

HEWITT TEXAS

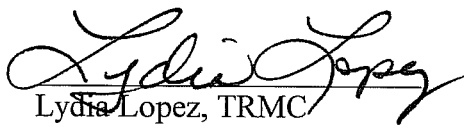
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Dinner Workshop** meeting of the governing body of the City of Hewitt will be held on the **3rd day of February, 2014 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 March 1, 2014 enforcement of the 2012 International Building Code (IBC), International Residential Code (IRC), International Energy Conservation Code (IECC) and 2012 International Fire Code (IFC).
 - c. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - o Receive Hewitt Police Department Racial Profiling Report
 - o Update on the Student Resource Officer (SRO) Program
 - o Update concerning K-9 Unit
 - o Citizen Police Academy
 - d. Briefing and discussion concerning Water Conservation Micro-grant Pilot Program.
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.
 - Pursuant to § 551.071(1)(A) - Consultation with Attorney regarding pending or contemplated litigation.
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 10:00 AM PM on January 31, 2014.

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

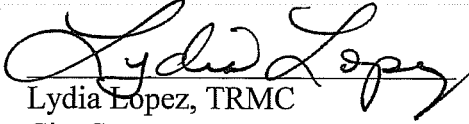
NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Regular** meeting of the governing body of the City of Hewitt will be held on the **3rd day of February, 2014 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 January 20, 2014.
3. Hear visitors on matters pertaining to city business.
4. Consider a resolution amending the fee schedule relating to building permits for window replacement.
5. Consider a resolution ordering a Special Election in the City of Hewitt on Saturday, May 10, 2014; to submit a proposed amendment to the City Charter; designating the polling place; and providing other matters relating to the Special Election. *(Considerare un resolución que ordena una elección especial que se llevaría a cabo el 10 de mayo del 2014; un propuesta enmienda a la Carta de la Ciudad de Hewitt; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección special.)*
6. Consider a resolution ordering a General Election in the City of Hewitt on Saturday, May 10, 2014; designating the polling place; and providing other matters relating to the General Election. *(Considerare un resolución que ordena una elección general que se llevaría a cabo el 10 de mayo del 2014; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección general.)*
7. Consider an ordinance of the City of Hewitt, Texas vacating and abandoning a Right Of Way Easement on 70.11 acres of land more particularly described in Vol. 1163, Page 671, Deed Records of McLennan County Texas; providing a savings clause; repealing ordinances in conflict therewith and declaring an emergency.
8. Consider an ordinance amending Chapter 58: Signs, Section 58.7 Sign Requirements for non-residential uses and Section 58.11 General Standards for off-premises signs, of the Code of Ordinances of the City of Hewitt, regulating the size, height, type and number of signs in the City of Hewitt; providing an effective date.
9. 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 10:00 AM/PM on January 31, 2014.

CITY OF HEWITT

A handwritten signature in black ink, appearing to read "Lydia Lopez", written over a horizontal line.

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 II

WORKSHOP ITEM #1.c

TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: HEWITT POLICE DEPT.
Reporting Date: 01/15/2014
TCOLE Agency Number: 309204
Chief Administrator: JAMES DEVLIN
Agency Contact Information: Phone: 254-666-6272
Email: jdevlin@cityofhewitt.com
Mailing Address:
HEWITT POLICE DEPT.
P.O. Box 610
204 Chama Drive
Hewitt, Tx 76643

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

HEWITT POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the HEWITT POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the HEWITT POLICE DEPT. if the individual believes that a peace officer employed by the HEWITT POLICE DEPT. has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the HEWITT POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the HEWITT POLICE DEPT.'s policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) The Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: **JAMES DEVLIN**

Chief Administrator

HEWITT POLICE DEPT.

Date: 01/15/2014

HEWITT POLICE DEPT. Motor Vehicle Racial Profiling Information

Number of motor vehicle stops:

1. 1733 citation only
2. 116 arrest only
3. 44 both
4. 1893 Total (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

- 5 236 African
6. 36 Asian
7. 1380 Caucasian
8. 238 Hispanic
9. 2 Middle Eastern
10. 1 Native American
11. 1893 Total (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

12. 35 Yes
13. 1858 No
14. 1893 Total (lines 4, 11, 14 and 17 must be equal)

Search conducted?

15. 138 Yes
16. 1755 No
17. 1893 Total (lines 4, 11, 14 and 17 must be equal)

Was search consented?

18. 56 Yes
19. 82 No
20. 138 Total (must equal line 15)

HEWITT TEXAS II

WORKSHOP ITEM #1.d

PROPOSED

CITY OF HEWITT

Water Conservation Micro-Grant Pilot Projects for Budget Year 2014-2015

The following pilot projects are being considered in furtherance of the City's Water Conservation plan. In general, the idea is to offer financial incentives for Hewitt water customers to make improvements to their property that help conserve water. New applications would not be accepted once all funds have been expended; each Micro-Grant would have a budget of approximately \$6,000. The main idea is to offer a financial incentive to be pro-active about water conservation and raise awareness concerning this issue.

Appliance Replacement Micro-Grant

This Micro-Grant would provide a one-time monetary incentive to Hewitt water customers to replace older less water efficient clothes washing machine, toilets, dishwasher and even showerheads with modern high efficiency models.

A Hewitt water customer would first apply for the micro-grant. Once the application was reviewed the customer would bring proof of purchase along with the old replaced item to a designated drop point. A credit would then be applied to their water bill depending upon what was replaced according to a pre-determined schedule. (ie. \$50 per washing machine, toilet, or dishwasher; \$15 per showerhead)

Landscape Micro-Grant

The landscape micro-grant would encourage a Hewitt water customer to improve their yards with more water efficient landscape material. This would include incentives for type of grass, trees, flowers, and shrubs. The amount of the grant would be determined by the size of the tree, plant, etc., and the type and amount of grass planted.

The citizen would fill out an approved application, with 2 to 4 photos of existing yard and a detailed site plan for the proposed yard. Lists of native and water efficient plants, trees, shrubs will be provided. Once installed, a representative of the city would check the site and approve or disapprove the site.



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2014

AGENDA ITEM #: 2

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider approval of minutes of the Council Dinner Workshop/Regular Meeting of January 20, 2014.

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



**MINUTES OF A CITY COUNCIL
DINNER WORKSHOP/MEETING
HEWITT CITY HALL – 105 TAMPICO DRIVE
January 20, 2014 - 5:30/7:00 PM**

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

Members Absent: Mayor Ed Passalugo

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

Staff Absent: Police Chief Jim Devlin

Workshop – 5:30 PM

1. City Manager presented update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects.
 - b. Briefing and discussion was held concerning 2012 International Building Code and 2012 International Fire Code.
 - c. Briefing and discussion was held concerning bid for Depository Services Contract.
 - d. Briefing and discussion was held concerning election dates and charter amendment election.
 - e. Briefing and discussion was held concerning Public Safety Facility including update from David Wright, RDBR, PLLC, Architects and Keith Helpert, K4 Construction.
 - f. Briefing and discussion was held concerning future facilities.
 - g. Briefing and discussion was held concerning Public Safety operations – Police & Fire.
 - o Hewitt National Night Out Ranked 1st in State
 - o Insurance Services Office (ISO) Update
 - h. Briefing and discussion concerning update to sign regulations. NOT HELD
2. The regular meeting agenda items were reviewed.
3. **NOTE: The Executive Session was held after the Regular Session.**

4. Adjourn. *A motion was made by Ronnie McNiel and seconded by Travis Bailey to adjourn the Dinner Workshop at 6:54 pm.*

REGULAR SESSION – 7:00 PM

1. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Pro Tem Wachtendorf led the Pledge of Allegiance.
2. **CONSIDER APPROVAL OF MINUTES OF THE COUNCIL DINNER WORKSHOP/MEETING OF January 6, 2014.** *A motion was made by Bill Fuller and seconded by Travis Bailey to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
3. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** NONE
4. **CONSIDER APPOINTMENT OF MUNICIPAL COURT JUDGE.** *Motion by Travis Bailey and seconded by Bill Fuller to approve the appointment of the Municipal Court Judge; all six in favor, motion passed.*
5. **CONSIDER APPOINTMENTS TO THE PARKS & BEAUTIFICATION COMMITTEE.** *A motion was made by Alex Snider and seconded by Travis Bailey to approve the reappointment of Farrah Burns, all six in favor, motion passed.*
6. **CONFIRM REAPPOINTMENT OF GREG DAVIS TO THE POLICE OFFICERS' CIVIL SERVICE COMMISSION AS RECOMMENDED BY THE CITY MANAGER.** *Motion by James Vidrine and seconded by Travis Bailey to confirm the reappointment of Greg Davis, all six in favor, motion passed.*
7. **AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT WITH MIKE PIETSCH, P.E. CONSULTING SERVICES, INC. IN CONJUNCTION WITH THE CITY'S ISO RATING.** *A motion was made by Alex Snider and seconded by Travis Bailey to approve; all six in favor, motion passed.*

EXECUTIVE SESSION

Mayor Pro Tem Wachtendorf convened the Executive Session at 7:11 p.m. pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:

- Pursuant to § 551.087 – Deliberation regarding Economic Development Negotiations.
- Pursuant to §551.074 - Personnel Matters.

A motion was made by Bill Fuller and seconded by James Vidrine to adjourn the Executive Session at 7:46 p.m., all six in favor, motion passed.

8. **ADJOURN.** *A motion was made by Bill Fuller and seconded by Ronnie McNiel to adjourn to the meeting at 7:48 p.m., all six in favor, motion passed.*

Approved: February 3, 2014

Lydia Lopez, City Secretary

Wilbert Wachtendorf, Mayor Pro Tem



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: February 3, 2014

AGENDA ITEM #: 4

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider a resolution amending the fee schedule relating to building permits for window replacement.

STAFF RECOMMENDATION/ITEM SUMMARY:

In response to recent inquiries, the Building Department is requesting consideration to an adjustment to the fee schedule to include a separate fee for window replacement. In the past the fee for this permit was calculated in the same manner as a remodeling permit. This could be very costly depending upon the size of the home. The Building Department does conduct inspections for window replacements and has recommended establishing a Window Replacement Permit fee of \$25.00 per structure (regardless of the number of windows or size of the home). Additionally, for any re-inspections of windows staff recommends a fee of \$25.00, if needed. Approval of this item will reduce the cost of the permit for window replacement and allow the city to recoup the cost of proving the inspection.

ATTACHMENTS:

Draft resolution

RESOLUTION NO. 2014-02-03-1

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

The City of Hewitt, Texas hereby amends the current Fee Schedule relating to building permits for window replacements as listed below and imposes the fees set forth for the services, activities, events, materials and supplies that are described therein. These rates are effective with the passage of this resolution and subject to be reviewed and amended as deemed necessary.

Building and Construction Permit Fee Schedule Amendment

Window Replacement:	\$25.00 for any structure
	\$25.00 re-inspection fee

PASSED AND APPROVED this the 3rd day of February, 2014.

Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2014

AGENDA ITEM #: 5

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider a resolution ordering a Special Election in the City of Hewitt on Saturday, May 10, 2014; to submit a proposed amendment to the City Charter; designating the polling place; and providing other matters relating to the Special Election. *(Considere un resolución que ordena una elección especial que se llevaría a cabo el 10 de mayo del 2014; un propuesta enmienda a la Carta de la Ciudad de Hewitt; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección special.)*

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is the draft resolution ordering a Special Election for the purpose of submitting a proposed amendment to the existing Charter of the City of Hewitt. Please note the proposed amendment language is as follows:

The 2014 regular election and all subsequent regular elections shall be for a term of office of two (2) years. Starting with the regular election in 2014, no person may be elected to serve on the City Council for more than four (4) consecutive full terms. Terms served pursuant to elections conducted before the 2014 regular election shall not count towards the four consecutive term limitation.

A candidate for Council who has served four (4) consecutive terms in office must wait a minimum of one (1) term (approximately two [2] years) before becoming eligible to hold office again.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2014-02-03-2
RESOLUCIÓN NO. 2014-02-03-2

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, ORDERING A SPECIAL ELECTION IN THE CITY OF HEWITT ON SATURDAY, MAY 10, 2014; DESIGNATING THE POLLING PLACE; PROVIDING OTHER MATTERS RELATING TO THE ELECTION; AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

RESOLUCIÓN DEL CONSEJO DE LA CIUDAD DE HEWITT, TEXAS, ORDENANDO QUE SE LLEVEN A CABO ELECCION ESPECIAL EN LA CIUDAD DE HEWITT EL SÁBADO, 10 DE MAYO DE 2014. DESIGNACIÓN DE LOS LUGARES DE VOTACIÓN, ESPECIFICACIÓN DE OTROS ASUNTOS RELACIONADOS CON LAS ELECCIONES, Y DETERMINACIÓN DE QUE LA ASAMBLEA EN LA QUE SE APROBÓ LA RESOLUCIÓN ESTABA ABIERTA AL PÚBLICO, TAL COMO LO EXIGE LA LEY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS. EI CONSEJO DE LA CIUDAD DE HEWITT, TEXAS, HA RESUELTO LO SIGUIENTE:

That notice is hereby given that a special election will be held in and throughout the City of Hewitt, Texas, on Saturday, May 10, 2014.

Que se emita esta notificación con respecto a que se llevarán a cabo eleccion especial en la Ciudad de Hewitt, Texas, el sábado, 10 de mayo de 2014.

(Exhibit A) – Order of Election

(Anexo A) – Orden de Elección

That for purposes of the special election there shall be submitted to the qualified resident electors of the City of Hewitt a proposition for a proposed amendment to the City Charter in conformity with the Charter of the City of Hewitt and the laws of the State of Texas; and that the proposed amendment to the City Charter shall be set forth on the ballot substantially in the form contained herein.

Que a los efectos de la eleccion especial, se harán llegar a los electores que sean residentes debidamente calificados de la Ciudad de Hewitt un propuesta de reforma a la Carta de la Ciudad de conformidad con la Carta de la Ciudad de Hewitt y las leyes del Estado de Texas, y que las propuestas enmienda a la Carta se presenten en la boleta de votación, sustancialmente en la forma indicada en el (Anexo B).

PROPOSED AMENDMENT

propuesta enmienda

SECTION 2.2: ELECTION OF COUNCIL MEMBERS, TERMS AND COMPENSATION

(Seccion 2.2: Elección de miembros de Consejo, términos y compensación)

Shall Article II, Section 2.2 of the charter of the City of Hewitt, Texas be amended to include the following: *Debería modificarse el Artículo II, Sección 2.2, de la Carta de la Ciudad de Hewitt, Texas para incluir los siguientes:*

The 2014 general city election and all subsequent general city elections shall be for a term of office of two (2) years. Starting with the regular election in 2014, no person may be elected to serve on the City Council for more than four (4) consecutive full terms. Terms served pursuant to elections conducted before the 2014 regular election shall not count towards the four consecutive term limitation.

El 2014 elección general de la ciudad y todas las posteriores elecciones periódicas serán por un período de dos (2) años. A partir de las elecciones ordinarias de 2014, ninguna persona puede ser elegida para formar parte del Consejo de la ciudad para más de cuatro (4) periodos consecutivos. Condena en virtud de las elecciones realizadas antes de la elección ordinaria 2014 no contarán para la limitación a cuatro consecutivos.

A candidate for Council who has served four (4) consecutive terms in office must wait a minimum of one (1) term (approximately two [2] years) before becoming eligible to hold office again.

Un candidato para el Consejo que ha servido durante cuatro (4) períodos consecutivos en el cargo debe esperar un mínimo de un (1) plazo de tiempo (aproximadamente dos [2] años) antes de tener la posibilidad de ocupar ese cargo.

_____ FOR (A Favor De)
_____ AGAINST (En Contra De)

That the City Secretary is hereby directed to cause notice (Exhibit B) to be given of said special election by publication in one or more newspapers of the City of Hewitt, Texas, in accordance with the City Charter and the laws of the State of Texas.

Que por medio de la presente se solicita a la Secretaria de la Ciudad que se ocupe de enviar una notificación (Anexo B) sobre la eleccion especial citadas mediante una publicación en uno o más de los periódico de la ciudad de Hewitt, Texas, de conformidad con la Carta de la ciudad y las leyes del Estado de Texas.

That the present boundaries of the City of Hewitt constitute election precincts for said special election, that the polling place for said special election shall be the Hewitt City Hall, 105 Tampico, Hewitt, Texas, and that qualified voters may cast their votes during the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 10, 2014.

Que los actuales límites de la Ciudad de Hewitt constituyen un distrito electoral para las citadas eleccion general, que el sitio de votación para las citadas eleccion general será el Ayuntamiento de Hewitt, con domicilio en 105 Tampico Drive, Hewitt, Texas; y que los votantes calificados podrán depositar sus votos en el horario de 7:00 a.m. a 7:00 p.m. el sábado, 10 de mayo de 2014.

That early voting by personal appearance shall be conducted on weekdays at Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas, from Monday, April 28, 2014, to Tuesday, May 6, 2014; and that early voting by personal appearance shall be conducted from 8:00 a.m. to 5:00 p.m. each weekday, except for the last Monday and Tuesday of the period when qualified voters may cast their votes during the hours of 7:00 a.m. and 7:00 p.m. (*The State requires municipalities to conduct two twelve-hour days of early voting by personal appearance.*)

Que la votación anticipada mediante presentación personal se llevará a cabo de lunes a viernes en el Ayuntamiento de Hewitt, con domicilio en 105 Tampico Drive, Hewitt, Texas, desde el lunes, 28 de abril de

2014 hasta el martes, 6 de mayo de 2014, en el horario de 8:00 a.m. a 5:00 p.m. todos los días de la semana, con excepción el último lunes y martes, cuando los votantes calificados podrán depositar sus votos en el horario de 7:00 a.m. a 7:00 p.m. (*El Estado requiere que las municipalidades lleven a cabo dos días de votación anticipada por comparecencia personal de doce horas seguidas*).

That the Early Voting Clerk's Office (City Secretary's Office) shall remain open on Election Day, May 10, 2014, during the hours the polls are open as required by the election laws of the State of Texas.

Que la Secretaría de Votación Anticipada (*Early Voting Clerk's Office*) (Secretaría de la Ciudad) permanecerá abierta el Día de las Elecciones, 10 de mayo de 2014, durante el horario de votación, tal como lo exigen las leyes electorales del Estado de Texas.

That all ballots shall be prepared in accordance with the Texas Election Code, that the system used for voting shall be combination of paper ballots and the "eSlate Direct Recording Electronic Voting System" which has been approved for use by the Secretary of State.

Que todas las boletas de votación se prepararán de conformidad con el Código Electoral del Estado de Texas (*Texas Election Code*), y que el sistema utilizado para la votación será una combinación de boletas de votación en papel y el "Sistema de Votación Electrónica por Registro Directo eSlate" (*"eSlate Direct Recording Electronic Voting System"*), cuyo uso ya aprobó el Secretario de Estado.

That the City of Hewitt will share polling locations with the Midway Independent School District effective with the May 10, 2014, election.

Que la Ciudad de Hewitt compartirá lugares de votación con el Distrito Escolar Independiente de Midway durante las elecciones del 10 de mayo de 2014.

That March 11, 2014, shall be the first day to accept an application for a voting by mail ballot; that April 25, 2014, the last business day before the beginning of early voting by personal appearance, shall be the last day to receive an application from a voter in person for a ballot to be voted by mail; and that May 1, 2014, shall be the last day to receive an application by mail for a ballot to be voted by mail.

Que el 11 de marzo de 2014 será el primer día para aceptar las solicitudes para depositar una boleta de voto por correo; que el 25 de abril de 2014, el último día hábil antes de que comience la votación anticipada por presentación personal, será el último día que se recibirán la solicitud de un votante en forma personal para votar por correo; y que el 1 de mayo de 2014 será el último día en el que se recibirán las solicitudes por correo para una votación por correo.

That April 30, 2014, is the first day for a new illness or disability allowing late application for late (emergency) early voting; and that May 5, 2014, is the first day for a death in the immediate family to qualify for late (emergency) early voting.

Que el 30 de abril de 2014 será el primer día en que una nueva enfermedad o una discapacidad permitirá la presentación tardía (por emergencias) para una votación anticipada, y que el 5 de mayo de 2014 será el primer día para que un fallecimiento en la familia inmediata permita al votante calificado realizar una votación anticipada tardía (por emergencias).

That May 7, 2014, through May 9, 2014, shall be the period to apply for late (emergency) early voting because of a death in the immediate family on May 5, 2014, or later; and that May 7, 2014, through May 10, 2014, shall be the period to apply for late (emergency) early voting because of an illness or disability originating on or after April 30, 2014.

Que del 7 al 9 de mayo de 2014 serán las fechas de solicitud para una votación anticipada tardía (por

emergencias) debido a un fallecimiento en la familia inmediata el 5 de mayo de 2014 o con posterioridad a esa fecha, y que del 7 al 10 de mayo de 2014 serán las fechas para de solicitud para una votación anticipada tardía (por emergencias) debido a una enfermedad o discapacidad que se haya originado el 30 de abril de 2014 o con posterioridad a esa fecha.

That Billie Black, Deputy Clerk, is hereby designated as Deputy Early Voting Clerk for the election, and will perform any duties which are assigned to the Early Voting Clerk (City Secretary) in the absence of the Early Voting Clerk.

Que se designa por la presente a Billie Black, Secretaria Adjunta de la Ciudad, como Secretaria Adjunta de Votación Anticipada, quien llevará a cabo las funciones asignadas al Secretaria de Votación Anticipada (Secretaria de la Ciudad) en ausencia de este.

That it is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required by law, and that public notice of the place and purpose of said meeting was given as required by law.

Que por medio de la presente se ratifica y determina que la asamblea en la que se aprobó esta resolución estaba abierta al público, según lo exige la ley, y que la notificación al público sobre el lugar y propósito de la citada asamblea se llevó a cabo según lo exige la ley.

PASSED AND APPROVED this the 3rd day of February 2014.

APROBADO Y RATIFICADO el 3 de febrero de 2014.

THE CITY OF HEWITT, TEXAS
LA CIUDAD DE HEWITT, TEXAS

Ed Passalugo, Mayor/Alcalde

ATTEST:
EN PRESENCIA DE:

Lydia Lopez, City Secretary/Secretaria de la Ciudad

ORDER OF SPECIAL ELECTION FOR CITY OF HEWITT
ORDEN DE ELECCION ESPECIAL PARA La CIUDAD DE HEWITT

A special election is hereby ordered to be held on May 10, 2014 for the purpose of submitting a proposition for a proposed amendment to the City Charter.

Por la presente se ordena que se llevara a cabo una eleccion especial el 10 de mayo de 2014 con un propuesta enmienda a la Carta de la Ciudad.

Early voting by personal appearance will be conducted each weekday at:
La votacion adelantada en persona se llevara a cabo de lunes a viernes en

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas
(Location) (*sitio*)

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 28, 2014 and ending on May 2, 2014.
entre las 8:00 a.m. a 5:00 p.m. empezando el 28 de abril de 2014 y terminando el 2 de mayo de 2014.

Between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 5, 2014 and ending on May 6, 2014.
entre las 7:00 a.m. a 7:00 p.m. empezando el 5 de mayo de 2014 y terminando el 6 de mayo de 2014.

Applications for ballot by mail shall be mailed to:
Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a:

Lydia Lopez, City Secretary
(*Nombre del Secretario(a) de Votacion Adelantada*)
P. O. Box 610
(*Direccion*)
Hewitt, Tx 76643
(*Ciudad*) (*Zona Postal*)

Applications for ballot by mail must be received no later than the close of business on:
May 1, 2014.

Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el 1 de mayo de 2014.

Issued this 3rd day of February, 2014
Emitida este dia 3 de Febrero, 2014.

Mayor/Alcalde

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

NOTICE OF SPECIAL ELECTION
(A VISO DE ELECCION ESPECIAL)

To the Registered Voters of the City of Hewitt, Texas:
(*A los votantes registrados del Ciudad de Hewitt, Texas:*)

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on: May 10, 2014 for voting in a special election to submit a proposition for a proposed amendment to the City Charter.

(*Notifiquese, por las presente, que las casillas electorale sitados abajo se abriran desde las 7:00 am. hasta las 7: 00 p.m. el 10 de Mayo de 2014 para votar en la Eleccion Especial con un propuesta de reforma a la Carta de la Cuidad.*)

LOCATION OF POLLING PLACE:
(*DIRECCION DE LAS CASILLAS ELECTORALE:*)

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas 76643
(Location) (*sitio*)

EARLY VOTING BY PERSONAL APPEARANCE WILL BE CONDUCTED EACH WEEKDAY AT:

(*LA VOTACION ADELANTADA EN PERSONA SE LLEVARA A CABO DE LUNES A VIERNES EN*)

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas 76643
(Location) (*sitio*)

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 28, 2014 and ending on May 2, 2014; and between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 5, 2014 and ending on May 6, 2014.

(*entre las 8:00 a.m. a 5:00 p.m. empezando el 28 de Abril de 2014 y terminando el 2 de Mayo de 2014; y entre las 7:00 a.m. a 7:00 p.m. empezando el 5 de Mayo de 2014 y terminando el 6 de Mayo de 2014.*)

Applications for ballot by mail shall be mailed to:
(*Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a.*)

Lydia Lopez, City Secretary
(Name of Early Voting Clerk)
(*Nombre del Secretaria de la hotacion Adelantada*)
P. O. Box 610
(Address) (*Direccion*)
Hewitt, Tx 76643
(City) (*Ciudad*) (Zip Code) (*Zona Postal*)

Applications for ballot by mail must be received no later than the close of business on: May 1, 2014.

(Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el): 1 de Mayo de 2014.

Issued this the 3rd day of February 2014.

(Emitada este dia 3 de febero de 2014.

Ed Passalugo, Mayor

HEWITT TEXAS

COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2014

AGENDA ITEM #: 6

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider a resolution ordering a General Election in the City of Hewitt on Saturday, May 10, 2014; designating the polling place; and providing other matters relating to the General Election. *(Considere un resolución que ordena una elección general que se llevaría a cabo el 10 de mayo del 2014; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección general.)*

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is the resolution ordering a General Election to elect three Council members whose terms expire in May of 2014. Deadline for applications is February 28.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2014-02-03-3
RESOLUCIÓN NO. 2014-02-03-3

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, ORDERING A GENERAL CITY ELECTION IN THE CITY OF HEWITT ON SATURDAY, MAY 10, 2014; DESIGNATING THE POLLING PLACE; PROVIDING OTHER MATTERS RELATING TO THE ELECTION; AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

RESOLUCIÓN DEL CONSEJO DE LA CIUDAD DE HEWITT, TEXAS, ORDENANDO QUE SE LLEVEN A CABO ELECCION GENERAL EN LA CIUDAD DE HEWITT EL SÁBADO, 10 DE MAYO DE 2014. DESIGNACIÓN DE LOS LUGARES DE VOTACIÓN, ESPECIFICACIÓN DE OTROS ASUNTOS RELACIONADOS CON LAS ELECCIONES, Y DETERMINACIÓN DE QUE LA ASAMBLEA EN LA QUE SE APROBÓ LA RESOLUCIÓN ESTABA ABIERTA AL PÚBLICO, TAL COMO LO EXIGE LA LEY.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS. EL CONSEJO DE LA CIUDAD DE HEWITT, TEXAS, HA RESUELTO LO SIGUIENTE:

That notice is hereby given that a general election will be held in and throughout the City of Hewitt, Texas, on Saturday, May 10, 2014.

Que se emita esta notificación con respecto a que se llevarán a cabo eleccion general en la Ciudad de Hewitt, Texas, el sábado, 10 de mayo de 2014.

(Exhibit A) – Order of Election

(Anexo A) – Orden de Elección

That for purposes of the general election there shall be submitted to the duly qualified resident electors of the City of Hewitt the question of the election of three (3) Council Members, those being one Council Member for Ward 1, Place 1, one Council Member for Ward 2, Place 1, and one Council Member for Ward 3, Place 1 in conformity with the Charter of the City of Hewitt and the laws of the State of Texas.

Que el propósito de las elecciones generales sea hecho del conocimiento de los electores que sean residentes debidamente calificados de la Ciudad de Hewitt: la elección de tres (3) miembros del consejo. Esto es: un Miembro del Consejo de Ward 1, Sitio 1; un Miembro del Consejo de Ward 2, Sitio 1; y un Miembro del Consejo de Ward 3, Sitio 1; conformidad con la Carta de la Ciudad de Hewitt y las leyes del Estado de Texas.

That the City Secretary is hereby directed to cause notice (Exhibit B) to be given of said general election by publication in one or more newspapers of the City of Hewitt, Texas, in accordance with the City Charter and the laws of the State of Texas.

Que por medio de la presente se solicita a la Secretaria de la Ciudad que se ocupe de enviar una notificación (Anexo B) sobre la eleccion general citadas mediante una publicación en uno o más de los periódicos de la ciudad de Hewitt, Texas, de conformidad con la Carta de la ciudad y las leyes del Estado de Texas.

That applications to have the name of a candidate placed on the general election ballot may not be filed earlier than January 29, 2014, at 8:00 a.m., that the last day for filing will be February 28, 2014, by 5:00 p.m., and that applications for a place on the ballot shall be obtained from the City Secretary at Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas.

Que las presentaciones para que el nombre de un candidato sea incluido en la boleta de votación de las elecciones generales no podrán realizarse con anterioridad a las 8:00 a.m. del 29 de enero de 2014, y la última fecha de presentación será el 28 de febrero de 2014, antes de las 5:00 p.m. Las presentaciones para un lugar en la boleta podrán conseguirse de la Secretaria de la Ciudad, en el Ayuntamiento de Hewitt (*Hewitt City Hall*), con domicilio en 105 Tampico Drive, Hewitt, Texas.

That the present boundaries of the City of Hewitt constitute election precincts for said general election, that the polling place for said general election shall be the Hewitt City Hall, 105 Tampico, Hewitt, Texas, and that qualified voters may cast their votes during the hours of 7:00 a.m. and 7:00 p.m. on Saturday, May 10, 2014.

Que los actuales límites de la Ciudad de Hewitt constituyen distritos electoral para las citadas eleccion general, que el sitio de votación para las citadas eleccion general será el Ayuntamiento de Hewitt, con domicilio en 105 Tampico Drive, Hewitt, Texas; y que los votantes calificados podrán depositar sus votos en el horario de 7:00 a.m. a 7:00 p.m. el sábado, 10 de mayo de 2014.

That early voting by personal appearance shall be conducted on weekdays at Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas, from Monday, April 28, 2014, to Tuesday, May 6, 2014; and that early voting by personal appearance shall be conducted from 8:00 a.m. to 5:00 p.m. each weekday, except for the last Monday and Tuesday of the period when qualified voters may cast their votes during the hours of 7:00 a.m. and 7:00 p.m. (*The State requires municipalities to conduct two twelve-hour days of early voting by personal appearance.*)

Que la votación anticipada mediante presentación personal se llevará a cabo de lunes a viernes en el Ayuntamiento de Hewitt, con domicilio en 105 Tampico Drive, Hewitt, Texas, desde el lunes, 28 de abril de 2014 hasta el martes, 6 de mayo de 2014, en el horario de 8:00 a.m. a 5:00 p.m. todos los días de la semana, con excepción el último lunes y martes, cuando los votantes calificados podrán depositar sus votos en el horario de 7:00 a.m. a 7:00 p.m. (*El Estado requiere que las municipalidades lleven a cabo dos días de votación anticipada por comparecencia personal de doce horas seguidas*).

That the Early Voting Clerk's Office (City Secretary's Office) shall remain open on Election Day, May 10, 2014, during the hours the polls are open as required by the election laws of the State of Texas.

Que la Secretaría de Votación Anticipada (*Early Voting Clerk's Office*) (Secretaría de la Ciudad) permanecerá abierta el Día de las Elecciones, 10 de mayo de 2014, durante el horario de votación, tal como lo exigen las leyes electorales del Estado de Texas.

That all ballots shall be prepared in accordance with the Texas Election Code, that the system used for voting shall be a combination of paper ballots and the "eSlate Direct Recording Electronic Voting System" which has been approved for use by the Secretary of State.

Que todas las boletas de votación se prepararán de conformidad con el Código Electoral del Estado de Texas (*Texas Election Code*), y que el sistema utilizado para la votación será una combinación de boletas de votación en papel y el "Sistema de Votación Electrónica por Registro Directo eSlate" (*"eSlate Direct Recording Electronic Voting System"*), cuyo uso ya aprobó el Secretaria de Estado.

That the City of Hewitt will share polling location with the Midway Independent School District effective with the May 10, 2014, election.

Que la Ciudad de Hewitt compartirá lugar de votación con el Distrito Escolar Independiente de Midway durante las elecciones del 10 de mayo de 2014.

That March 11, 2014, shall be the first day to accept an application for a voting by mail ballot; that April 25, 2014, the last business day before the beginning of early voting by personal appearance, shall be the last day to receive an application from a voter in person for a ballot to be voted by mail; and that May 1, 2014, shall be the last day to receive an application by mail for a ballot to be voted by mail.

Que el 11 de marzo de 2014 será el primer día para aceptar las solicitudes para depositar una boleta de voto por correo; que el 25 de abril de 2014, el último día hábil antes de que comience la votación anticipada por presentación personal, será el último día que se recibirán la solicitud de un votante en forma personal para votar por correo; y que el 1 de mayo de 2014 será el último día en el que se recibirán las solicitudes por correo para una votación por correo.

That April 30, 2014, is the first day for a new illness or disability allowing late application for late (emergency) early voting; and that May 5, 2014, is the first day for a death in the immediate family to qualify for late (emergency) early voting.

Que el 30 de abril de 2014 será el primer día en que una nueva enfermedad o una discapacidad permitirá la presentación tardía (por emergencias) para una votación anticipada, y que el 5 de mayo de 2014 será el primer día para que un fallecimiento en la familia inmediata permita al votante calificado realizar una votación anticipada tardía (por emergencias).

That May 7, 2014, through May 9, 2014, shall be the period to apply for late (emergency) early voting because of a death in the immediate family on May 5, 2014, or later; and that May 7, 2014, through May 10, 2014, shall be the period to apply for late (emergency) early voting because of an illness or disability originating on or after April 30, 2014.

Que del 7 al 9 de mayo de 2014 serán las fechas de solicitud para una votación anticipada tardía (por emergencias) debido a un fallecimiento en la familia inmediata el 5 de mayo de 2014 o con posterioridad a esa fecha, y que del 7 al 10 de mayo de 2014 serán las fechas para de solicitud para una votación anticipada tardía (por emergencias) debido a una enfermedad o discapacidad que se haya originado el 30 de abril de 2014 o con posterioridad a esa fecha.

That Billie Black, Deputy Clerk, is hereby designated as Deputy Early Voting Clerk for the election, and will perform any duties which are assigned to the Early Voting Clerk (City Secretary) in the absence of the Early Voting Clerk.

Que se designa por la presente a Billie Black, Secretaria Adjunta de la Ciudad, como Secretaria Adjunta de Votación Anticipada, quien llevará a cabo las funciones asignadas al Secretaria de Votación Anticipada (Secretaria de la Ciudad) en ausencia de este.

That it is hereby officially found and determined that the meeting at which this resolution is passed was open to the public as required by law, and that public notice of the place and purpose of said meeting was given as required by law.

Que por medio de la presente se ratifica y determina que la asamblea en la que se aprobó esta resolución estaba abierta al público, según lo exige la ley, y que la notificación al público sobre el lugar y propósito de la citada asamblea se llevó a cabo según lo exige la ley.

RESOLUTION/RESOLUCIÓN 2014-02-03-3

Page/Página 4

PASSED AND APPROVED this the 3rd day of February 2014.
APROBADO Y RATIFICADO el 3 de febrero de 2014.

THE CITY OF HEWITT, TEXAS
LA CIUDAD DE HEWITT, TEXAS

Ed Passalugo, Mayor/Alcalde

ATTEST:
EN PRESENCIA DE:

Lydia Lopez, City Secretary/Secretaria de la Ciudad

ORDER OF ELECTION FOR CITY OF HEWITT
ORDEN DE ELECCION PARA La CIUDAD DE HEWITT

An election is hereby ordered to be held on May 10, 2014 for the purpose of electing three (3) Council Members for said City of Hewitt.

Por la presente se ordena que se llevara a cabo una eleccion el 10 de mayo de 2014 con el proposito de para votar en la eleccion general para elegir tres (3) miembros del Consejo.

Early voting by personal appearance will be conducted each weekday at:
La votacion adelantada en persona se llevara a cabo de lunes a viernes en

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas
(Location) (*sitio*)

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 28, 2014 and ending on May 2, 2014.
entre las 8:00 a.m. a 5:00 p.m. empezando el 28 de abril de 2014 y terminando el 2 de mayo de 2014.

Between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 5, 2014 and ending on May 6, 2014.
entre las 7:00 a.m. a 7:00 p.m. empezando el 5 de mayo de 2014 y terminando el 6 de mayo de 2014.

Applications for ballot by mail shall be mailed to:
Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a:

Lydia Lopez, City Secretary
(*Nombre del Secretario(a) de Votacion Adelantada*)
P. O. Box 610
(*Direccion*)
Hewitt, Tx 76643
(*Ciudad*) (*Zona Postal*)

Applications for ballot by mail must be received no later than the close of business on:
May 1, 2014.

Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el 1 de mayo de 2014.

Issued this 3rd day of February, 2014
Emitida este dia 3 de Febrero, 2014.

Mayor/Firma de Alcalde

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

Council Member/Miembro de Consejo

NOTICE OF GENERAL ELECTION
(A VISO DE ELECCION GENERAL)

To the Registered Voters of the City of Hewitt, Texas:
(A los votantes registrados del Ciudad de Hewitt, Texas:)

Notice is hereby given that the polling place listed below will be open from 7:00 a.m. to 7:00 p.m., on: May 10, 2014 for voting in a general election to elect three (3) City Council Members.
(Notifiquese, por las presente, que las casillas electorale sitados abajo se abriran desde las 7:00 am. hasta las 7: 00 p.m. el 10 de Mayo de 2014 para votar en la Eleccion General para elegir tres (3) miembros del Consejo.)

LOCATION OF POLLING PLACE:
(DIRECCION DE LAS CASILLAS ELECTORALE:)

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas 76643
(Location) (sitio)

EARLY VOTING BY PERSONAL APPEARANCE WILL BE CONDUCTED EACH WEEKDAY AT:
(LA VOTACION ADELANTADA EN PERSONA SE LLEVARA A CABO DE LUNES A VIERNES EN)

Hewitt City Hall, 105 Tampico Drive, Hewitt, Texas 76643
(Location) (sitio)

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 28, 2014 and ending on May 2, 2014; and between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 5, 2014 and ending on May 6, 2014.

entre las 8:00 a.m. a 5:00 p.m. empezando el 28 de Abril de 2014 y terminando el 2 de Mayo de 2014; y entre las 7:00 a.m. a 7:00 p.m. empezando el 5 de Mayo de 2014 y terminando el 6 de Mayo de 2014.

Applications for ballot by mail shall be mailed to:
(Las solicitudes para boletas que se votaran en ausencia por correo deberan enviarse a.)

Lydia Lopez, City Secretary
(Name of Early Voting Clerk)
(Nombre del Secretaria de la hotacion Adelantada)
P. O. Box 610
(Address) (Direccion)
Hewitt, Tx 76643
(City) (Ciudad) (Zip Code)(Zona Postal)

Applications for ballot by mail must be received no later than the close of business on: May 1, 2014.

(Las solicitudes Para boletas que se votaran en ausencia por eorreo deberan recibirse para elfin de las horas de negocio el): 1 de Mayo de 2014.

Issued this the 3rd day of February 2014.

(Emitada este dia 3 de febero de 2014.

Ed Passalugo, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2014

AGENDA ITEM #: 7

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider an ordinance of the City of Hewitt, Texas vacating and abandoning a Right Of Way Easement on 70.11 acres of land more particularly described in Vol. 1163, Page 671, Deed Records of McLennan County Texas; providing a savings clause; repealing ordinances in conflict therewith and declaring an emergency.

STAFF RECOMMENDATION/ITEM SUMMARY:

The city received a request to vacate and abandon a "blanket" right of way easement recorded in July, 1975. At that time the owner of the property in question gave the city permission to install sewer lines and infrastructure across the property. Since then the improvements have been made and permanent easements have been formally recorded. Approval of this item would vacate and abandon the "blanket" easements while the permanent easements would remain unaffected. A recent title search uncovered the recorded right of way easement as shown as Exhibit "A". Staff recommends approval of this ordinance.

ATTACHMENTS:

Ordinance

ORDINANCE NO. 2014-02-03-1

**AN ORDINANCE OF THE CITY OF HEWITT, TEXAS
VACATING AND ABANDONING A RIGHT OF WAY
EASEMENT ON 70.11 ACRES OF LAND MORE
PARTICULARLY DESCRIBED IN VOL. 1163, PAGE 671,
DEED RECORDS OF MCLENNAN COUNTY TEXAS;
PROVIDING A SAVINGS CLAUSE; REPEALING
ORDINANCES IN CONFLICT THEREWITH AND
DECLARING AN EMERGENCY.**

WHEREAS, the City of Hewitt has received a request from the property owner to vacate and abandon a right of way easement on a 70.11 acre tract of land, as described in Volume 1163, Page 671, Deed Records, McLennan County, Texas; and

WHEREAS, this right of way easement was recorded on July 8, 1975 in the McLennan County Deed Records; and

WHEREAS, the right of way easement is considered a “blanket” easement, allowing for permanent easements once sanitary sewer utility infrastructure improvements were constructed on the property; and

WHEREAS, sanitary sewer utility infrastructure improvements have been made and since then permanent public utility easements on this tract have been properly recorded or platted in accordance with State Law; and

WHEREAS, the right of way easement to be vacated and abandoned is marked as “**Exhibit “A”**” which is incorporated herein by reference; and

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

Section 1: That the City of Hewitt desires to abandon the right of way easement in the City of Hewitt, Texas as shown in Exhibit “A” and that the same shall be and is hereby in all things VACATED and ABANDONED;

Section 2: If any term, provision or section of this ordinance is unenforceable, then in that event, the remaining terms, provisions or sections shall remain in full forces and effect.

Section 3: All ordinances or parts of ordinances in conflict with provisions of this ordinance are to the extent of such conflict hereby repealed.

Section 4: It is found that an emergency and urgent public necessity which requires the immediate passage of this ordinance.

PASSED AND ADOPTED this the 3rd day of February, 2014

CITY OF HEWITT

BY: _____
Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

Filed for Record on the 7 day of July A.D. 1975, at 3:45 o'clock P. M.
Duly Recorded this the 8 day of July A.D. 1975, at 10:16 o'clock A. M.

FRANK DENNY, County Clerk
McLennan County, Texas

By Thelma L. Barksdale Deputy

10386 BJS

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that H. GENE EVANS,
Trustee, hereinafter called Grantors, in consideration
of one dollar (\$1.00) and other good and valuable consideration paid by
CITY OF HEWITT, TEXAS, hereinafter called Grantee, the receipt and
sufficiency of which is hereby acknowledged, does hereby grant, bargain,
sell, transfer, and convey to said Grantee, its successors, and assigns,
a perpetual easement with the right to erect, construct, install, and
lay and thereafter use, operate, inspect, repair, maintain, replace,
and remove sanitary sewer lines and manholes over and across 70.11
acres of land, more particularly described in instrument recorded in
Vol. 1163, Page 671, Deed Records, McLennan County, Texas,
together with the right of ingress and egress over Grantor's adjacent
lands for the purpose for which the above mentioned rights are granted.
The easement hereby granted shall not exceed 20' in width, and Grantee
is hereby authorized to designate the course of the easement herein
conveyed except that when the pipe line is installed, the easement herein
granted shall be limited to a strip of land 20' in width the center line
thereof being the pipe line as installed.

The consideration recited herein shall constitute payment in
full for all damages sustained by Grantors by reason of the installation
of the structures referred to herein and the Grantee will maintain such
easement in a state of good repair and efficiency so that no unreasonable
damages will result from its use to Grantors' premises. This Agreement,
together with other provisions of this grant, shall constitute a covenant
running with the land for the benefit of the Grantee, its successors,
and assigns. The Grantors covenant that they are the owners of the above
described lands and that said lands are free and clear of all encumbrances
and liens except the following:

IN WITNESS WHEREOF the said Grantors have executed this
instrument this 10th day of Feb, 19 75.

H. Gene Evans, Trustee

ACKNOWLEDGMENT

THE STATE OF TEXAS S
COUNTY OF MCLENNAN S

BEFORE ME, the undersigned, a Notary Public in and for said
County and State, on this day personally appeared
H. Gene Evans

known to me to be the person (s) whose name(s) is (are) subscribed to
the foregoing instrument, and acknowledged to me that he (she) (they)
executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 10 day of
February, 19 75.

Camille B. [Signature]
Notary Public in and for
McLennan County, Texas

1202
196



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 3, 2014

AGENDA ITEM #: 8

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider an ordinance amending Chapter 58: Signs, Section 58.7 Sign Requirements for non-residential uses and Section 58.11 General Standards for off-premises signs, of the Code of Ordinances of the City of Hewitt, regulating the size, height, type and number of signs in the City of Hewitt; providing an effective date.

STAFF RECOMMENDATION/ITEM SUMMARY:

Based on feedback from developers concerning the sign regulations, staff is recommending amendments to Chapter 58 of Hewitt's Code of Ordinance regulating signs. The proposed amendments relate to the height and size of signs for larger developments as well as projects with I-35 frontage. In essence, larger projects would be allowed larger monument signs than are currently permitted (by an additional 4 feet). Additionally, for larger non-residential developments on tracts that have direct frontage onto IH-35 right-of-way, one (1) on premises pole (pylon) sign would be permitted up to a height of seventy-five feet. (This is the height of the existing pole sign at the Valero Convenience Store located at IH-35 and Sun Valley Blvd.) The proposed Ordinance also includes a correction to Section 58.11 and a re-wording of other sections relating to multi-occupant on premises signs.

ATTACHMENTS:

Ordinance

CURRENT LANGUAGE

Sec. 58-7. Sign requirements for nonresidential uses

- (a) *General provisions for detached monument signs.*
 - (5) Only one detached sign may be erected on any tract or lot, except individual lots that have more than 600 feet of frontage along a public right-of-way, other than an alley, may have one additional detached sign.
 - (7) The total area of the sign shall include the masonry frame.
- (b) *Detached monument signs for single-occupant buildings.*
 - (1) Detached monument signs, including the base, advertising single occupancies shall not exceed 60 square feet in total area and six feet in height above the average grade of the nearest public right-of-way.
 - (2) Single-occupant buildings larger than 25,000 square feet are allowed to have a sign not to exceed 75 square feet in total area and eight feet in height.
- (c) *Detached monument signs for multi-occupant buildings/parcels—5,000 square feet or less.* Parcels having two or more businesses and gross building area of less than 5,000 square feet are allowed to have one detached monument sign. The monument signs, including the base shall not exceed 60 square feet in total area and six feet in height above the average grade of the nearest public right-of-way. The name of more than one business may be advertised on the monument sign.
- (d) *Detached monument signs for multi-occupant buildings/parcels—5,000 to 15,000 square feet.* Parcels having two or more businesses and gross building area of more than 5,000 square feet but less than 15,000 square feet are allowed to have one detached monument sign. The sign including the base, shall not exceed 70 square feet in total area and eight feet in height above the average grade of the nearest public right-of-way.
- (e) *Detached monument signs for multi-occupant*

buildings/parcels—15,000 to 25,000 square feet. Parcels having two or more businesses and gross building area of more than 15,000 square feet but less than 25,000 square feet are allowed to have one detached monument sign. The sign, including the base, shall not exceed 90 square feet in total area and ten feet in height above the average grade of the nearest public right-of-way.

(f) *Detached monument signs for multi-occupant buildings/parcels—25,000 square feet or larger.* Parcels having two or more businesses and gross building area of more than 25,000 square feet are allowed to have one detached monument sign. The sign including the base, shall not exceed 96 square feet in total area and one foot in height above the average grade of the nearest public right-of-way.

Sec. 58-11. General standards for off-premises signs

(f) *Height.* An off-premises sign erected on property fronting IH-35 must be 42.5 feet in height. In all other areas off-premises signs must be 30 feet in height. Sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

UPDATED AMENDMENTS

Amending Section 58.7. Sign requirements for non-residential uses

Amending Sec. 58.7, (a) (5)

(5) Except as provided below, only one (1) detached sign may be erected on any tract or lot.

(a) Tracts or lots with greater than 600 linear feet of public street frontage (not including an alley) may have one additional sign.

(b) Tracts or lots fronting more than one street may have one sign per street frontage.

(c) Notwithstanding the above provisions, no more than three (3) detached signs will be permitted on any tract or lot.

(7) The total area of the sign facing shall include the frame, but not the base. The total overall height shall include the base plus the sign facing. Unless otherwise specified, sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

Adding Sec. 58.7, (b), (3)

(b) Detached monument signs for single-occupant buildings/parcels

(1) Single Occupant Buildings less than 25,000 square feet may be allowed one sign not to exceed 60 square feet in total area (per side, not including base) and six (6) feet in height (including base).

(2) Single Occupant Buildings larger than 25,000 square feet are allowed one sign not to exceed 75 square feet in total area (per side, not including base) and eight (8) feet in height (including base).

(3) Single Occupant Buildings larger than 100,000 square feet are allowed one sign not to exceed 100 square feet in total area (per side, not including base) and ten (10) feet in height (including base).

Amending Sec. 58.7 (c,d,e,f)

(c) Detached monument signs for multi-occupant buildings/parcels

(1) Developments with structures less than 5,000 square feet or less are allowed one sign not to exceed 60 square feet in total area (per side, not including base) and six (6) feet in height (including base).

(2) Developments with structures 5,000 to 15,000 square feet are allowed one sign not to exceed 70 square feet in total area (per side, not including base) and eight (8) feet in height (including base).

(3) Developments with structures 15,001 to 25,000 square feet are allowed one sign not to exceed 90 square feet in total area (per side, not including base) and 10 feet in height (including base).

(4) Developments with structures greater than 25,000 square feet are allowed one sign not to exceed 100 square feet in total area (per side, not including base) and 10 feet in height (including base).

Reserving Sec. 58.7 (d,e,&f)

- (p) Special provisions for large developments abutting IH-35 right-of-way.
- (1) For large non-residential developments a maximum of one (1) detached pole (pylon) sign may be permitted upon meeting all of the following conditions:
 - (a) The tract or lot exceeds three 3 acres in area.
 - (b) The building exceeds 100,000 square feet in area.
 - (c) The tract or lot directly abuts IH-35 right-of-way.
 - (2) Special Sign Requirements for large non-residential developments.
 - (a) Only one pole (pylon) sign is permitted per tract or lot.
 - (b) The pole (pylon) sign shall not exceed seventy-five (75) feet in height.
 - (c) The sign facing (per side) shall not exceed 575 square feet in area.
 - (d) The pole (pylon) sign may be illuminated.
 - (e) Pole (pylon) signs and monument signs may be used in combination, however the total number of all detached signs allowed on a single tract or lot shall be limited to a maximum of three (3) signs.

Amending

Section 58-11. General Standards for off-premises signs.

(f) Height. An off-premises sign erected on property fronting IH-35 shall not exceed 42.5 feet in height. In all other areas off-premises signs shall be limited to 30 feet in height. Sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

ORDINANCE NO. 2014-02-03-2

AN ORDINANCE OF THE CITY OF HEWITT, TEXAS, AMENDING CHAPTER 58 SIGNS BY REVISING SECTION 58.7 SIGN REQUIREMENTS FOR NON-RESIDENTIAL USES" AND SECTION 58.11 GENERAL STANDARDS FOR OFF-PREMISES SIGNS, IN CHAPTER 58 "SIGNS OF THE CODE OF ORDINANCES OF THE CITY OF HEWITT, REGULATING THE SIZE, HEIGHT, TYPE AND NUMBER OF SIGNS IN THE CITY OF HEWITT; PROVIDING AN EFFECTIVE DATE; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Hewitt previously adopted the Comprehensive Sign Ordinance of the City with the provisions of which have been codified as Chapter 58 of the Hewitt City Code; and

WHEREAS, the City staff has recommended several amendments to Chapter 58; and

WHEREAS, the City Council has heretofore developed and adopted a comprehensive plan guiding the orderly and proper growth of the City in order to promote the public health, safety, welfare and aesthetics; and

WHEREAS, the City Council finds that the orderly and uniform regulation of signs is a substantial factor in guiding the attractive and aesthetic development of properties in accordance with the comprehensive plan and thereby avoiding detrimental impacts of signs on the appearance of the City; and

WHEREAS, the City Council further finds that the regulations adopted herein allow for a reasonable use of signs by businesses, residences and other properties for advertisement, dissemination of protected speech and other purposes; and

WHEREAS, the City Council deems it necessary to amend Chapter 58, Signs in order to protect the health, safety, and welfare of the general public.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, TEXAS:

Section 1. That pursuant to Section 58.7(a)(5) Sign requirements for non-residential uses in Chapter 58 "Signs" of the Code of Ordinances of the City of Hewitt, Texas, be amended as follows:

- (5) Except as provided below, only one (1) detached sign may be erected on any tract or lot.
 - (a) Tracts or lots with greater than 600 linear feet of public street frontage (not including an alley) may have one additional sign.
 - (b) Tracts or lots fronting more than one street may have one sign per street frontage.

(c) Notwithstanding the above provisions, no more than three (3) detached signs will be permitted on any tract or lot.

Section 2. That pursuant to Section 58.7, (a) (7) in Chapter 58 “Signs” of the Code of Ordinances of the City of Hewitt, Texas be amended as follows:

Amending Sec. 58.7, (a) (7)

(7) The total area of the sign facing shall include the frame, but not the base. The total overall height shall include the base plus the sign facing. Unless otherwise specified, sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

Adding Sec. 58.7, (b), (3)

(b) Detached monument signs for single-occupant buildings/parcels

(1) Single Occupant Buildings less than 25,000 square feet may be allowed one sign not to exceed 60 square feet in total area (per side, not including base) and six (6) feet in height (including base).

(2) Single Occupant Buildings larger than 25,000 square feet are allowed one sign not to exceed 75 square feet in total area (per side, not including base) and eight (8) feet in height (including base).

(3) Single Occupant Buildings larger than 100,000 square feet are allowed one sign not to exceed 100 square feet in total area (per side, not including base) and ten (10) feet in height (including base).

Amending Sec. 58.7 (c,d,e,f)

(c) Detached monument signs for multi-occupant buildings/parcels

(1) Developments with structures less than 5,000 square feet or less are allowed one sign not to exceed 60 square feet in total area (per side, not including base) and six (6) feet in height (including base).

(2) Developments with structures 5,000 to 15,000 square feet are allowed one sign not to exceed 70 square feet in total area (per side, not including base) and eight (8) feet in height (including base).

(3) Developments with structures 15,001 to 25,000 square feet are allowed one sign not to exceed 90 square feet in total area (per side, not including base) and 10 feet in height (including base).

(4) Developments with structures greater than 25,000 square feet are allowed one sign not to exceed 100 square feet in total area (per side, not including base) and 10 feet in height (including base).

Reserving Sec. 58.7 (d,e,&f)

Adding Section 58.7, (p)

(p) Special provisions for large developments abutting IH-35 right-of-way.

(1) For large non-residential developments a maximum of one (1) detached pole (pylon) sign may be permitted upon meeting all of the following conditions:

- (a) The tract or lot exceeds three 3 acres in area.
- (b) The building exceeds 100,000 square feet in area.
- (c) The tract or lot directly abuts IH-35 right-of-way.

(2) Special Sign Requirements for large non-residential developments.

- (a) Only one pole (pylon) sign is permitted per tract or lot.
- (b) The pole (pylon) sign shall not exceed seventy-five (75) feet in height.
- (c) The sign facing (per side) shall not exceed 575 square feet in area.
- (d) The pole (pylon) sign may be illuminated.
- (e) Pole (pylon) signs and monument signs may be used in combination, however the total number of all detached signs allowed on a single tract or lot shall be limited to a maximum of three (3) signs.

Section 3. That pursuant to Section 58.11 in Chapter 58 “Signs” of the Code of Ordinances of the City of Hewitt, Texas be amended as follows

Amending Section 58-11. General Standards for off-premises signs.

(f) Height. An off-premises sign erected on property fronting IH-35 shall not exceed 42.5 feet in height. In all other areas off-premises signs shall be limited to 30 feet in height. Sign height is measured from the grade level of the centerline of the main-traveled way closest to the sign, at a point perpendicular to the sign location.

Section 4. That if any provision of this ordinance shall be held to be invalid or unconstitutional, 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 hereof.

Section 5. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

PASSED AND APPROVED this ____ day of _____, _____.

CITY OF HEWITT, TEXAS

Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary

APPROVED AS TO FORM & LEGALITY:

O. Charlie Buenger, City Attorney