilot channel in the detention pond. Recent rains will delay work for several days. The detention pond was sufficiently complete to hold back a lot of water from the Oct. 26th heavy rains. Had it not have been in place, there would have been considerable flooding in the Westchester Addition.

I-35 Widening - Utility Adjustments:

Under construction; Lift Station No. 1 – The new Lift Station No. 1 is in operation. Work is finishing on the sewer and water line relocations and that work should be complete in the next few days. This project is under contract with TXDOT as is the completion timeline.

Water Utility Improvements:

Commerce Park Water Plant:

The contractor on the 1 Million Gallon Composite Elevated Storage Tank is bonding and insuring the project. We should be having a pre-construction conference on this project within the next few weeks. They have already started preliminary work.

Ritchie Road Plant and Well Electrical System Improvements:

Due to the electrical engineer's heavy project load, it will be the first of December before he can start on the plans and specifications for this project.

Wastewater Utility Improvements:

Lift Station No. 2 Replacement:

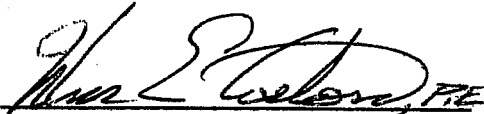
The pre-construction conference was held October 18, 2013. The contractor is submitting review materials for the equipment to be used in the project.

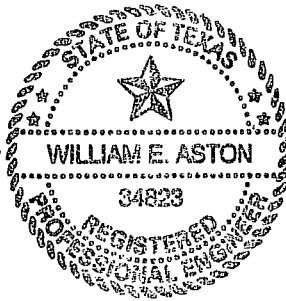
HEWITT TEXAS II

Patriot Court – Street, Drainage and Water/Sewer Utilities:

The project is being advertised for bids with a bid opening scheduled for Nov. 21, 2013. The bids will be presented to the Council, for a contract award, at the December 2, 2013 meeting.

By:


William E. Aston, P.E.




Miles W. Whitney, E.I.T.

HEWITT TEXAS II

WORKSHOP ITEM #1 e.

HEWITT TEXAS

MEMORANDUM

FROM: Susana Garcia-Gilmore, HR Director
TO: Adam Miles, City Manager *AM*
DATE: October 29, 2013
RE: Sick Leave Accrual

In October 2009 the City completed implementation of Civil Service for Police Officers. One statute of civil service requires accumulation of sick leave without limit and entitles officers to receive a lump-sum payment for accumulated sick leave not to exceed 90 days (720 hours) when they leave service.

For all other non-civil service employees the current city only allows sick leave to be accumulated for no more than 60 days (480 hours). These employees would then only receive a lump-sum payment for accumulated sick leave if they retired with 10 years or more of continuous service to the city.

Recently, staff reviewed this sick leave policy. Staff is now proposing a change to the current policy that would allow accumulation of sick leave for all non-civil service employees up to 90 days (720 hours). Staff is requesting consideration from the City Council to allow accumulation of sick leave as stated above for all employees. However, no change to the current policy concerning payment at time of separation for accumulated sick leave for more than the 60 days (480 hours) is being proposed.

In other words, if the policy is changed all employees would be able to accrue and use sick leave up to the 90 day (720 hour) threshold. However, only Police Officers, at time of separation from service to the city, would be eligible for payment for sick leave up to 90 days (720 hours). This would still be above the 60 day (480 hour) level for all other employees who would receive payment for accrued sick leave time at time of retirement.



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 4, 2013

AGENDA ITEM #: 2

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Council Dinner Workshop/Regular Meeting of October 21, 2013.

STAFF RECOMMENDATION/ITEM SUMMARY:

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

ATTACHMENTS:

Draft minutes

HEWITT TEXAS

MINUTES OF A CITY COUNCIL DINNER WORKSHOP/MEETING HEWITT CITY HALL – 105 TAMPICO DRIVE October 21, 2013 - 5:30/7:00 PM

Members Present: Mayor Ed Passalugo (presiding); Mayor Pro Tem Wilbert “Walky” Wachtendorf; Council Members James Vidrine, Travis Bailey, Ronnie McNiel and Alex Snider

Members Absent: Council Member Bill Fuller

Staff Present: City Attorney Charlie Buenger, Engineer Bill Aston, City Manager Adam Miles, Assistant City Manager James Barton, Utilities Director James Black, Library Director Waynette Ditto, Fire Chief Lance Bracco, HR/Civil Service Director Susana Garcia-Gilmore, Deputy Police Chief Tuck Saunders, Community Development Office Administrator Eva Greenup and City Secretary Lydia Lopez

Staff Absent: Engineer In Training (EIT) Miles Whitney, Finance Director Lee Garcia, Police Chief Jim Devlin

Workshop – 5:30 PM

1. City Manager presented an update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects.
 - b. Briefing and discussion was held concerning proposed Charter revision.
 - c. Briefing and discussion was held concerning masonry in commercial and industrial zoning districts.
 - d. Briefing and discussion was held concerning request by Steve Patrick concerning sewer rate charges.
 - e. Briefing and discussion was held concerning Public Safety Facility Project.
 - f. Briefing and discussion was held concerning Public Safety operations – Police & Fire
2. The Regular meeting agenda items were reviewed.
3. **NOTE: EXECUTIVE SESSION WAS NOT HELD**
Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
 - Pursuant to § 551.087 – Deliberation regarding Economic Development Negotiations.
4. Close Executive Session.

5. Adjourn. *A motion was made by Ronnie McNiel and seconded by Travis Bailey to adjourn the Dinner Workshop at 6:57 pm.*

REGULAR SESSION – 7:00 PM

1. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** - Mayor Passalugo invited Library Director Waynette Ditto to lead the Pledge of Allegiance.
2. **CONSIDER APPROVAL OF MINUTES OF THE SPECIAL CALLED DINNER WORKSHOP/MEETING OF OCTOBER 7, 2013.** *A motion was made by James Vidrine and seconded by Travis Bailey to approve the minutes as submitted but allow for additional corrections; all six in favor, motion passed.*
3. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.**
None
4. **CONSIDER AWARD OF BID FOR CONSTRUCTION OF COMMERCE PARK 1MG ELEVATED TANK TO PHOENIX FABRICATORS AND ERECTORS IN THE TOTAL AMOUNT OF \$2,457,240.** *A motion was made by Ronnie McNiel and seconded by Alex Snider to award bid to Phoenix Fabricators and Erectors; all six in favor, motion passed.*
5. **CONSIDER AND ACT ON AN ORDINANCE AMENDING CHAPTER 10 “ANIMALS” OF THE CODE OF ORDINANCES TO REGULATE SPAY AND NEUTERING AND MICROCHIPPING OF DOGS AND CATS, TO ADDRESS TETHERING OF ANIMALS, AND TO REVISE OTHER PROVISIONS.** *A motion was made by James Vidrine and seconded by Wilbert “Walky” Wachtendorf to approve ordinance; all six in favor, motion passed.*
6. **CONSIDER AND ACT ON AN ORDINANCE OF THE CITY OF HEWITT, TEXAS PROVIDING THAT THE CODE OF ORDINANCES BE AMENDED BY REVISING SECTION 38-61(A) IN CHAPTER 38 “FLOODS” OF SAID CODE.** *A motion was made by Alex Snider and seconded by Travis Bailey to approve; all six in favor, motion passed.*
7. **ADJOURN.** *A motion was made by Ronnie McNiel and seconded by Travis Bailey to adjourn the meeting at 7:09 p.m., all six in favor, motion passed.*

Approved: November 4, 2013



ITEM #3 – HEARING OF VISITORS

CITIZEN PARTICIPATION AT MEETINGS

1. All citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. Many times this will expedite a resolution or allow proper investigation of the matter for presentation to the entire council.

NO CITIZEN NOR STAFF MEMBER MAY SPEAK NOR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.

2. To maintain decorum at public hearings, the mayor will ask the citizens present if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to do so at the proper time, when recognized by the chair. If more than five citizens wish to address the council on any single agenda item, those citizens are advised to select spokespersons to present their case.
3. Citizens who wish to bring up a matter that pertains to city business or address an item on the agenda may do so, but only under the agenda item "Hear Visitors." **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**
4. **Citizens addressing the city council on items not on the agenda shall be limited to five minutes each. Total time for presentations on any one item or topic shall be limited to twenty-five minutes. The city council members shall not enter into discussion on any subject not properly placed on the agenda; however, the council members may ask questions for clarification purposes.**
5. As a general rule, citizens may not participate in the discussion of the council workshop session.



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 4, 2013

AGENDA ITEM #: 4

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider request to grant a special exception to the temporary moratorium on residential accessory structures at 321 Russell Lane.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a request for a permit by homeowner Thomas Tankersley to install a carport/awning. Mr. Tankersley is requesting a special exception to the temporary moratorium placed on residential accessory structures on his property located at 321 Russell Lane. Structure will be located behind the house and meets setback requirements.

Staff recommends approval of this request.

ATTACHMENTS:

Building Permit Application
Drawing

CITY OF HEWITT
BUILDING PERMIT APPLICATION

Type of Permit Requested _____

Description of proposed use/work (Be specific and detailed)

Awning

Project Address 321 Russell Ln.

Subdivision _____ **Lot** _____ **Block** _____

Valuation of Work \$ _____ **Square Footage of Project** 900 sq. ft

PROPERTY OWNER

Name Thomas Tankersley

Address 321 Russell Ln **City, State, Zip Code** Hewitt Tx. 76643

Phone 254-722-0175 **Email** THOMAS.TANKERSLEYII@ALCOA.COM

CONTRACTOR

Tax ID Number _____ **Master License #** _____ (If applicable)

Name THOMAS TANKERSLEY **Business Name** _____

Address _____ **City, State, Zip Code** _____

Phone _____ **Email** _____

I HEREBY CERTIFY THAT I AM AN AUTHORIZED AGENT OF THE OWNER, AND HAVE THE OWNER'S CONSENT TO ENTER ONTO THE PROPERTY TO COMPLETE THE WORK. AFTER CLOSE REVIEW OF THIS APPLICATION, I FURTHER CERTIFY THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE WORK SHALL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES, WHETHER SPECIFIED OR NOT. THE GRANT OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY FEDERAL, STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. I HAVE SUBMITTED ALL THE NECESSARY PLANS AND DOCUMENTS FOR REVIEW. ALSO, I AM AWARE THAT THE REVIEW PROCESS CAN TAKE UP TO 10 BUSINESS DAYS.

Signature of Applicant Thomas Tankersley **Date** 10/21/2013

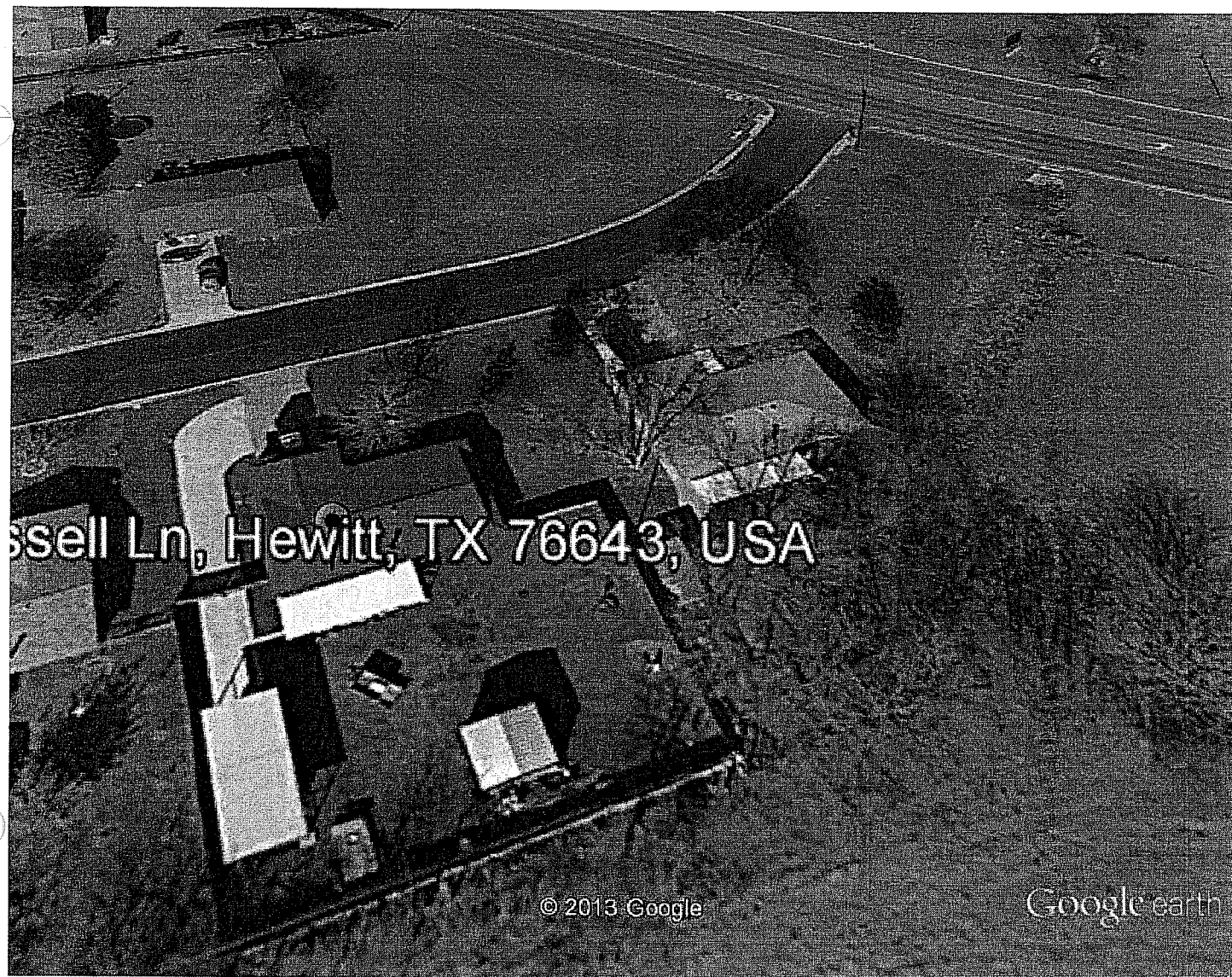
Printed Name THOMAS TANKERSLEY

Approval needed by inspector for Alcohol Permit; Auction/Sales Permit; Carport Permit; Commercial Accessory Building; Commercial Building Permit-New; Commercial Building Permit-Temporary 72 hour; Commercial Remodeling Permit; Deck Permit; Demolition Permit; Duplex Permit; Fence Permit; Flatwork Permit; Garage Enclosure; Land Clearing Filling or Grading Permit; Mobile Home Move in Permit; Multi-Family Building Permit; Patio Cover; Residential Accessory Building Permit; Residential Building Permit; Residential Remodeling Permit; Sign Permit; Fire Protection Systems; Swimming Pool Permit; Hot tub/spas Permit, this list may not be all inclusive.

BUILDING DEPARTMENT

103 N Hewitt Drive • P.O. Box 610 • Hewitt, Texas 76643 • Tel: 254.666.6173 • Fax: 254.666.3741

Email: buildingdept@cityofhewitt.com • Website: www.cityofhewitt.com • MyGov



Google earth

feet 100
meters 30



Car Port = 900 sq. ft.
RV Slip = 476 sq. ft.
Shop = 225 sq. ft.
Drive = 364 sq. ft.
total = 1,965 sq. ft.
23%

321 Russell Ln

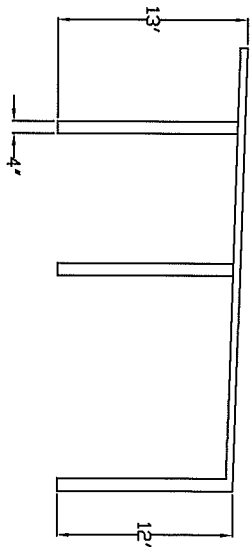
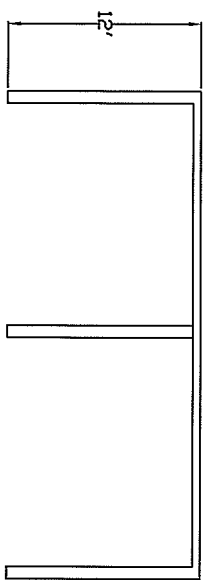
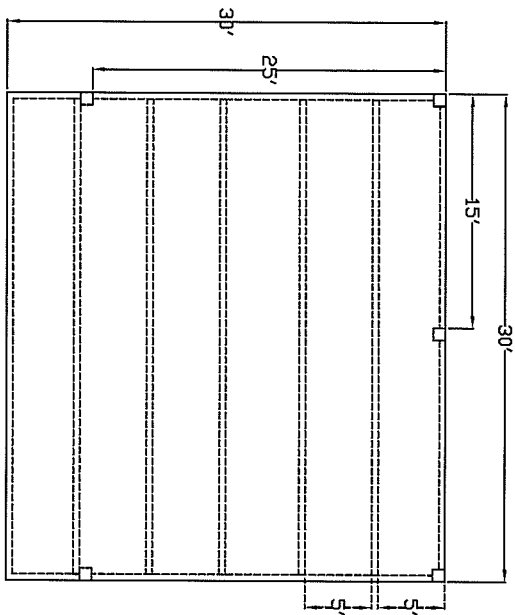
Thomas Tankersley
Quality Engineer



Alcoa Fastening Systems

Commercial Products
8001 Imperial Drive
Waco, TX 76714-8117 USA
Tel: 1 254 751 5523
Tel: 1 800 388 4825 x5523
Fax: 1 254 751 5507
thomas.tankersley1@alcoa.com

Cell 254-722-0175



*Note
Top & Rear is covered

Materials List
4' square tubing
10' Perl'n
6' Perl'n
Tan R-Panel
Green Trim



COUNCIL AGENDA ITEM FORM

MEETING DATE: November 4, 2013

AGENDA ITEM #: 5

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider request to grant a special exception to the temporary moratorium on residential accessory structures at 699 Castleman Creek.

STAFF RECOMMENDATION/ITEM SUMMARY:

Mr. Smith is requesting a special exception to the temporary moratorium placed on residential accessory structures on his property located at 699 Castleman Creek. Mr. Smith is installing a metal or wooden structure not to exceed approximately 168 sq./ft. building with a door less than six (6) foot wide (for a lawnmower). Structure would be located behind the house. Setback meets standards.

Staff recommends approval of this request.

ATTACHMENTS:

None

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: November 4, 2013

AGENDA ITEM #: 6

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider and take appropriate action concerning acceptance of the guaranteed maximum price (GMP) for the construction of the Public Safety Facility from K4 Construction in the total amount of \$3,630,524.00.

STAFF RECOMMENDATION/ITEM SUMMARY:

Bids related to construction of Hewitt's Public Safety Facility were received and opened on Tuesday October 29, 2013 by K4 Construction. As Hewitt's Construction Manager at risk (CMAR), Keith Helpert tabulated and evaluated the results. Working with city staff and prospective bidders Mr. Helpert has prepared a proposed Guaranteed Maximum Price (GMP) which represents his recommendations based on best value for Hewitt. Working with the various contractors, Mr. Helpert has included with his number some value engineering, with some alternatives for future consideration. Acceptance of the GMP will set in motion the next steps of construction. Mr. Helpert has included with his proposal a timeline for beginning construction. If approved, work would begin later this month.

ATTACHMENTS:

GMP Proposal from K4 Construction

November 1, 2013

**City of Hewitt
105 Tampico Drive
Hewitt, Texas 76643**

RE: GMP Proposal for the City of Hewitt Public Safety Facility

Attn: Mr. Adam Miles

As requested, K4 Construction is submitting a Guaranteed Maximum Price (GMP) proposal for the above referenced project located at 100 Patriot Court in Hewitt, Texas. This GMP proposal is based upon the following final construction documents:

- Civil Plan Sheets C1, C2, C3, C4, C5, C6, C7, C8, C9, and C10 by Duff Consulting Engineers, Inc.
- Architectural Plan Sheets L1.1, A0.1, A1.1, A1.2, A2.0, A2.1, A2.2, A2.3, A2.4, A2.5, A2.6, A3.1, A4.1, A5.1, A5.2, A5.3, A6.1, A6.2, A6.3, A7.1, A7.2, A7.3, A7.4, A7.5, A7.6, A8.1, A8.2, A8.3, A8.4, A8.5, A8.6, and A9.1 (stamped 10-7-13) by rbdr Architects, PLLC.
- Structural Plan Sheets S1.1, S1.2, S1.3, S1.4, S1.5, S2.1, S2.2, S2.3, S2.4, S2.5, S2.6, S2.7, S3.1, and S3.2 (stamped 10-4-13) by Winton Engineering, Inc.
- MEP Plan Sheets M0.1, M0.2, M2.1, M2.2, M2.3, M6.1, M6.2, M6.3, E0.1, E0.2, E1.1, E1.2, E2.1, E2.2, E3.1, E3.2, E3.3, E4.1, E4.2, E5.1, E5.2, P0.1, P0.2, P2.0, P2.1, P2.2, P2.3, P2.4, P2.5, P3.1, P3.2, P4.1, and P4.2 (stamped 10-4-13) by Summit Consultants, Inc.
- Project Manual entitled "Public Safety Facility for the City of Hewitt, Texas" dated October 2013.
- Addendum No. 1 (dated 10-21-13), Addendum No. 2 (dated 10-25-13), and Addendum No. 3 (dated 10-28-13).

The scope of work included in this GMP proposal is further defined as follows:

Work Included:

1. This GMP proposal includes temporary construction fencing for the project. Fencing will not be around the entire building or entire site, but only enough fencing as needed to create a "lay-down yard" for stored materials, etc.
2. This GMP proposal includes all work indicated on the above referenced project plans and specifications (except as excluded or clarified in this proposal).

3. This GMP proposal includes the add alternate option to change the light duty paving areas from asphalt to concrete pavement, as identified in the project plans.
4. This GMP proposal includes all costs associated with project cleanup (during the course of construction and at the end of construction).
5. This GMP proposal includes all project insurances (builder's risk insurance, general liability insurance, worker's compensation insurance, automobile liability insurance, etc.).
6. This GMP proposal includes all supervision for the project as needed to complete the project with quality workmanship and in a timely manner.
7. This GMP proposal includes a \$35,000.00 Owner Contingency Allowance.
8. This GMP proposal includes a \$1,000.00 allowance to pay for TDLR registration and TDLR inspection fees.
9. This GMP proposal includes a \$35,000.00 allowance for all work pertaining to the outside storage building. This allowance shall cover the earthwork, foundation, framing and exterior finishes, as well as interior finishes, lighting, roofing, etc.
10. This GMP proposal includes a \$25,000.00 allowance for testing lab services.
11. This GMP proposal includes the cost of payment and performance bonds on the entire project.
12. This GMP proposal includes K4 Construction's Construction Manager Fee as agreed upon in the previously signed contract document.

Exclusions and/or Clarifications:

1. No design fees are included in this GMP proposal. The design professionals work directly for the owner under separate contract.
2. No taxes or permit fees are included in this GMP proposal since the City is a tax exempt entity. All tap fees and water meter fees shall also be at zero cost.
3. All CCTV systems, security systems, IT systems, phone cabling systems, and intercom systems are not included in this GMP proposal. It is our understanding that the City of Hewitt will be handling these under separate contracts or in-house.
4. The Pre-Construction Phase Services Fee is separate from this GMP proposal and will be billed separately. The costs for the Pre-Construction Phase Services are NOT included in this GMP proposal.
5. The Phoenix Alerting System is not included in this GMP proposal.
6. Interfacing the keyless entry system hardware with the building security system is not included in this GMP proposal. This GMP proposal includes all door hardware indicated in the project plans and specifications (electric strikes, key fobs, power supplies, battery packs, etc. --- just not the interfacing of these items with the building security system).
7. All furniture, appliances, evidence area rack systems, records storage systems, and modular furniture are not included in this GMP proposal.
8. The police and firefighter equipment lockers are not included in this GMP proposal.
9. No soils study / geotech report services fees are included in this GMP proposal.

10. Only 11 each room identification signs are included in this GMP proposal. Any other room signage shall be purchased by the City of Hewitt separately.
11. This GMP proposal DOES include a dedication plaque, even though one is not shown on the project plans.
12. Purchase of a flagpole is not included in this GMP proposal. K4 Construction shall install the flagpole at no additional cost if the kit is purchased by the City of Hewitt or donated.

Guaranteed Maximum Price:

K4 Construction proposes to complete this project for the Guaranteed Maximum Price of **THREE MILLION SIX HUNDRED THIRTY THOUSAND FIVE HUNDRED TWENTY FOUR DOLLARS @ NO CENTS (\$3,630,524.00)**. The above GMP proposal is subject to change only as allowed by the executed contract agreement. The above GMP proposal is good until November 8, 2013. The Owner must accept the GMP by this date.

The above GMP price already includes 2 approved value engineering options:

- Elimination of the Oncor allowance (the City will pay this directly)
- Using schedule 40 pvc piping in lieu of no-hub cast iron piping for sanitary vents and above floor storm drain piping. This change has already been approved by Summit Consultants, Inc. (MEP Engineer).

Pending Value Engineering Options:

1. **Deduct (\$10,486.00)** if Bowen Electric can use a Clark Power Generator in lieu of a Kohler Generator for the emergency back-up power generator on the project. K4 Construction is awaiting feedback from rbdr Architects and Summit Consultants, Inc. on this proposed change.
2. **Deduct (\$18,000.00)** if Capstone Mechanical is allowed to re-design RTU-1 which serves the Training Room to a less complicated design. K4 Construction is awaiting feedback from rbdr Architects and Summit Consultants, Inc. on this proposed change.
3. **Deduct (\$10,000.00)** if Capstone Mechanical is allowed to modify the kitchen hood and RTU-2 which serves the kitchen (if the griddle is eliminated). K4 Construction is awaiting feedback from rbdr Architects and Summit Consultants, Inc. on this proposed change.
4. **Deduct (\$8,500.00)** if Capstone Mechanical is allowed to re-design RTU-5 which serves the locker rooms. K4 Construction is awaiting feedback from rbdr Architects and Summit Consultants, Inc. on this proposed change.
5. **Deduct (\$1,500.00)** if Capstone Mechanical is allowed to delete the convenience outlets on all but 2 of the RTUs. K4 Construction is awaiting feedback from rbdr Architects and Summit Consultants, Inc. on this proposed change.
6. ***K4 Construction is also pursuing several other value engineering options***

Unit Prices for Pier Drilling:

Bid depth of foundation piers is 10' deep. A change order will be requested if piers must be drilled deeper, and a credit will be given if piers can be drilled shallower (actual depth of piers will be determined on site during the pier drilling operation by the testing lab). A change order will also be requested if the piers have to be cased due to existence of ground water.

The Owner Contingency Allowance can be utilized for the pier overages so that a formal change order is not required.

The following basic schedule is anticipated for this project:

- | | |
|---|----------------------|
| • Project approved at City of Hewitt council meeting: | November 4, 2013 |
| • Project contracts and bonds fully-executed: | November 13-15, 2013 |
| • Proposed project commencement date: | November 18, 2013 |
| • Project substantial completion date: | December 19, 2014 |

Feel free to contact Keith Helpert via phone or email if you have any questions. We look forward to working with you on this project.

Respectfully,

Keith Helpert

Keith Helpert

President, K4 Construction LLC

Cell: 254-749-7647

Office: 254-662-9311

Email: keith@k4construction.net

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: November 4, 2013

AGENDA ITEM #: 7

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider and act on an ordinance of the City of Hewitt, Texas, amending Chapter 78, "Utilities", adding Section 78-7 Water and Wastewater Consumption Rate for New Construction, providing for repeal of conflicting ordinances, providing for severability; providing for publication in caption form; and providing an effective date.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a detailed memo regarding this agenda item. This draft ordinance is presented for your consideration.

ATTACHMENTS:

Memo from City Manager
2013 Water and Wastewater Rates
Draft Ordinance

HEWITT TEXAS

MEMORANDUM

FROM: Adam Miles, City Manager
TO: Mayor and City Council *Am*
DATE: October 29, 2013
RE: Water and Sewer Rates for Homebuilders

Staff has been asked to prepare an item for the City Council to consider changing how the initial water and sewer fees are calculated for new residential construction. Hewitt's water and sewer rates are established by ordinance each year. Recently, local homebuilders, represented by Steve Patrick, have asked the city to consider changing how the initial amount of water and sewer is charged for new homes.

Currently, the first 3,000 gallons of water and related wastewater are included with the building permit fee. It has been explained the 3,000 gallon level for new homes was established years ago and was roughly based on the water needed for mixing mortar and other miscellaneous water use related to building the new home. After the initial 3,000 gallons, water (and wastewater) passing through the meter is then billed in the same manner as all other customers.

Because there is no feasible way to accurately measure sewage from residential homes, the sewer rate is tied to water consumption. The amount billed for sewer is based on water consumption, and is capped at 20,000 gallons. The total bill for water and sewer is then calculated each month and billed to the customer.

From the perspective of the homebuilder, the initial amount of water needed for new construction has increased. Most new homes will include an established yard. The yards require a significant amount of water to become established, especially during the summer. In extreme heat, the monthly amount consumed can be well over 25,000 gallons of water. The homebuilders stated that while they do use a significant amount of water, there is very little effect on the sewer system. For this reason, builders are also asking for consideration to be given on how the sewage is charged during construction.

To address both issues, this item has been prepared for consideration by the Council. What is being considered is a "New Construction" rate for water and wastewater. The new rate would be charged at the time a permit is requested and would be based on initial use of 25,000 gallons of water at the current rates. (The rate would be subject to change each year and tied to the most recently adopted water and sewer rates). Additionally, the initial rate would include the base charge for sewer, which is currently \$21.00 for the first 5,000 gallons of sewer.

The proposed "New Construction" fee would consists of two parts. The first part for water consumption of 25,000 gallons, calculated on current consumption rate tiers as follows:

The first 3,000 gallons is	flat rate \$30.00	-	\$ 30.00
The next 4,000 gallons is	\$ 4.35 per 1,000 gallons	-	\$ 17.40
The next 5,000 gallons is	\$ 4.85 per 1,000 gallons	-	\$ 24.25
The final 13,000 gallons is	\$ 5.25 per 1,000 gallons	-	\$ 68.25
TOTAL 25,000 gallons		-	\$139.90

Additionally, it is proposed that the fee would include a base charge for wastewater. For this fee, only the base fee for sewer would be charged. The current rate for the first 5,000 gallons is \$21.00.

Taking the water portion and adding the wastewater portion, the total initial amount is \$160.90. No refunds would be provided.

To clarify other point of discussion, the initial account would automatically convert to a regular account (billed monthly) at the sooner of:

- (A) water consumption exceeding 25,000 gallons, or
- (B) final Certificate of Occupancy (CO) issued by the City, or
- (C) account name (holder) changing, or
- (D) six (6) months have passed since the time the original permit was issued.

2013 WATER & WASTEWATER RATES

WATER RATES

Residential, Commercial & Builders Water Rates

	Effective 10/1/13
For a 3/4 inch service:	<u>Inside City</u>
For the first 3,000 gallons, minimum	30.00
For the next 4,000 gallons, per 1,000 gallons	4.35
For the next 5,000 gallons, per 1,000 gallons	4.85
For all over 12,000 gallons, per 1,000 gallons	5.25

For All Other Sized Lines*

	Effective 10/1/13
For the first 3,000 gallons:	<u>Inside City</u>
1 inch service	63.00
1 1/2 inch service	190.00
2 inch service	190.00
3 inch service	380.00
4 inch service	380.00
6 inch service	570.00

**Usage over 3,000 gallon minimum is charged at above rates
City of Hewitt, Code of Ordinances, Sec. 78-26*

WASTEWATER RATES

Residential Sewer Service

	Effective 10/1/13
First 5,000 gallons	21.00
5,000 to 20,000 gallons, per 1,000 gallons	3.00

Industrial, Institutional, or Commercial Sewer

First 20,000 gallons	45.00
Over 20,000 gallons, per 1,000 gallons	3.00

City of Hewitt, Code of Ordinances, Sec. 78-102

TOTAL MINIMUM

	Effective 10/1/13
<u>Water & Wasterwater</u>	<u>Minimum</u>
3/4 inch service-residential	51.00
1 inch service-commercial	108.00
1 1/2 inch service-commercial	235.00
2 inch service-commercial	235.00
3 inch service-commercial	425.00
4 inch service-commercial	425.00
6 inch service-commercial	615.00

ORDINANCE NO. 2013-11-04-1

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS, AMENDING CHAPTER 78, "UTILITIES", ADDING SECTION 78-7 WATER AND WASTEWATER CONSUMPTION RATE FOR NEW CONSTRUCTION, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION IN CAPTION FORM; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Sec. 78-7 Water and Wastewater Consumption Rate for New Construction, of Chapter 78, of the Code of Ordinances of the City of Hewitt, pertaining to fees for City water and wastewater consumption is hereby established as follows:

Section 2. Water and Wastewater Consumption Rate For New Construction

Fees for Water and Wastewater consumption for new construction shall be due and payable to the utility billing department at the time the building permit for new construction is issued. The initial fee shall be based on initial consumption of 25,000 gallons of water and 5,000 gallons of wastewater. The fee will be calculated based on the rates currently in effect at the time the building permit is issued.

Section 3. Conversion to a Regular Account

The account will automatically convert to a regular account upon meeting one of the following conditions.

- (A) water consumption exceeding 25,000 gallons, or
- (B) final Certificate of Occupancy (CO) issued by the City, or
- (C) account name (holder) changing, or
- (D) six (6) months have passed since the time the original permit was issued.

Section 4: This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

Section 5: If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that

every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 6: This Ordinance shall become effective when published in caption form.

PASSED, APPROVED AND ADOPTED on the 4th day of November, 2013.

ATTEST:

CITY OF HEWITT, TEXAS

Lydia Lopez, City Secretary

Ed Passalugo, Mayor