

# HEWITT TEXAS

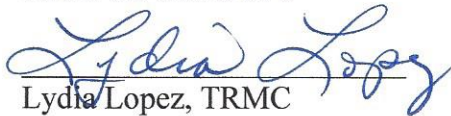
## NOTICE OF MEETING OF THE GOVERNING BODY

Notice is hereby given that a **Workshop** meeting of the governing body of the City of Hewitt will be held on the **21st day of September, 2015 at 5:30 PM in Hewitt City Hall, 105 Tampico Drive**, Hewitt, Texas, at which time the following subjects will be discussed:

1. Call meeting to order.
2. 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 schedule for Joint Workshop sessions - Fall 2015
  - c. Briefing and discussion concerning proposed timeline for Parks and Recreation Master Plan update
  - d. Briefing and discussion concerning 2015 Bond Projects
  - e. Briefing and discussion concerning Public Safety operations – Police & Fire.
3. Review regular meeting agenda items.
4. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following:
  - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
5. Close Executive Session.
6. 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 3:30 AM/PM on September 18, 2015.

**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 **21st day of September, 2015 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. Call meeting to order.
2. Pledge of Allegiance to the U.S. Flag
3. Presentation of proclamation in recognition of "September Library Card Sign-up Month"
4. Consider approval of minutes of the Special Called City Council Workshop/Meeting of August 24, 2015.
5. Hear visitors on matters pertaining to city business.
6. Consider award of bid for Cedarwood Lane street and curb reconditioning project to Nacho Ruiz Cement in the total amount of \$43,252.05.
7. Authorize the City Manager to negotiate and execute a Project Agreement with the City of Waco, as operator of the Waco Metropolitan Area Regional Sanitary Sewer System (WMARRS), for participation in the Cottonwood Creek Interceptor Rehabilitation Project.
8. Authorize the City Manager to negotiate and execute a Project Agreement with the City of Waco, as operator of the Waco Metropolitan Area Regional Sanitary Sewer System (WMARRS), for participation in the WMARSS Transfer/LaSalle Lift Station & Force Main Project.
9. Public hearing and action on an ordinance rezoning 13.000 acres of the 18.614 acres of land, legally known as the Carlos O'Campo Grant, Ellis Farms East Addition, Lot 3, Block 1 of the City of Hewitt, McLennan County, Texas being a subdivision of part of that called 32.210 acres of land, from C-2 (General Commerical District) to R-4 (Multiple Family Residential District), as requested by James Vidrine, JEV Properties, L.P.
10. 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 3:30 AM PM on September 18, 2015.

**CITY OF HEWITT**

  
Lydia Lopez, TRMC  
City Secretary

# HEWITT TEXAS

## MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor – Ward 3

Travis Bailey – Mayor Pro Tem-Ward 1

James Vidrine – Ward 2

Wilbert Wachtendorf – Ward 1

Ronnie McNiel – Ward 3

Bill Fuller – Ward 2

Alex Snider – At-Large

## CITY STAFF

Adam Miles, City Manager  
Charlie Buenger, City Attorney  
Miles Whitney, City Engineer

Jim Barton, Assistant City Manager  
Lydia Lopez, City Secretary  
Jim Devlin, Police Chief  
Lance Bracco, Fire Chief  
James Black, Public Works Director

Lee Garcia, Finance Director  
Waynette Ditto, Library Director  
Tuck Saunders, Assistant Police Chief  
Tierny Krueger, HR/Civil Service Dir.  
Katie Allgood, Special Projects Coord.



**COUNCIL WORKSHOP AGENDA ITEM #2.a**

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## **CITY ENGINEER'S REPORT**

September 17, 2015

### **2010 IH-35 Utility Improvements:**

I have spoken with TxDOT and the contractor and they have been working on a few items that were listed on the punch list. Currently we are planning on performing a preliminary final walk through on the project sometime during the week of September 28<sup>th</sup>, it should be at that time we will find out the status of the delivery of the third bypass pump.

### **Commerce Park Plant Project and Related Projects:**

#### **Elevated Storage Tank:**

The contractor only lacks pressure testing of the installed lines and leak testing of the actual tank. However, these tasks will have to be performed once the plant contract is to the point that we can place water up in the bowl.

#### **Plant Contract:**

Over the past couple of week, we have been receiving submittal documents for the project materials. I have received notice that the contractor is planning on being onsite Monday, September 21<sup>st</sup>, to begin site clearing and grubbing.

#### **Piping:**

At this point the contractor is approximately 70% complete. So far this project has been progressing smoothly. This project is to be completed in December 2015, according to the contract.

### **Ritchie Road Plant and Well Electrical System Improvements:**

The plant is running at this time, however there are some issues that still need to be worked out. Over the last couple of weeks the City, Contractor, and myself have met several times onsite to look at a concern we have over the amount of heat one of the pieces of equipment is producing. We have forwarded on the information to the equipment supplier and the projects electrical engineer. At this time we are awaiting a response from the supplier, to see if the equipment internal components are working as they should.

### **2014 Bond Projects:**

#### **Old Temple Road Street Improvements:**

We are set to receive bids for this project on October 1<sup>st</sup>. The results should be presented to the Council at your October 5<sup>th</sup> meeting for your consideration of award.

#### **Panther Way Street Improvements:**

The major portions of this project have been completed. The only thing that is lacking is their work on the items that were discussed at the projects final walk through that was held on September 2<sup>nd</sup>.

# HEWITT TEXAS

## CITY ENGINEER'S REPORT

September 17, 2015

### Warren Park Improvements:

The contractor has been working on the site and is anticipating on pouring the amphitheater's floor on Monday, September 21<sup>st</sup>, if he can get all of the electrical conduit installed in time. The electrical engineers are working to complete the electrical design as soon as we firm up the locations of proposed building.

### First Street Mill and Overlay / Chapman Rd.

Preliminary design for this project has begun. At this time topography has been collected and I have begun cutting profiles.

### City Hall / Library:

Oral update may be given at the meeting.

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



**COUNCIL WORKSHOP AGENDA ITEM #2.b**

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## **Fall 2015**

### **City Council Joint Workshop Timeline**

September 21

Regular Workshop

October 5

Library Board

October 19

Planning and Zoning Commission

November 2

Parks & Beautification Board

November 16

Public Safety

December 7

Capital Improvements / Investment Policy

December 21

Cancelled



**COUNCIL WORKSHOP AGENDA ITEM #2.c**

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## **Proposed Timeline**

### **Parks and Recreation Master Plan Update**

September 10

- Parks & Beautification meeting
- Overview of Process

September 21

- City Council meeting
- Overview of Process

October 8

- Parks & Beautification meeting
- On-site meeting and Planning Session

October 20

- TOWN HALL MEETING
- Review of Proposed Plan by City Manager
- Stakeholder meeting with Citizen Participation
- Comment Cards and Surveys

November 2

- Joint City Council / Parks & Beautification Board meeting
- Draft Plan Reviewed

November 12

- Parks & Beautification meeting
- Consider and Adopt Final Plan

November 16

- City Council meeting
- Consider and Adopt Final Plan



**COUNCIL WORKSHOP AGENDA ITEM #2.d**

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## Lift Station No. 5 (Dane Lift Station) Removal



### Project Description:

- This project would consist of approximately 1,400 L.F. of 12" PVC pipe. The intent of the project would be to decommission an aging lift station that would require a complete rebuild and also open up development on some of the surrounding tracts of land.
- Project's Estimated Cost; Approx: \$150,000

# IH 35 Waterline Improvements



## Project Description:

- This project would consist of approximately 11,200 L.F. of 16" PVC pipe. The intent of the project would be to provide the City the ability to move large amounts of water through the City should one plant require addition refill, as well as provide sufficient water supply to the IH-35 corridor to stimulate commercial growth in the area.
- Project's Estimated Cost; Approx: \$1,700,000

# Sewer Line Extension



## Project Description:

- This project would consist of approximately 1,000 L.F. of 8" PVC pipe and 400 L.F. of 12" PVC pipe. The intent of the project would be to open the surrounding tracts of land for development in exchange for additional park area.
- Project's Estimated Cost; Approx: \$130,000

# Travis / Oklahoma Sewer Replacement



## Project Description:

- This project would consist replacing approximately 2,300 L.F. of 8" vitrified clay pipe (VCP) with PVC pipe. The intent of the project would be to replace the aging line to reduce the amount of I/I that plagues the system during wet weather.
- Project's Estimated Cost; Approx: \$150,000 (Sewer) plus \$430,000 (Street Reconstruction); Totaling \$580,000



## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 3

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

**ITEM DESCRIPTION:**

Special presentation of proclamation in recognition of "September Library Card Sign-up Month".

**STAFF RECOMMENDATION/ITEM SUMMARY:**

This proclamation was requested by Library Director Waynette Ditto. The purpose is to promote the Library and encourage residents of Hewitt to sign up for a Library Card and take advantage of the services offered by the Library.

**ATTACHMENTS:**

Proclamation

# OFFICIAL MAYOR'S PROCLAMATION CITY OF HEWITT, TEXAS

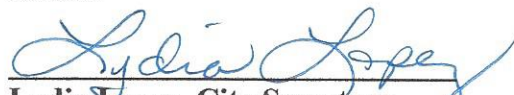
- Whereas, the library card is the most important school supply of all; and
- Whereas, libraries are an essential service for the nation's children;
- Whereas, libraries bridge the digital divide by providing a full range of information and services to children and adult learners; and
- Whereas, libraries offer access to important educational resources like online homework resources, access to online databases and e-books; and
- Whereas, libraries continue to evolve and find ways to bring value to their communities; and
- Whereas, a library card is the "smartest card you can own."

NOW THEREFORE, I, Ed Passalugo, by virtue of the power vested in me as Mayor of the City of Hewitt, Texas do hereby proclaim the month of September as "*September Library Card Sign-up Month*" in Hewitt and encourage all citizens to sign-up for the "smartest card" at the Hewitt Public Library.

Signed and sealed this 21st day of September, 2015.

  
Ed Passalugo, Mayor

Attest:

  
Lydia Lopez, City Secretary





## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 4

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

**ITEM DESCRIPTION:**

Consider approval of minutes of the Special Called Council Workshop/Meeting of August 24, 2015.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

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

**ATTACHMENTS:**

Draft minutes

# HEWITT TEXAS

## MINUTES OF A CITY COUNCIL SPECIAL CALLED WORKSHOP/MEETING HEWITT CITY HALL – 105 TAMPICO DRIVE August 24, 2015 - 6:30/7:00 PM

**Members present:** Mayor Ed Passalugo (presiding), Mayor Pro Tem Travis Bailey, Council Members Wilbert “Walky” Wachtendorf, Bill Fuller, James Vidrine, and Ronnie McNiel

**Member absent:** Council Member Alex Snider

**Staff present:** City Engineer Miles Whitney, City Attorney Charlie Buenger, City Manager Adam Miles, Assistant City Manager James Barton, Fire Chief Lance Bracco, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Utilities Director James Black, Finance Director Lee Garcia, Library Director Waynette Ditto, HR Generalist Tierny Krueger, Special Projects Coordinator Katie Allgood and City Secretary Lydia Lopez

### **Workshop – 6:30 PM**

1. Mayor Ed Passalugo called the meeting to order at 6:30 PM.
2. City Manager presented an update on municipal business:
  - a. Report from City Engineer was presented including review and discussion of Capital Improvement Projects
  - b. Briefing and discussion was held concerning Police recruit position
  - c. Briefing and discussion concerning Public Safety operations – Police & Fire.  
**(Note: This item not discussed.)**
3. The regular meeting agenda items were reviewed.
4. Convene Executive Session pursuant to the Open Meetings Act, Chapter 551, Texas Government Code to discuss the following: **(NOT HELD)**
  - **Pursuant to §551.072 – Purchase, Exchange, Lease, or Value of Real Property.**
  - **Pursuant to §551.074 – Personnel Matters.**
5. Close Executive Session. **(NOT HELD)**
6. Adjourn. *A motion was made by Council Member Bill Fuller and seconded by Mayor Pro Tem Travis Bailey to adjourn the Workshop at 6:59 PM, all six in favor, motion passed.*

**REGULAR MEETING – 7:00 PM**

1. **CALL TO ORDER.** Mayor Passalugo called the meeting to order at 7:00 PM.
2. **PLEDGE OF ALLEGIANCE TO THE U.S. FLAG** – Mayor Passalugo asked City Attorney Charlie Buenger to lead the Pledge of Allegiance.
3. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF AUGUST 17, 2015.** *A motion was made by Council Member Bill Fuller and seconded by Council Member Wilbert Wachtendorf to approve the minutes as submitted but allow for corrections; all six in favor, motion passed.*
4. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** No one appeared.
5. **AUTHORIZE THE CITY MANAGER TO IMPLEMENT AND ENFORCE THE CITY OF HEWITT EMPLOYEE POLICIES & PROCEDURES MANUAL.** City Manager Adam Miles clarified that the additional holiday added would be a floating holiday. *A motion was made by Council Member Wilbert Wachtendorf and seconded by Council Member James Vidrine to approve with proposed changes and additional holiday; all six in favor, motion passed.*
6. **CONSIDERATION OF AND ACTION ON AN ORDINANCE ACCEPTING THE 2015 TAX ROLL.** *A motion was made by Council Member Bill Fuller and seconded by Council Member Ronnie McNiel to accept the 2015 Tax Roll; all six in favor, motion passed.*
7. **CONSIDERATION OF AND ACTION ON AN ORDINANCE ADOPTING THE 2015 TAX RATE OF .539677.** *A motion was made by Council Member Bill Fuller and seconded by Council Member James Vidrine to approve the 2015 Tax Rate of .539677; all six in favor, motion passed.*
8. **CONSIDERATION OF AND ACTION ON RESOLUTION APPROVING FY 2015-2016 MASTER FEE SCHEDULE.** *A motion was made by Council Member Bill Fuller and seconded by Council Member Ronnie McNiel to approve; all six in favor, motion passed.*
9. **CONSIDERATION OF AND ACTION ON ORDINANCE ADOPTING THE FY 2015-2016 ANNUAL OPERATING AND CAPITAL BUDGET AND RATIFYING OF THE PROPERTY TAX REVENUE INCREASE REFLECTED IN THE BUDGET.** *A motion was made by Council Member James Vidrine and seconded by Council Member Bill Fuller; all six in favor, motion passed.*
10. **ADJOURN.** *Motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Bill Fuller to adjourn the meeting at 7:22 PM, all six in favor, motion passed.*

Approved: September 21, 2015

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Lydia Lopez, City Secretary

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Ed Passalugo, Mayor



## ITEM #5 – HEARING OF VISITORS

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### PROCEDURES FOR CITIZEN PARTICIPATION AT MEETINGS

1. Citizens are encouraged to discuss matters of concern with the staff and individual council members prior to placing items on the agenda. This will allow the matter to be properly investigated before it is presented to the entire council and will often expedite a resolution.

**NO CITIZEN OR STAFF MEMBER MAY SPEAK OR OTHERWISE INTERRUPT ANY MEETING UNTIL RECOGNIZED BY THE PRESIDING OFFICER.**

2. To maintain decorum at public hearings, the mayor will ask citizens in attendance if they wish to speak for or against the item on the agenda. If so, they will be given an opportunity to speak at the proper time and 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 a spokesperson to present their case.

Only under the agenda item “Hear Visitors” are citizens permitted to speak regarding matters that pertain to city business or address an item on the agenda. **The council is prohibited by law from discussing or acting on any item that has not been posted on the agenda.**

3. Individual citizens that discuss items not listed on the agenda shall be limited to **five minutes**. If five or more citizens wish to discuss a single item or topic that is not listed on the agenda, then the total presentation will be limited to a maximum of twenty-five minutes. City council members shall **not** enter into discussion on any subject that has not been properly placed on the agenda; however, council members may ask questions for clarification purposes.
4. As a general rule, citizens may not participate or address the council or staff during the workshop session.



## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 6

**SUBMITTED BY:** Adam Miles, City Manager

**ITEM DESCRIPTION:**

Consider award of bid for Cedarwood Lane street and curb reconditioning project to Nacho Ruiz Cement in the total amount of \$43,252.05.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

City staff solicited quotes for repair work in the 300 block of Cedarwood Lane. Due to base failure, portions of the curb and street need to be removed and replaced. A copy of three (3) quotes are included in the backup material. Staff recommends award of this project to the lowest qualified bidder meeting specifications, Nacho Ruiz Cement. If approved, work would begin within a few days.

**ATTACHMENTS:**

Bid proposals

# ***Nacho Ruiz Cement***

***Po Box 2109***

***Hewitt, TX 76643***

**254-666-8097Fax 254-666-8094Off 254-379-3654Cell**

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Date: 07/06/15

## ***Bid Proposal***

***Reference:*** City of Hewitt

Repair for section of street & Curb Cedarwood

1. Remove existing section of Asphalt, curb and haul off. Bring in necessary base to prepare and place asphalt and repave the street and forms will be set for the new curb. Concrete to be 3000psi.

\$43,252.05

Acceptance of Proposal: The above prices, specifications and work are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Signature\_\_\_\_\_

Signature\_\_\_\_\_

Date of Acceptance\_\_\_\_\_

# PROPOSAL

## BARNETT CONTRACTING, INC.

7703 Bagby

Waco, Texas 76712-6924

Phone Number 254-666-7117

Phone Number 254-666-7118

Fax Number 254-666-7119

email mike@barnettcontracting.com

15-219

|                                        |                                              |
|----------------------------------------|----------------------------------------------|
| <b>Proposal to :</b><br>CITY OF HEWITT | <b>JOB</b><br>CEDARWOOD PAVING<br>HEWITT, TX |
| <b>Attention</b><br>JOSE               | <b>Bid Date</b><br>2/12/2015                 |
| <b>Fax Number</b>                      | <b>Phone Number</b>                          |

☐ REVISED ☐ Reply ASAP ☐ Please Comment ☐ Preliminary ☐ Scope only for review

ADDENDA ACKNOWLEDGED

Proposal for :

### STREET REPLACEMENT

#### AREA 1 (213' X 27')

SAWCUT, REMOVE EXISTING CURBS, SIDEWALK AND ASPHALT.

PREP SUBGRADE, INSTALL NEW CURB AND GUTTER, SIDEWALK, 6" PUG BASE, PRIME OIL,  
1.5" ASPHALT.

\$33,500.00

#### AREA 2 (83' X 14')

SAWCUT, REMOVE EXISTING CURB ON ONE SIDE AND ASPHALT,

PREP SUBGRADE, INSTALL NEW CURB AND GUTTER, SIDEWALK, 6" PUG BASE, PRIME OIL,  
1.5" ASPHALT.

\$6,600.00

ADD LIME STABILIZATION FOR BOTH AREAS

ADD

\$7,500.00

NOTE: ADD 2% IF WE BOND OUR WORK

WE PROPOSE hereby to furnish material, labor, equipment and insurance - complete in accordance with above specifications

For the sum of

\$40,100.00

NO LIME

NOTE: PROPOSAL MAY BE WITHDRAWN

IF NOT ACCEPTED IN 10 DAYS

<subject to award by owner>

AUTHORIZED SIGNATURE



47,600 WITH LIME

952.00 2% BOND

Mike Barnett

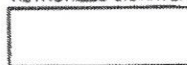
### ACCEPTANCE of PROPOSAL

The above prices, specifications and conditions are satisfactory and hereby accepted

You are authorized to do the work as specified

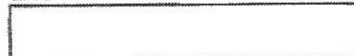
Payment will be made : NET ON COMPLETION IN FULL  
WITH MONTHLY PROGRESS PAYMENTS NET 10th PROX

AUTHORIZED SIGNATURE



48,552.00

DATE





# H & B CONTRACTORS, INC.

## EXCAVATING, PAVING & UTILITIES

27443 W. HWY 84 • McGregor, TEXAS 76657 • (254) 848-4461 • fax (254) 848-5693

Juan Bueno

July 21, 2015

**RE: Cedarwood Lane Street Reclamation**

We propose to provide all labor, equipment, and material to perform the following:

- Layout and supervision for our portion of the work
- Remove and haul off existing curbs, sidewalk and required driveways to a max of 10' behind curb lines on Cedarwood from Lindenwood East to 311 Cedarwood drive approach.(SEE ATTACHED SKETCH FOR LIMITS)
- Pulvermix existing asphalt and base
- Install new curb, replace demolished drives and sidewalk as noted above
- Rehab pulverized base with the addition of cement slurry at a rate of 40#/SY
- Install 1.5" TY D HMAc for new surface
- Barricades for closing of street

**For the sum of \$51,500**

### Notes:

- A precontract meeting will be required in order to ensure scope of work for both parties prior to construction. (SEE ATTACHED SKETCH FOR PROPOSED LIMITS). If different limits are required please notify so any modification to this proposal can be made.
- Any underground utilities not locatable by calling Texas one call to be located by the owner prior to construction.

### Exclusions:

- SWPPP or notice of intent
- Staking for any purposes other than our own
- Insurance other than our current policy (available upon request)
- Locating, adjustment, or relocating of any existing utilities
- Testing, bond or permits
- Seeding or Sod
- Fence
- Excavation or backfill for any items not installed by us
- Waste of materials generated by other contractors
- Any items not specifically included

**THIS QUOTE IS GOOD FOR 30 DAYS ONLY**

Sincerely,

Dustin Denard  
H&B Contractors, Inc.



## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 7

**SUBMITTED BY:** Adam Miles, City Manager

**ITEM DESCRIPTION:**

Authorize the City Manager to negotiate and execute a Project Agreement with the City of Waco, as operator of the Waco Metropolitan Area Regional Sanitary Sewer System (WMARRS), for participation in the Cottonwood Creek Interceptor Rehabilitation Project.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

Hewitt and the WMARRS member cities jointly own the sanitary sewer interceptor system and wastewater treatment plants that service member cities. Hewitt owns a 4.614% share in this system with the other cities making up the remaining percentage ownership. Part of each city's responsibility and obligation is to pay a percentage share in interceptor and other system wide repairs and improvements. In this case, the Cottonwood Creek Interceptor failed, and each city has been asked to provide proportionate funding for repairs. For Hewitt, the cost will be \$13,126.55 (4.614%) of a total project cost of \$284,494. If approved the City Manager will execute the project agreement and funds will be forwarded to WMARRS at the appropriate time.

**ATTACHMENTS:**

WMARRS PROJECT AGREEMENT



## WMARSS PROJECT AGREEMENT

### Cottonwood Interceptor Rehabilitation Project

This Project Agreement is made and entered into by the City of Waco (a co-owner of WMARSS) acting in its capacity as the operator of WMARSS (hereinafter "Waco"), and the City of Hewitt (hereinafter "City", unless context indicates otherwise). This Agreement is intended to serve as an Addendum to the Waco Metropolitan Regional Sewerage System 2013 Agreement for Operations & Management of Facilities, as amended or renewed which govern the relationships between the cities comprising WMARSS. Said 2013 Agreement shall govern except to the extent this Project Agreement specifically provides otherwise.

The City hereby obligates itself to pay Waco said City's proportionate share of the project expenditure as set forth herein.

|                                                                                          |                                                                                                                                                                                        |                                                                                                              |  |
|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|--|
| Project Description: WMARSS Cottonwood Interceptor Rehabilitation Project/ <u>WMR030</u> |                                                                                                                                                                                        |                                                                                                              |  |
| Estimated Project Schedule: 25 Days                                                      |                                                                                                                                                                                        | Type: <input checked="" type="checkbox"/> Upgrades / Repairs<br><input type="checkbox"/> Expansion / Storage |  |
| Cost Estimate for Total Project                                                          | Engineering:                                                                                                                                                                           | \$                                                                                                           |  |
|                                                                                          | Construction:                                                                                                                                                                          | \$284,494.00                                                                                                 |  |
|                                                                                          | Other Expenses:                                                                                                                                                                        | \$                                                                                                           |  |
|                                                                                          | TOTAL                                                                                                                                                                                  | \$284,494.00                                                                                                 |  |
| Cost Shares Based on:                                                                    | <input checked="" type="checkbox"/> Annual Operation & Maintenance Expense on August 27, 2015<br><input type="checkbox"/> Capacity (treatment / storage) amount city acquiring - _____ |                                                                                                              |  |
|                                                                                          |                                                                                                                                                                                        |                                                                                                              |  |
| Estimated Project Cost Share for city:                                                   | \$13,126.55                                                                                                                                                                            | 4.614 % of Total                                                                                             |  |
| Identify Sources of Funding:<br>(To be completed by Partner City)                        |                                                                                                                                                                                        |                                                                                                              |  |

Periodic invoices will be prepared by Waco during the process of planning, designing, and constructing or installing the project improvements, upgrades, repairs, or closures. Payments shall be made within 20 days of receiving an invoice from Waco. Said invoices will be based on estimates payable from the contractor performing the work on the project.

If said City fails to make its payments in a timely manner and fails to make payment within thirty (30) days of receiving the invoice from Waco:

- (a) Waco shall send notice to the defaulting City (with a copy to the other cities) giving the defaulting city thirty (30) days to cure the default.
- (b) A payment made after the payment is due begins to accrue interest on the 31<sup>st</sup> day after receiving the invoice from Waco. The interest rate shall be determined as provided in Chapter 2251 of the Texas Government Code.
- (c) The defaulting City may request an extension to pay its share by filing a request with the WMARSS Board. In the request, the defaulting City must explain the reason it is unable to pay its share and provide a timeline for when it will be able to make the payments. The extension request must be approved by the Board (either at a meeting or thru other written communications). Since the failure to pay by the defaulting City may result in another city having to pay a larger portion of the costs in order to stay current on payments to contractors, suppliers, etc., the defaulting City may be required to sign an agreement stating the approved payment schedule and providing for a penalty amount or interest payment on the funds. The city or cities paying the deficit amount to stay current on the payments to contractors, suppliers, etc., shall share the penalty and/or interest amount in proportion to what they pay.
- (d) If the default is not cured (or an extension request filed as provided above), a meeting of the WMARSS Board shall be held within fourteen (14) days of the end of the thirty (30) day cure period to discuss the breach as provided in the Interlocal Agreement governing WMARSS.
- (e) If the project involves increasing the capacity (treatment or storage) of WMARSS, another city may offer to make the payments of the defaulting City to obtain ownership of the capacity to the extent of those payments. The WMARSS Board must approve and accept said offer.

## ***CITY OF HEWITT, TEXAS***

BY: \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Secretary

Date Signed: \_\_\_\_\_

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
City Attorney

**CITY OF WACO, TEXAS**

BY: \_\_\_\_\_  
Dale A. Fisseler, P.E., City Manager

ATTEST:

\_\_\_\_\_  
Esmeralda Hudson, City Secretary

Date Signed: \_\_\_\_\_

APPROVED AS TO FORM & LEGALITY:

APPROVED:

\_\_\_\_\_  
Jennifer Richie, City Attorney

\_\_\_\_\_  
Lisa Tyer, Director of Utilities



## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 8

**SUBMITTED BY:** Adam Miles, City Manager

**ITEM DESCRIPTION:**

Authorize the City Manager to negotiate and execute a Project Agreement with the City of Waco, as operator of the Waco Metropolitan Area Regional Sanitary Sewer System (WMARSS), for participation in the WMARSS Transfer/LaSalle Lift Station & Force Main Project.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

Hewitt and the WMARSS member cities jointly own the sanitary sewer interceptor system and wastewater treatment plants that service member cities. Hewitt owns a 4.614% share in this system with the other cities making up the remaining percentage ownership. Part of each city's responsibility and obligation is to pay a percentage share in interceptor and other system wide repairs and improvements. In this case, the project is WMARSS Transfer/LaSalle Lift Station & Force Main Rehabilitation Project. For Hewitt, the cost will be (for Phase II) \$ 252,917.62.

Phase III of this project will have to be addressed at a future date with bond funding. Hewitt's portion for Phase III (Construction) is projected to be \$2,929,924.76. If approved, the City Manager will execute the project agreement and funds will be forwarded to WMARSS at the appropriate time.

**ATTACHMENTS:**

WMARSS Project Agreement – WMARSS Transfer/LaSalle Lift Station & Force Main Project

**Engineering & Construction Services**  
**WMARSS Transfer/LaSalle Lift Station & Force Main Project**

| <b>WMARSS<br/>Cities</b> | <b>Capacity Share<br/>in<br/>MGD</b> | <b>% of Total<br/>Capacity</b> | <b>Share of Phase 1<br/>Engineering</b> | <b>Share of Phase II<br/>Engineering</b> | <b>Construction*<br/>Estimate</b> | <b>Project<br/>Total</b> |
|--------------------------|--------------------------------------|--------------------------------|-----------------------------------------|------------------------------------------|-----------------------------------|--------------------------|
| Bellmead                 | 2.3083                               | 4.9640860%                     | \$ 14,644.05                            | \$ 163,330.84                            | \$ 1,892,106.45                   | \$ 2,070,081.34          |
| Hewitt                   | 3.5744                               | 7.6868817%                     | 22,676.30                               | 252,917.62                               | 2,929,924.76                      | \$ 3,205,518.68          |
| Lacy<br>Lakeview         | 1.0546                               | 2.2679570%                     | 6,690.47                                | 74,621.46                                | 864,452.39                        | \$ 945,764.32            |
| Lorena                   | 0.3200                               | 0.6881720%                     | 2,030.11                                | 22,642.58                                | 262,303.01                        | \$ 286,975.70            |
| Robinson                 | 1.5711                               | 3.3787097%                     | 9,967.19                                | 111,168.00                               | 1,287,825.88                      | \$ 1,408,961.07          |
| Waco                     | 35.0016                              | 75.2722581%                    | 222,053.17                              | 2,476,645.46                             | 28,690,704.66                     | \$ 31,389,403.29         |
| Woodway                  | 2.6700                               | 5.7419355%                     | 16,938.71                               | 188,924.04                               | 2,188,590.85                      | \$ 2,394,453.60          |
| <b>Totals</b>            | <b>46.5000</b>                       | <b>100.0000000%</b>            | <b>\$ 295,000.00</b>                    | <b>\$ 3,290,250.00</b>                   | <b>\$ 38,115,908.00</b>           | <b>\$ 41,701,158.00</b>  |

**\*Construction Estimate provided by Engineering Firm**

**Each WMARSS City shall deposit its funds with the Operator on or before May 1, 2016.**



## **COUNCIL AGENDA ITEM FORM**

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**MEETING DATE:** September 21, 2015

**AGENDA ITEM #:** 9

**SUBMITTED BY:** Adam Miles, City Manager

**ITEM DESCRIPTION:**

Public hearing and action on an ordinance rezoning 13.000 acres of the 18.614 acres of land, legally known as the Carlos O'Campo Grant, Ellis Farms East Addition, Lot 3, Block 1 to the City of Hewitt, McLennan County, Texas being a subdivision of part of that called 32.210 acres of land, from C-2 (General Commercial District) to R-4 (Multiple Family Residential District), as requested by James Vidrine, JEV Properties, L.P.

**STAFF RECOMMENDATION/ITEM SUMMARY:**

Case & Associates Properties Inc. has submitted a request to rezone a 13 acre parcel of land from C2 (General Commercial District) to R4 (Multiple Family Residential High Density District). The tract in question is located on Ritchie Road at Patriot Court (directly across from the Public Safety Facility). Property owners within 200 feet were notified in accordance with State Law and the Planning and Zoning (P&Z) Commission held the first Public Hearing on Tuesday, September 1, 2015. A copy of the minutes of the meeting are included in the back up material for this item. Case & Associates revealed their plans and discussed their proposal to construct one and two bedroom luxury apartments at this site. After public comments, discussion, and deliberation, the P&Z Commission voted 6 to 0 in favor of the request.

As part of their recommendation of approval, the Planning and Zoning Commission requested changes to be made to the proposed site plan to alter the location and number of buildings. Case & Associates has revised their site plan to include the changes requested by the P&Z Commission. The current site plan includes 264 total units, which consist of one and two bedroom apartment units. (20.31 units per acre with 72 garages). The site plan for the luxury apartments includes a clubhouse, a business center, a fitness center, a dog park, an outdoor swimming pool, as well as other amenities for tenants. A copy of the proposed site plan is included for reference and adoption as well.

A public hearing is required. If the City Council approves this zoning request and revised site plan, city staff would continue to work with the developer to build the complex in accordance with the approved site plan.

**ATTACHMENTS:**

Letter to Council dated September 21, 2015  
P&Z Draft Minutes and supporting documentation  
Draft ordinance

September 21, 2015

Dear City of Hewitt City Council:

**HISTORY/BIO:**

Case & Associates Properties, Inc., is pleased to present our \$30,000,000 real estate development, Icon at Hewitt Urban Apartments. Case & Associates, headquartered out of Tulsa, OK was started in 1983 by Mike Case. We are a full service property management, development and investment company with ownership in each of our over 100-asset portfolio....consisting of over 30,000 apartments units in 5 states, 1,000,000 square feet of office, retail & industrial properties and employing over 800 people.

**CONSTRUCTION EXPERIENCE:**

Over the past 15 years, we have built 40 apartment communities in 11 cities and have a great track record of working with our “neighbors”. Our goal is to provide successful professionals, young and old alike, and retirees an upscale place to call “home” with an abundance of amenities. Our residents want high amenities, security, luxury, safety and quiet, without having to worry about routine household maintenance. Most of our residents can afford a house, but they choose an apartment because they like the freedom to travel without having to worry about the maintenance of a house.

**DEVELOPMENT:**

Icon at Hewitt Urban Apartments, located on Ritchie Road & Hewitt Drive (adjacent to the new City Hall and Library), is a 264 unit high-end Class A apartment community with a value of over \$30,000,000. **This is a market rent development with NO Section 8 or Government Assistance Allowed!** The development complemented with Urban-styled architecture will be constructed with 100% concrete exterior including a combination of brick and Hardi-Board concrete siding and trim. The unit mix will include a combination of 1 and 2 bedrooms, ranging in size from 789 to 1,267 square feet. Rents will average \$1,000 per month, but will cost up to \$1,300 for a 2-bedroom with an attached garage. **AMENITIES:** The interior features include oversized floor plans, stainless steel appliances, ceramic tile in the entry, kitchen and baths,

ceiling fans and large walk-in closets. Additionally, there will be 72 garages with remote controls. The property features a clubhouse, a business center with Wi-Fi internet access, a fitness center, dogpark, limited access gates, picnic areas with barbeque grills, outdoor social areas including a fireplace and grills and an outdoor swimming pool.

The buildings on the perimeter of the site will be 2-story building with 6 garages below and 2 loft-style apartments above the garages. The 2-story buildings on the perimeter of the site serve as a visual barrier for the 3-story buildings, which are situated in the middle of the property. Our goal is for complete privacy between the developments and we feel we have designed a site plan that meets that criteria, which is the reason we have agreed to remove the windows and patios from the back of each 2-story garage building abutting the single-family homes. There will be a fence along the entire exterior of the community for privacy, consisting of iron, brick columns and wood. Landscaping and Lighting will comply with city code.

#### **RESIDENTS/QUALIFYING:**

Our residents are young professionals, school teachers, nurses, technicians, and even retirees. Each applicant must pay Application Fee of \$50 and qualify using the criteria listed below:

\*Criminal Background check- No felonies or previous history of violent or sexual crimes allowed at all. Parking tickets and speeding tickets are allowed but anything more than that must be explained.

\*Credit Check – Payment history is largely considered. Also, we check for any kind of judgments. If a person has filed bankruptcy, a minimum of 7 to 10 years before allowed to rent with Case. We do NOT want people who do NOT pay their bills.

\*Employment & Income Verification - Residents are required to have been employed for at least 1 year to qualify and must make at least 3 times their rent; however, our residents income averages 7 times their rent.

\*Rental History – One year of verifiable residency will be required. A poor rental profile, consisting of non-payment, eviction, drug use, poor housekeeping, poor supervision of children, violence or unruly or destructive behavior by applicant or occupants, will be automatically denied.

**PLANNING COMMISSION MEETING:**

During the planning commission meeting on September 1, 2015, we listened to the concerns of the neighbors and upon recommendation of the commissioners, we made the following revisions to our site plan:

- Added two 2-story buildings (with no windows or patios) facing Ritchie Road to serve as a visual barrier from the single family lots across Ritchie Road.

For more information, go to [www.caseusa.com](http://www.caseusa.com).

Please feel free to call me with any questions or concerns.

Sincerely,

CASE & ASSOCIATES PROPERTIES INC.

R. Scott Case, President

# HEWITT TEXAS

## Minutes of the Planning and Zoning Commission September 1, 2015 – 7:00 PM

**Members present:** Charlie Turner, John Baker, Bobby Wolske, Walter Peterson, Michael Hix, Jonathan Dulus

**Members absent:** Kurt Krakowian

**Staff present:** Adam Miles, City Manager, Miles Whitney, City Engineer, and Eva Marie Greenup, Zoning Secretary

**Item #1. Call Planning and Zoning Meeting to order.** *Charlie Turner called the meeting to order at 7:04 PM.*

**Item #2. Minutes.** *A motion was made by John Baker to accept but allow for corrections and seconded by Michael Hix. No corrections noted; all six in favor, motion passed. Minutes dated July 7, 2015 stand approved.*

**Item #3. Introduce and welcome Jonathan Dulus, newly appointed by City Council on June 20, 2015, to the Planning and Zoning Commission.** *Charlie Turner introduced and welcomed Jonathan Dulus to the Planning and Zoning Commission.*

**Item #4. Consider and take appropriate action concerning the request for a rezoning change on 13.000 acres of the 18.614 acres of land, legally known as the Carlos O'Campo Grant, Ellis Farms East Addition, Lot 3, Block 1 to the City of Hewitt, McLennan County, Texas being a subdivision of part of that called 63.210 acres of land, from C-2 (General Commercial District) to R-4 (Multiple Family Residential High Density District), as requested by James Vidrine, JEV Properties, L.P. Scott Case, Case & Associates Properties Inc., will present a site plan and renditions of the proposed project for the R-4 use.** *Scott Case with Case and Associates Properties addressed the board and public with the proposed rezoning request and had visuals on the proposed project. After Mr. Case introduced himself and his company he presented the site plan and renditions, Charlie Turner opened the public hearing for those wishing to speak in favor. The following appeared in favor: Steven Patrick, 1195 Fossil Rim Road, McGregor TX; James Vidrine, 504 Rowan Oak Drive; Scott Bryant, 124 Sweet Briar Circle. Charlie Turner opened the public hearing for those wishing to speak against. The following appeared against with concerns about depreciation of property values, excessive traffic, turning lane needed from Hewitt Drive at Ritchie and privacy due to the height of the apartments: Kurt Chunn, 125 Sweet Briar; Paula R. Smith, 132 Longwood Circle; Dena Fox, 121 Emmalyn Drive; Raynor Campbell, 136 Ellis Farm Road; Adlin Pabon, 148 Ellis Farms; Artin Culliton, 108 Sweet Briar; Penny Fisk, 104 Sweet Briar; Allan Wichkoski, 121 Hollygrove; Stephen Williams, 117 Emmalyn Drive; Floyd Woycheshin, 109 Emmalyn; Dena Davidson, 109 Emmalyn. Public hearing closed. In closing, Scott Case stated he would add a couple more garages and make a visual barrier so that tenants could not see in the backyard of homes.*

*He further stated, he would remove any windows or patios as well. A motion was made by Bobby Wolske to approve with the caveat that the privacy issues on Ritchie Road would be addressed and seconded by John Baker; All six in favor, motion passed. Planning and Zoning Commission recommendation will be presented to City Council on September 21, 2015.*

**Item #5. Consider and take appropriate action concerning the Final Plat submitted for the 13.000 acres of the 18.614 acres, legally known as the Carlos O'Campo Grant, Ellis Farms East Addition, Lot 3, Block 1.** *A motion was made by John Baker to approve subject to the caveat that the privacy issues on Ritchie Road would be addressed and seconded by Walter Peterson; All six in favor, Motion passed.*

**Item #6. Consider and take appropriate action concerning the request for a rezoning change on 1.480 acres of land, legally known as the Carlos O'Campo Grant, North Old Temple Road, A-32 Tract 14A, 14B, from R1 (Single Family District) to R-1-G (Garden Home District), as requested by Luke Morton, Morton Construction Holding LLC. Luke Morton will present a site plan and renditions of the proposed project for the R-1-G use.**

*Luke Morton with Morton Construction Holding LLC, 1639 Hannah Hill Road, Woodway TX, addressed the board and public with the proposed rezoning request. Charlie Turner opened the public hearing for those wishing to speak in favor. The following appeared in favor: Ed Robnett, 302 Ferguson Drive, Waco, TX. Charlie Turner opened the public hearing for those wishing to speak against. The following appeared against with concerns about depreciation of property values, lot size, deed restriction keeping it as R-1, excessive traffic and draining issues. George Eskew, Ruth Drive; Gene Kent, 521 N. Old Temple Road; Antonio Garcia 525 N. Old Temple Road; Norma Jean Bounds, 1652 Kirkland Hills, Axtell TX; Rolando Rodriquez, 331 E Chapman Road; Susan Mitchell, 522 N Old Temple Road. Miles Whitney spoke stating Luke Morton has not submitted any plats to the City and this was strictly a rezoning request. Michael Hix requested to see a plat of the property. Bobby Wolske expressed his disappointment of it being rezoned. Jonathan Dulus was concerned of the creek and storm water runoff. A motion was made by Walt Peterson to deny the request and leave it as R-1 and seconded by John Baker. All six in favor; motion passed. Planning and Zoning Commission recommendation will go before City Council on September 21, 2015.*

**Item #7. Consider and take appropriate action concerning the Final Plat submitted for the Collier Addition Part III, Lots 1- 8 in Block 1; Lots 1-5 in Block 2 and Lots 1-8 in Block 3.** *Tony Tomchesson, 981 Highway 56, Valley Mills TX, was present to answer any questions concerning the submitted Final Plat. Charlie Turner opened it up to the board for questions or discussions. A motion was made by John Baker to approve and seconded by Walt Peterson. All six in favor; motion passed.*

**Item #8. Consider and take appropriate action concerning the Final Plat submitted for Park Place II Phase Five being a subdivision of 5.09 Acres out of the Carlos O'Campo Grant.** *Tony Tomchesson, 981 Highway 56, Valley Mills TX, was present to answer any*

*questions concerning the submitted Final Plat. Charlie Turner opened it up to the board for questions or discussions. A motion was made by Bobby Wolske to approve and seconded by John Baker. All six in favor; motion passed.*

**Item #9. Adjourn.** *Motion was made by John Baker and seconded by Jonathan Dulus to adjourn the meeting at 8:54 PM; all six in favor, motion passed.*

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Chair

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Approved

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Eva Marie Greenup, Zoning Secretary

Architects Collective

Project Data Form

Project:

Hewitt

Date:

9/6/2015

City:

Hewitt

State:

TX

Product Type:

Case

Clubhouse:

Club

Area:

2,928 S.F.

Special Instr:

Land Area =

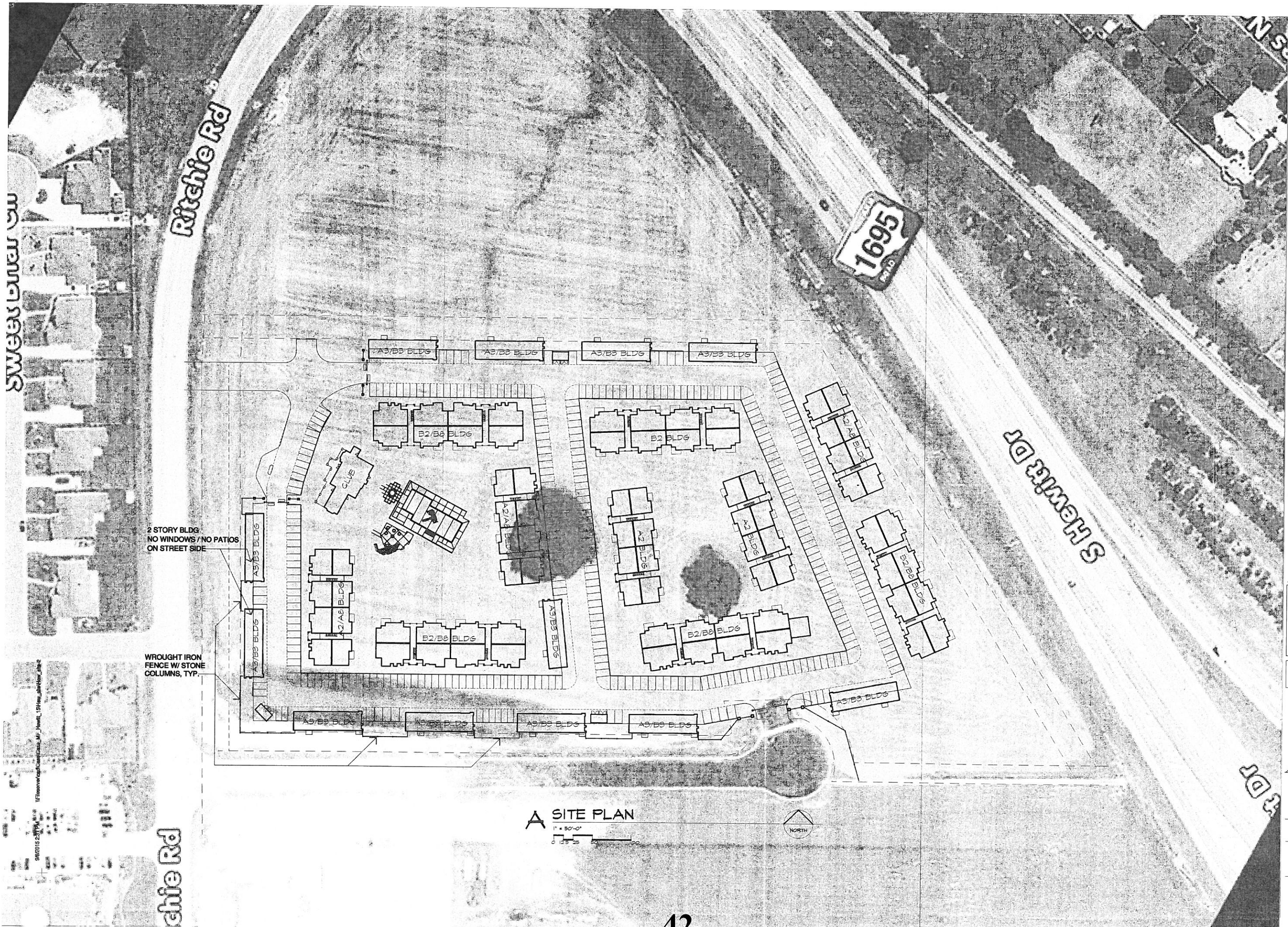
566,280 s.f.

13.00 acres

Unit Mix:

|    |            |             |   |              |   |        |
|----|------------|-------------|---|--------------|---|--------|
| 84 | Unit Type: | A2          | @ | 789.00 S.F   | = | 66,276 |
| 12 | Unit Type: | A3 (garage) | @ | 966.00 S.F   | = | 11,592 |
| 36 | Unit Type: | A8          | @ | 856.00 S.F   | = | 30,816 |
| 72 | Unit Type: | B2(Large)   | @ | 1,050.00 S.F | = | 75,600 |
| 12 | Unit Type: | B3 (garage) | @ | 1,267.00 S.F | = | 15,204 |
| 48 | Unit Type: | B8          | @ | 1,108.00 S.F | = | 53,184 |
|    | Unit Type: |             | @ | S.F          | = | 0      |

|                                               |             |                    |
|-----------------------------------------------|-------------|--------------------|
| 264                                           | Total Units | 252,672            |
| 20.31                                         | units/acre  |                    |
| Garages:                                      | 72          | 27% of total units |
| Carports:                                     | 0           | 0% of total units  |
| 400 Open parking spaces                       |             |                    |
| 472 Total Parking (open + garages + carports) |             |                    |
| 462 Parking Required                          |             |                    |



REVISIONS

PROJECT: **Hewitt Project**  
**Apartment Homes**  
LOCATION: **Hewitt, Texas**  
CLIENT: **Case Development Services**



NOTICE OF COPYRIGHT  
THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN ARCHITECTURAL WORK UNDER SEC. 102 OF THE COPYRIGHT ACT OF 1976. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE DESIGN, FORM, AND ARRANGEMENT AND COMPOSITION OF SPACES, ELEMENTS OF DESIGN, AND SUCH PROTECTIBLE BUILDINGS REPRESENTED. CAN LEGALLY RESULT THE CESSATION OF CONSTRUCTION OR BUILDING BEING SIZED AND/OR MONETARY COMPENSATION ARCHITECTS COLLECTIVE.

NO CAD FILES SHALL BE PROVIDED TO SUB-CONTRACTORS UNDER ANY CIRCUMSTANCES.



**Architects Collective**  
4200 EAST SKELLY DRIVE SUITE 750  
TULSA, OKLAHOMA 74135  
(918) 432-2987

PROJECT NUMBER:  
DATE:

SHEET TITLE:  
**SITE PLAN**

SHEET NUMBER:  
**P1**

# Hewitt Project

## Apartment Homes

PROJECT:

LOCATION: Hewitt, Texas  
CLIENT: Case Development Services

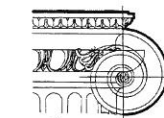
SEAL:



**NOTICE OF COPYRIGHT**

THESE PLANS ARE COPYRIGHTED AND ARE SUBJECT TO COPYRIGHT PROTECTION AS AN ARCHITECTURAL WORK UNDER SEC. 102 OF THE COPYRIGHT ACT, U.S.O. AS AMENDED DECEMBER 1990 AND KNOWN AS ARCHITECTURAL WORKS COPYRIGHT PROTECTION ACT OF 1990. THE PROTECTION INCLUDES BUT IS NOT LIMITED TO THE OVERALL FORM AS WELL AS THE ARRANGEMENT AND COMPOSITION OF ELEMENTS OF DESIGN. UNDER SUCH PROTECTIVE UNAUTHORIZED USE OF THESE PLANS, WORK (BUILDINGS REPRESENTED) CAN LEGALLY RESULT IN THE CESSATION OF CONSTRUCTION OR BUILDING BEING SEIZED AND/OR MONETARY COMPENSATION ARCHITECTS COLLECTIVE.

NO CAD FILES SHALL BE PROVIDED TO  
SUB-CONTRACTORS UNDER ANY  
CIRCUMSTANCES.

Architects  
Collective

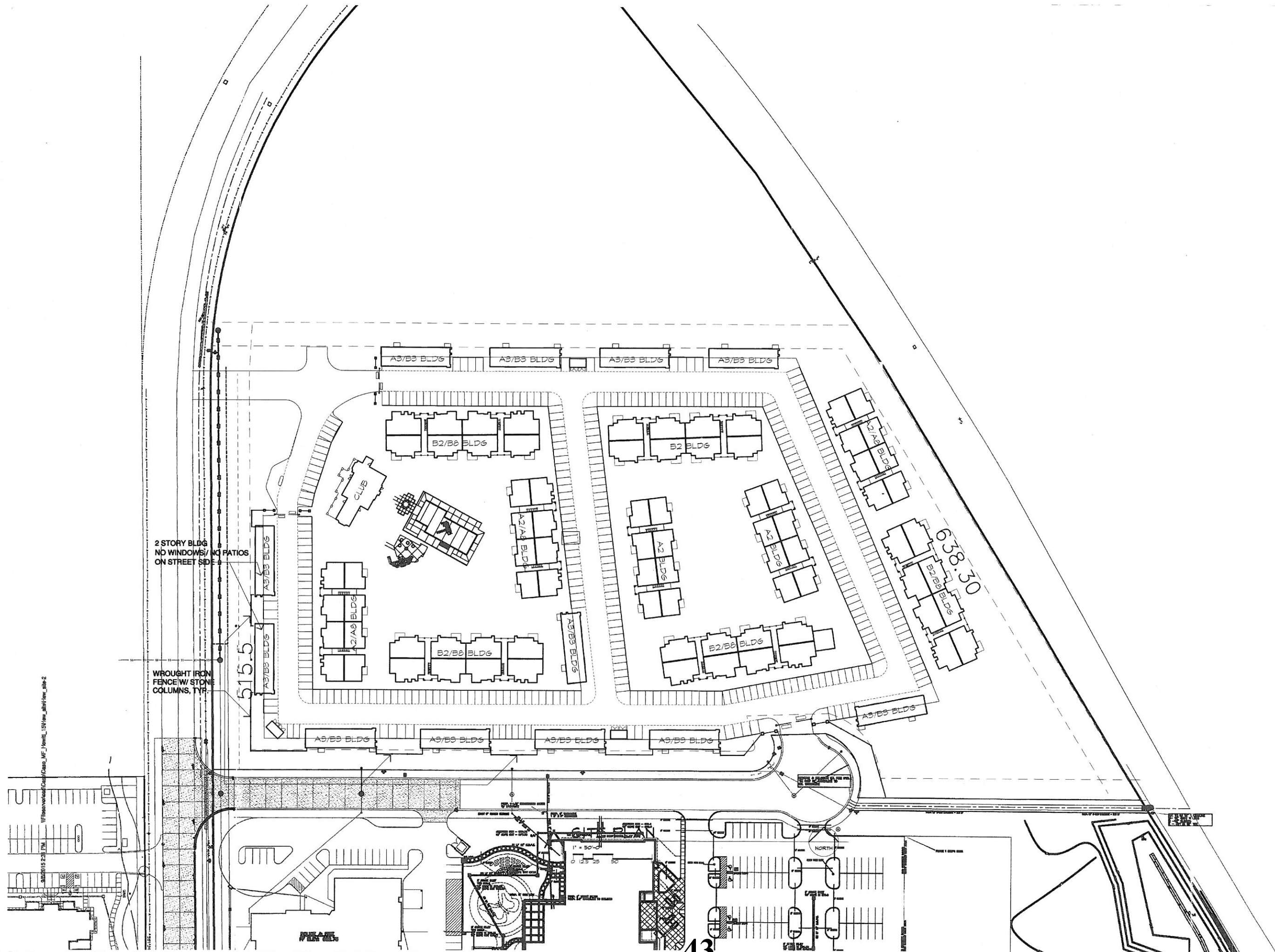
4200 EAST SKELLY DRIVE SUITE 750  
TULSA, OKLAHOMA 74135  
918/492-2067

PROJECT NUMBER:  
DATE:

SHEET TITLE:  
**SITE PLAN**

SHEET NUMBER

1



**ORDINANCE NO. 2015-09-21-1**

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

**WHEREAS**, in accordance with the Code of Ordinances of the City of Hewitt, a request was submitted by James Vidrine, JEV Properties, L.P. to rezone Lot 3, Block 1, to the City of Hewitt, McLennan County, Texas being a subdivision of part of that called 32.210 acres of land, from **C-2 (General Commercial) to R-4 (Multifamily High Density District)**.

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

**WHEREAS**, a public hearing in relation thereto at which parties in interest and citizens had an opportunity to be heard was held by the City Council of the City of Hewitt on September 21, 2015, after due notice in the manner provided by law; and

**WHEREAS**, a public hearing of the Planning and Zoning Commission at which parties in interest and citizens had an opportunity to be heard was held on Tuesday, September 1, 2015, after due notice in the manner provided by law; and

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

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

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

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

**SECTION ONE.** All that certain tract or parcel of land in McLennan County, Texas, being Lot 3, Block 1, legally known as the Carlos O'Campo Grant, Ellis Farms East Addition, is rezoned from **C-2 (General Commercial District) to R-4 (Multifamily High Density District)** as requested by James Vidrine, JEV Properties, L.P.

**SECTION TWO.** The proposed site plan as submitted by Case & Associates Properties, Inc. and recommended by the Planning and Zoning Commission indicating an overall density of 20.31 units per acre and 72 garage units with an overall total number of 264 apartment units is hereby adopted and approved as shown in Exhibit "A".

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

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

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

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

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

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

**PASSED AND APPROVED** this the 21st day of September, 2015 at a Regular Meeting of the City Council of the City of Hewitt, Texas.

**CITY OF HEWITT**

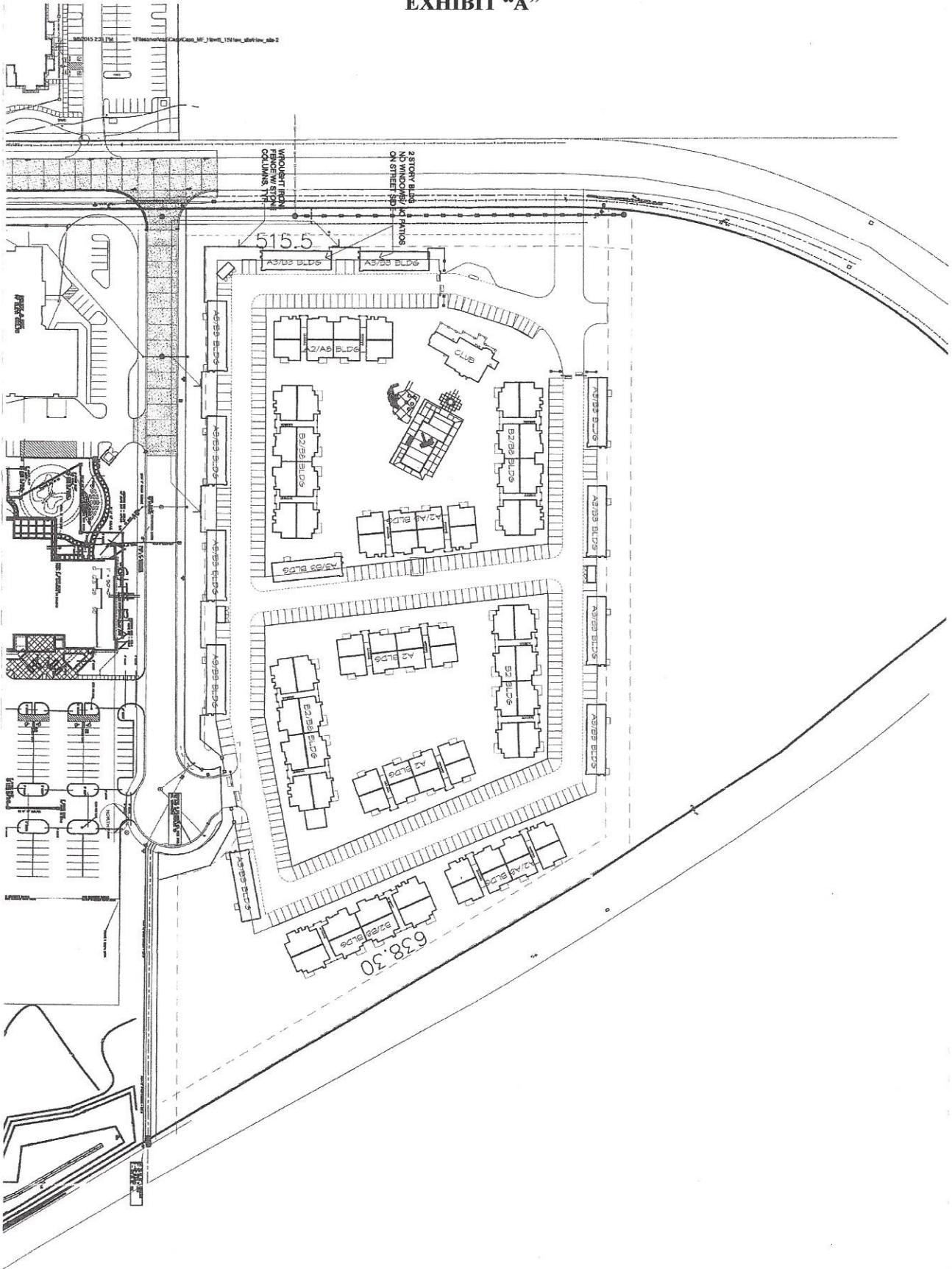
BY: \_\_\_\_\_  
Ed Passalugo, Mayor

ATTEST:

\_\_\_\_\_

Lydia Lopez, City Secretary

# EXHIBIT "A"



PROJECT NUMBER  
P1

SHEET TITLE  
SITE PLAN

PROJECT NUMBER  
P1

PROJECT NUMBER  
P1

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