

HEWITT TEXAS

CITY COUNCIL MEETING AGENDA

February 1, 2016

5:30 PM AND 7:00 PM

CITY HALL, 105 TAMPICO DRIVE

HEWITT, TX 76643

MAYOR AND CITY COUNCIL

Ed Passalugo – Mayor, Ward 3

Travis Bailey – Mayor Pro Tem, Ward 1

Wilbert Wachtendorf – Council Member, Ward 1

Bill Fuller – Council Member, Ward 2

James Vidrine – Council Member, Ward 2

Ronnie McNiel – Council Member, Ward 3

Alex Snider – Council Member 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

Katie Allgood, Special Projects Coordinator

Tracy Lankford, Community
Development Director

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 **1st day of February, 2016 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 Water and Wastewater Rate Structure.
 - c. Briefing and discussion concerning upcoming events.
 - d. Grand Opening & Ribbon Cutting of City Hall & Library – April 14, 2016.
 - e. Briefing and discussion concerning May 7, 2016 election calendar and polling place.
 - f. 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 4:00 AM/PM on January 29, 2016.

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 **1st day of February, 2016 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. Consider approval of minutes of the City Council Workshop/Regular Meeting of January 18, 2016.
4. Hear visitors on matters pertaining to city business. *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda.*
5. Consider award of bid for installation of pre-cast fence project for City Hall & Library to Artisan Precast in the amount of \$12,985.45.
6. Consider a resolution approving financing terms for library shelving by BB&T at 1.67% for four years for an annual payment in the amount of \$42,570.91.
7. Consider a resolution ordering a General Election in the City of Hewitt on Saturday, May 7, 2016; designating the polling place and providing other matters relating to the General Election. *(Consider un resolución que ordena una elección general que se llevaría a cabo el 7 de mayo del 2016; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección general.)*
8. Consider a resolution ordering a Special Election in the City of Hewitt on Saturday, May 7, 2016; to submit a proposed amendment to the City Charter; designating the polling place; and providing other matters relating to the Special Election. *(Consider un resolución que ordena una elección especial que se llevaría a cabo el 7 de mayo del 2016; 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.)*
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 4:00 AM/PM on January 29, 2016.

CITY OF HEWITT



Lydia Lopez, TRMC
City Secretary



COUNCIL WORKSHOP AGENDA ITEM #2.a



CITY ENGINEER'S REPORT

January 28, 2016

2010 IH-35 Utility Improvements:

I have received a pump breakdown report. At this time, we are waiting on either the third pump to come in or the repaired pump to come in.

Commerce Park Plant Project and Related Projects:

Elevated Storage Tank:

Contractor has been working on punch list items.

Plant Contract:

Roof has been poured on plant building. Contractor is to be providing the City with an updated project schedule.

Piping:

The contractor is substantially complete.

2014 Bond Projects:

Old Temple Road Street Improvements:

We should be holding a walk through on the project shortly.

Warren Park Improvements:

Project is out for bids and will be presented to Council for their consideration of award and the February 15th meeting.

First Street Mill and Overlay / Chapman Rd.

Additional topography has been collected.

City Hall / Library:

Oral update may be given at the meeting.

2015 Bond Projects:

Lift Station No. 5 Removal

I have ordered preliminary topography along the proposed alignment. I will be having to get with the owners of one of the properties along the path to discuss the line.

IH - 35 Waterline

HEWITT TEXAS II

CITY ENGINEER'S REPORT

January 28, 2016

I have ordered preliminary topography along the proposed alignment. Just working out a few details on the alignment so the easement acquisition phase may begin as well.

Lift Station No. 4; Gravity Line Extension

I have ordered preliminary topography along the proposed alignment.

By:



Miles W. Whitney, P.E.

Note: All dates are approximate and subject to change.



COUNCIL WORKSHOP AGENDA ITEM #2.b

City of Hewitt

Single Family Residential Wastewater Rate Schedules

Single Family Residential Wastewater - Single Family Residents, inside the city limits, will be allowed to select from the City of Hewitt Standard Wastewater, Winter Average or Fixed Wastewater Rate Schedule. Once the account holder has selected a Wastewater Rate Schedule, they must remain on that selected schedule for a minimum of 12 months. If the account holder decides to change their Wastewater Rate Schedule prior to the 12 month period, they will be charged a \$250.00 fee. It will be the responsibility of existing Single Family Residents to contact the City of Hewitt to make changes to their current Wastewater Rate Schedule. **Single Family Residents that have a separate irrigation meter will not qualify for Winter Average or Fixed Rate Schedule options and will be charged on the Standard Wastewater Rate Schedule.**

Single Family Residential Rate Schedules	Base Rate	Volume Rate
Standard Wastewater Rate Schedule: The monthly volume charge shall be based on the individual customer's monthly water use.	\$26.50 Base Rate for the 1st 5,000 gallons	\$4.50 per 1,000 gallons volume rate with a maximum of 20,000 gallons.
Winter Average Rate Schedule: The monthly volume charge shall be based on the individual customer's monthly water use during the previous four (4) winter months November, December, January, and February. The volumes used to compute the monthly volume charge are based on the amount of water used by the single-family residential customer as measured by the customer's water meter. The previous four (4) winter month's average shall determine the monthly volume charge, which will remain the same each month, for the next twelve-month period beginning with the customer's	\$18.00 Base Rate	\$2.80 per 1,000 gallons volume rate.
New/Transferred Residents on Winter Average Rate Schedule: The New/Transferred Customer Interim Average (5,000 Gallons) will be used for single family residential customers that have not established a winter month's water use history in their current place of residence.		
Adjustments to Winter Average Rate Schedule: Excess usage. Requests for wastewater rate adjustments can be submitted if user can establish that excess water usage, due to a verifiable leak, occurred during any one-month period during the four(4)-month winter period. Requests must be made before April 25th. Any adjustments to the wastewater rate will not be retroactive. Evidence by plumber receipts and/or plumbing parts receipts will be required. Residents will be allowed an adjustment for only one(1) of the four(4) months winter period.		
Fixed Monthly Wastewater Rate Schedule: The monthly wastewater charge will be a fixed rate.	\$35.75 Fixed Rate per month for 5/8" X 3/4".	No additional charges for volume rate.

 **DRAFT**

HEWITT TEXAS

Sewer/Wastewater Rate Schedule Request

The Flat Rate Sewer or Winter Average Rate is available, upon request, to any City of Hewitt Single Family Residential Water/Wastewater customer, inside the city limits, who does not have a second water meter for the purpose of irrigation.

Customer's Name: _____

Account No. (s) _____

Service Address: _____

Which method of establishing a sewer charge have you chosen? (Please initial beside your selection)

_____ **Standard Rate Schedule:** Sewer/Wastewater charges are based on the water meter readings and monthly water usage.

\$26.50 Base Rate for the 1st 5,000 gallons \$4.50 per 1,000 gallons volume rate with a maximum of 20,000 gallons.

_____ **Winter Average Rate:** Sewer/Wastewater charges are based on the average of the meter reading and monthly usage for the months of Nov, Dec, Jan and Feb. This Winter Average will be updated each year following the Nov, Dec, Jan and Feb billings for those months.
New/Transferred Residents on Winter Average Rate Schedule:
The New/Transferred Customer Interim Average (5,000 Gallons) will be used for single family residential customers that have not established a winter month's water use history in their current place of residence. The New/Transferred Residents Interim Average will be as adopted by city council.

\$18.00 Base Rate \$2.80 per 1,000 gallons volume rate.

_____ **Fixed Rate:** Sewer/Wastewater charges are based on a set fee decided by Hewitt City Council.

\$35.75 Fixed Rate per month for 5/8" X 3/4". No additional charges for volume rate.

Have you previously applied for and/or been on a different Wastewater Rate Schedule? If yes, when? _____

Reason for removal from program: _____

I HAVE READ AND UNDERSTAND THE FOLLOWING

- ☐ I am an authorized account holder and understand that by signing I agree to the above selected Wastewater Rate Schedule.
- ☐ I understand that my selected Wastewater Rate Schedule must remain for a minimum of 12 months.
- ☐ I understand that there will be a \$250.00 charge to make any change to selected Wastewater rate schedule, before the end of the 12 month period.
- ☐ The City of Hewitt reserves the right to designate the method to determine the Fixed Rate Schedule charge.
- ☐ All of the information, which I have provided on this request, is accurate to the best of my knowledge.
- ☐ Applicant will be responsible for notifying the City of Hewitt Utility Billing office of any future changes to Wastewater Rate Schedule.
- ☐ Winter Average Wastewater Rate Schedule and Fixed Wastewater Rate Schedule status is only applicable to current account(s) and will cease when any account is finalized. New customers will be required to re-apply for the Winter Average Sewer Schedule or the Fixed Rate Sewer Schedule.
- ☐ I understand that my new selected Wastewater Rate Schedule will not start until the next processed billing.
- ☐ I understand that the Wastewater Rate Schedules are subject to change upon approval of the Hewitt City Council.

Authorized Signature: _____ Date: _____

***** OFFICE USE ONLY *****

Customer Service Specialist: _____ Date Received: _____



COUNCIL WORKSHOP AGENDA ITEM #2.e



GENERAL ELECTION CALENDAR - MAY 7, 2016

- Wednesday, Jan. 20:** First day to file for office - 8:00 a.m.
First day to file as write-in candidate.
- Monday, Feb. 1:** City Council Orders Election
- Friday, Feb. 19:** Last day to file for office - 5:00 p.m.
- Tues., Feb. 23:** Last day to file a Declaration of Write-in Candidacy
- Thursday, Feb. 25:** Conduct drawing for order of names on ballot, City Hall – 10:00 a.m.
(Drawing: in order of date/time applications were filed.)
- Friday, Feb. 26:** Last day for a candidate in general election to withdraw - 5:00 p.m.
- Thursday, Apr. 7:** First Campaign Contributions and Expenditures Report due by 5:00 p.m. (30th day before election) [Only for candidates spending over \$500 on campaign]
- Mon., Apr. 25
Thru Fri., Apr. 29** Early Voting by Personal Appearance (City Hall, **200 Patriot Court, 8:00 a.m. to 5:00 p.m.**)
- Friday, Apr. 29:** 2nd Campaign Expense Report due by 5:00 p.m. (8th day before election) [Only for candidates spending over \$500 on campaign]
- Mon./Tues., May 2-3** Early Voting by Personal Appearance (City Hall, 7:00 a.m. to 7:00 p.m.)
- Saturday, May 7:** ELECTION DAY (CITY HALL - 7:00 a.m. to 7:00 p.m.)

UNOFFICIAL TABULATION OF RESULTS will be announced by Election Judge after 7:00 p.m. at Hewitt City Hall. Candidates and the public are welcome to be present.
- Monday, May 16:** City Council Meeting to canvass election returns and declare official results. Office holders take Oath of Office. Mayor and Mayor Pro Tem are selected.
- Friday, July 15:** Final reports due for all candidates

COUNCIL AGENDA ITEM FORM

MEETING DATE: February 1, 2016

AGENDA ITEM #: 6

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consider a resolution approving financing terms, for library shelving, by BB&T at 1.67% for four (4) years for an annual payment is \$42,570.91.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a comparison of the three bids received on Monday, January 25th, 2016. The best interest rate is being offered by BB&T, Branch Banking & Trust Company, at 1.67% for 4 years. Staff recommends acceptance of BB&T bid to fund approved purchase of library shelving.

ATTACHMENTS:

Bids Received

Resolution Approving Financing Terms



**MINUTES OF A CITY COUNCIL
WORKSHOP/MEETING
HEWITT CITY HALL – 105 TAMPICO DRIVE
January 18, 2016 - 5:30/7:00 PM**

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

Staff present: City Attorney Charlie Buenger, City Engineer Miles Whitney, City Manager Adam Miles, Fire Chief Lance Bracco, Police Chief Jim Devlin, Assistant Police Chief Tuck Saunders, Library Director Waynette Ditto, Public Works Director James Black, Community Services Director Tracy Lankford, Special Projects Coordinator Katie Allgood, and City Secretary Lydia Lopez

Staff absent: Assistant City Manager James Barton and Finance Director Lee Garcia

Workshop – 5:30 PM

1. Mayor Ed Passalugo called the meeting to order at 5:30 PM.
2. City Manager presented an update on municipal business:
 - a. Report from City Engineer including review and discussion of Capital Improvement Projects
 - b. Briefing and discussion concerning Water and Wastewater Rate Structure.
 - c. Briefing and discussion concerning upcoming events: Greater Hewitt Chamber of Commerce Banquet, January 26, 2016 and TML Region 9 Meeting, January 28, 2016.
 - d. Briefing and discussion concerning election calendar - May 7, 2016. Staff was directed to look into calling a special charter amendment election setting term limits.
 - e. Briefing and discussion concerning Public Safety operations – Police & Fire.
 - o Racial Profiling Report (presented by Chief Devlin)
3. Regular meeting agenda items were reviewed.
4. *A motion was made by Council Member Ronnie McNiel and seconded by Mayor Pro Tem Travis Bailey to convene Executive Session at 6:19 PM 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. A motion was made by Council Member Alex Snider and seconded by Council Member Bill Fuller to close executive session at 6:48 PM.*

6. *Adjourn. A motion was made by Council Member Alex Snider and seconded by Council Member Bill Fuller to adjourn the Workshop at 6:50 PM.*

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 ask a young scout in the audience to lead the Pledge of Allegiance.
3. **SPECIAL RECOGNITION OF MIDWAY ISD CROSSING GUARD DEBRA RICHTER**

NOTE: Mayor reordered the agenda as follows:

4. **CONSIDER APPROVAL OF MINUTES OF THE CITY COUNCIL WORKSHOP/REGULAR MEETING OF JANUARY 4, 2016.** *A motion was made by Council Member Alex Snider and seconded by Mayor Pro Tem Travis Bailey to approve the minutes as submitted but allow for corrections; all seven in favor, motion passed.*
5. **HEAR VISITORS ON MATTERS PERTAINING TO CITY BUSINESS.** *Under the Texas Open Meetings Act, the Council is prohibited from discussing, responding, or acting on any comments or items that have not been properly posted on the agenda. Michael Bancale, 909 Stoneridge Drive, appeared to express his opposition to the low income senior housing. No one else appeared.*
6. **AUTHORIZE PURCHASE OF LIBRARY FURNITURE AND EQUIPMENT IN THE AMOUNT OF \$153,042.10.** *A motion was made by Council Member Bill Fuller and seconded by Council Member Alex Snider to approve; all seven in favor; motion passed.*
7. **CONSIDER AND ACT ON A RESOLUTION OF SUPPORT OF AN APPLICATION SUBMITTED BY DMA HOUSING, LLC TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR A PROPOSED SENIOR HOUSING DEVELOPMENT IN HEWITT, TEXAS, THE RESERVE AT DRY CREEK, LOCATED AT THE 900 BLOCK OF OLD TEMPLE ROAD.** *Janine Sisak, Senior Vice President/General Counsel, appeared in support and to clarify questions raised by Mr. Bancale. A motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Alex Snider; all seven in favor, motion passed.*
8. **SPECIAL PRESENTATION OF NEW K-9 OFFICER CHADO.** *Mayor invited attendees outside for a demonstration by the new K-9 Officer Chado.*
9. **ADJOURN.** *Motion was made by Mayor Pro Tem Travis Bailey and seconded by Council Member Alex Snider to adjourn the meeting at 7:30 PM, all seven in favor, motion passed.*

Approved: February 1, 2016

Lydia Lopez, City Secretary

Ed Passalugo, Mayor



ITEM #4 – HEARING OF VISITORS

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

MEETING DATE: February 1, 2016

AGENDA ITEM #: 5

SUBMITTED BY: Jim Barton, Assistant City Manager

ITEM DESCRIPTION:

Consider award of bid for installation of pre-cast fence project for City Hall & Library to Artisan Precast in the amount of \$12,985.20.

STAFF RECOMMENDATION/ITEM SUMMARY:

City staff has solicited bids from qualified contractors to provide and install 85 linear feet of screening/privacy fencing located at the back of the courtyard at the new City Hall & Library project. This fence will serve as a buffer between the Public Safety Facility and new building and will be identical to the fencing installed between the new buildings and houses located in Ellis Farms South. City staff recommends award of this bid to Artisan Precast in the total amount of \$12,985.20. The project does include all materials, labor, and services to construct the fence along with a concrete footing / mow strip. As a note, Artisan Precast was the contractor that built the existing fence between the city property and Ellis Farms. Additional information is included in the backup material.

ATTACHMENTS:

Bid Proposals

COST ESTIMATE

Date: Thursday, January 14, 2016
Time: 10:02:41 AM

To: Jim Barton
City of Hewitt
105 Tampico
Hewitt, TX 76643

From: Christopher J. Miller
Artisan Precast

As the sole provider of our WOODCRETE®, BRICKCRETE®, FENCESTONE®, CEDARCRETE®, SMOOTHCRETE®, CHISELCRETE® and WOODCRETE® RAIL precast fence system, it is our pleasure to forward you the following cost estimate:

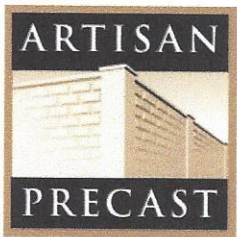
Estimate No.: 11257

Project Name: City Hall Library
Location: Hewitt, TX

Product:	BRICKCRETE®	Mow Strip
Color:	Mesa Buff	N/A
Scope:	Furnish and Install	Furnish and Install
Quantity:	85	85
Unit:	LF	LF
Height (feet):	7	4" high x 6" wide
Unit Amount:	\$138.45	\$14.32

Total Amount: \$11,768.00

\$1,217.20



5528 Old Bullard Rd.
Suite 110
Tyler, Texas 75703

1 (800) 511-2747
Email info@artisanprecast.com
www.artisanprecast.com

Christopher J. Miller
President

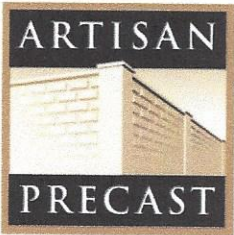
NOTES:

1. All prices estimated are inclusive of all materials, installation, footings, freight, standard product drawings and warranty.
2. Precast Walls and Rail Fence Systems are manufactured with steel and fiber reinforced precast concrete having a minimum compression strength of 5,000 p.s.i. @ 28 days.
3. FENCESTONE®, BRICKCRETE®, WOODCRETE®, CEDARCRETE®, SMOOTHCRETE®, CHISELCRETE® and WOODCRETE® RAIL are registered trademarks of Artisan Precast.
4. Products are manufactured in the USA by a NPCA Certified Plant.

COST ESTIMATE

SCOPE OF WORK

1. Cost estimate includes the installation of Artisan Precast's Fence Systems as follows:
 - a. 7' high precast fence system shall be embedded into a 12" diameter x 4'-6" deep concrete pier, every 5'-0" on-center.
 - b. Actual diameter and depth of piers may be adjusted based on soil conditions and approval by structural engineer. These changes, water in the piers, and/or rocky soil conditions shall result in additional cost to the customer. Price is based on drilling pier with 1,500LB Skidsteer or equivalent. If Skidsteer cannot be used for any reason, including adverse soils conditions, location of underground utilities, etc, any or all piers shall be excavated by hand or by a 3rd party drilling at additional costs to the customer.
 - c. If any piers are to be excavated by hand or any non-mechanized equipment, then they shall be done so at a rate of \$50 per foot of depth per pier.
 - d. If piers shall fail to retain form and "cave in" as a result of loose or adverse soil conditions, then Sonotubes® may be required at an additional cost to the customer.
 - e. If piers shall contain water, or any other liquid or similar substance, then a water pump or pump truck may be required at an additional cost to the customer.
2. Payment Schedule: 33% upon signing agreement, 33% upon start of installation, 34% upon completion and acceptance of installation.
3. Customer shall provide clear access to the fence-line for delivery, placement of the materials by forklift, and access for concrete truck from commencement throughout the completion of work. If a concrete pump is required that shall be at additional cost to the customer.
4. All existing fence or fence-line obstructions are to be removed prior to commencement of installation precast fence system.
5. Customer to stake fence-line location with a one to three foot offset prior to commencement of work. Customer shall also provide final finished grade. If final grade is not provided then it will be assumed that fence will be installed at the existing grade and fence will step up/down where necessary.
6. Height of fence to be determined from finished grade with a 2" tolerance.
7. Water, electricity and dumpster to be provided by customer.
8. Soil from footing to be spread along the fence-line. If any or all of the excavated soil cannot be spread along the fence-line, the customer shall be responsible for the additional cost incurred to remove and haul-off the soil.
9. Artisan Precast shall be responsible for cleanup of all debris resulting from the installation of the precast fence system.
10. Artisan Precast will not replace or replant any vegetation that is damaged due to the installation of the precast fence system.
11. All short sections will be billed as full sections.
12. All materials installed are first quality. Panels, posts or rails with incidental chips and hairline cracks are characteristic of the rustic appearance of the fence. Color variations are inherent with integrally colored concrete.
13. Cost estimate is based on Artisan Precast's labor rates and does not include cost for union or prevailing wage rates and/or apprenticeships that may result from prevailing wage rate requirements.
14. Cost estimate does not include bonds (Maintenance, Performance).
15. Cost estimate does not include any permits or permit/inspection fees.
16. Cost estimate is valid for 30 calendar days from date of estimate.



5528 Old Bullard Rd.
Suite 110
Tyler, Texas 75703

1 (800) 511-2747
Email info@artisanprecast.com
www.artisanprecast.com

COST ESTIMATE

TESTIMONIALS

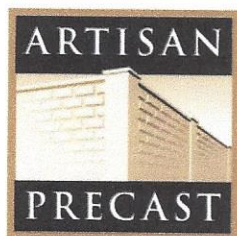
"I'm elated over the recent installation of the FenceStone® precast concrete wall for my project in Colleyville, Texas. The office staff was very knowledgeable and helpful. The Artisan Precast installers were professional, organized and worked quickly to complete my project in a timely manner. I'm so pleased with the wall results that I look forward to working with Artisan Precast on my next project."

-Peter Slover, Bayley Yandell Development, LTD – Southlake, TX

"Artisan Precast was hired over five years ago to install a wall at our Booster Station located in Upland California. The original wall was approximately 385 lineal feet, 8 feet high and has endured the test of time. We were so pleased with the results, in 2014 we hired Artisan Precast to construct the same kind of wall for our new well site on another site in Upland bordering the street sides of our 5-acre property. The Artisan staff quickly got to work providing documentation to the city. The rocky soil conditions required Artisan to re-structure the standard footings for the fence and worked diligently to finish the installation. The completed wall reflects the same wall installed by the City on the adjacent property that was installed many years prior.

We can attest to the quality and craftsmanship of the work done by Artisan Precast."

- Charles Moorrees, San Antonio Water Company – Upland, CA



5528 Old Bullard Rd.
Suite 110
Tyler, Texas 75703

1 (800) 511-2747
Email info@artisanprecast.com
www.artisanprecast.com

"I have been placing orders with Artisan Precast for years and I can proudly say I have purchased just about every item in their catalog. I stick to the Artisan products because the quality of the fence materials far exceeds the competition. The office staff is not only a pleasure to work with but they also go above and beyond to assist me with my projects. I look forward to many future projects with Artisan Precast."

- Kevin McKeon, Kleenco Maintenance & Construction – Alexandria, IN

"We hired Artisan because we liked the product for our large commercial strip mall project. We were required by the city to put in a masonry screening wall to separate the new commercial zone from the existing residential zone. We needed to make several changes to the project during the course of construction. Artisan was always responsive, fair, and always willing to do whatever was needed to deliver a quality product. As an example, they were able to use their walling system to retain 4 feet of soil along much of the fence line. That surprised us as we did not know the product could do that! Needless to say, we have a great wall at a great price. Artisan's people are real professionals and we highly recommend them."

-Brian Frasier, Big-D Construction Corp. – Salt Lake City, UT

Page 3 of 3

CHISELCRETE®

FENCESTONE®

WOODCRETE®

BRICKCRETE®

CEDARCRETE®

WOODCRETE®RAIL

SMOOTHCRETE™

Subject: Hewitt City Hall

Date: Wednesday, January 13, 2016 at 11:31:01 AM Central Standard Time

From: Daniel c Salinas

To: James Barton

Labor and materials to construct stone wall 84ft long x7ft tall x20"wide with 8" cmu wall in middle & 1 column 25x25" note! No concrete beam included 28000.00\$ or column & wall84ft long x 12"wide no cmu wall 23500.00\$ No Concrete included

Sent from my iPhone



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 1, 2016

AGENDA ITEM #: 6

SUBMITTED BY: Lee Garcia, Finance Director

ITEM DESCRIPTION:

Consider a resolution approving financing terms for library shelving by BB&T at 1.67% for four (4) years for an annual payment is \$42,570.91.

STAFF RECOMMENDATION/ITEM SUMMARY:

Attached is a comparison of the three bids received on Monday, January 25th, 2016. The best interest rate is being offered by BB&T, Branch Banking & Trust Company, at 1.67% for 4 years. Staff recommends acceptance of BB&T bid to fund approved purchase of library shelving.

ATTACHMENTS:

Bids Received
Resolution Approving Financing Terms

Results from Lease Financing Bid for \$163,405

Bids Received by 10 am on 1/25/2016:

Notice Printed in Hometown News on January 8th and January 15th, 2016.

Notice Emailed to all who had expressed interest in bidding on an future financing.

Notice of Bid on Lease Financing for:

Library Shelving

Responses:		Rates & Annual Payments		
<u>Financier</u>	<u>Agent</u>	<u>3 yr Term</u>	<u>4 yr Term</u>	<u>Addtl Fees</u>
Chase Bank	Melisa Atkinson	2.206%	2.125%	\$0.00
		56,888.95	43,044.29	
Bancorp	John Ferretti	3.00%	3.00%	\$0.00
		57,768.63	43,960.36	
BB&T	Mary P Coley	1.52%	1.67%	\$0.00
		56,132.50	42,570.91	

Resolution No. 2016-02-01-1

WHEREAS: The City of Hewitt, Texas (the “City”) has previously determined to undertake a project for the purchase of library shelving, and the finance director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated January 22, 2016. The amount financed shall not exceed \$163,405.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.67% and the financing term shall not exceed 4 years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Lease Purchase Agreement and a Project Fund Agreement as BB&T may request.
3. The finance director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The finance director is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the finance director shall approve, with the finance director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or

that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

PASSED AND APPROVED this the 1st day of February, 2016.

CITY OF HEWITT

Ed Passalugo, Mayor

ATTEST:

Lydia Lopez, City Secretary



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 1, 2016

AGENDA ITEM #: 7

SUBMITTED BY: Lydia Lopez, City Secretary

ITEM DESCRIPTION:

Consider a resolution ordering a General Election in the City of Hewitt on Saturday, May 7, 2016; 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 7 de mayo del 2016; designación de los lugares de votación; y proveería consideración para otros asuntos relacionados a las elección general.)*

STAFF RECOMMENDATION/ITEM SUMMARY:

This item is being presented to call for the City's May 7, 2016 General Election for City Council. Approval of this resolution will order the election for three Council places with terms beginning May 2016 and running until May 2018. The deadline for candidate applications is Friday, February 19, 2016.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2016-02-01-2
RESOLUCIÓN NO. 2016-02-01-2

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 7, 2016; 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, 7 DE MAYO DE 2016. 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 7, 2016.

Que se emita esta notificación con respecto a que se llevarán a cabo eleccion general en la Ciudad de Hewitt, Texas, el sábado, 7 de mayo de 2016.

(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 2, one Council Member for Ward 2, Place 2, and one Council Member for Ward 3, Place 2 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 2; un Miembro del Consejo de Ward 2, Sitio 2; y un Miembro del Consejo de Ward 3, Sitio 2; 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 20, 2016, at 8:00 a.m., that the last day for filing will be February 19, 2016, 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, 200 Patriot Court, 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 20 de enero de 2016, y la última fecha de presentación será el 19 de febrero de 2016, 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 200 Patriot Court, 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, 200 Patriot Court, 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 7, 2016.

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 200 Patriot Court, 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, 7 de mayo de 2016.

That early voting by personal appearance shall be conducted on weekdays at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas, from Monday, April 25, 2016, to Tuesday, May 3, 2016; 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 200 Patriot Court, Hewitt, Texas, desde el lunes, 25 de abril de 2016 hasta el martes, 3 de mayo de 2016, 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 7, 2016, 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, 7 de mayo de 2016, 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 7, 2016, election.

Que la Ciudad de Hewitt compartirá lugar de votación con el Distrito Escolar Independiente de Midway durante las elecciones del 7 de mayo de 2016.

That January 1, 2016, shall be the first day to accept an application for a voting by mail ballot; that April 22, 2016, 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 April 26, 2016, shall be the last day to receive an application by mail for a ballot to be voted by mail.

Que el 1 de enero de 2016 será el primer día para aceptar las solicitudes para depositar una boleta de voto por correo; que el 22 de abril de 2016, 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 26 de abril de 2016 será el último día en el que se recibirán las solicitudes por correo para una votación por correo.

That April 25, 2016 is the first day for a new illness or disability allowing late application for late (emergency) early voting; and that May 2, 2016, is the first day for a death in the immediate family to qualify for late (emergency) early voting.

Que el 25 de abril de 2016 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 2 de mayo de 2016 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 4, 2016, through May 6, 2016, shall be the period to apply for late (emergency) early voting because of a death in the immediate family on May 4, 2016, or later; and that May 4, 2016, through May 7, 2016, shall be the period to apply for late (emergency) early voting because of an illness or disability originating on or after April 25, 2016.

Que del 4 al 6 de mayo de 2016 serán las fechas de solicitud para una votación anticipada tardía (por emergencias) debido a un fallecimiento en la familia inmediata el 4 de mayo de 2016 o con posterioridad a esa fecha, y que del 4 al 7 de mayo de 2016 serán las fechas para de solicitud para una votación anticipada tardía (por emergencias) debido a una enfermedad o discapacidad que se haya originado el 25 de abril de 2016 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 2016-02-01-1
Page/Página 4

PASSED AND APPROVED this the 1st day of February 2016.
APROBADO Y RATIFICADO el 1 de febrero de 2016.

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 7, 2016 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 7 de mayo de 2016 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, 200 Patriot Court, Hewitt, Texas
(Location) *(sitio)*

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 25, 2016 and ending on April 29, 2016.
entre las 8:00 a.m. a 5:00 p.m. empezando el 25 de abril de 2016 y terminando el 29 de abril de 2016.

Between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 2, 2016 and ending on May 3, 2016.
entre las 7:00 a.m. a 7:00 p.m. empezando el 2 de mayo de 2016 y terminando el 3 de mayo de 2016.

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:
April 26, 2016.

Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el 26 de abril de 2016.

Issued this 1st day of February, 2016
Emitida este dia 1 de febrero, 2016.

Mayor/Firma de Alcalde

Council Member/Miembro de Consejo
Consejo

Council Member/Miembro de

Council Member/Miembro de Consejo
Consejo

Council Member/Miembro de

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 7, 2016 for voting in a general election to elect three (3) City Council Members.
(Notifíquese, por las presente, que las casillas electorale sitados abajo se abriran desde las 7:00 am. hasta las 7: 00 p.m. el 7 de Mayo de 2016 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, 200 Patriot Court, 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, 200 Patriot Court, Hewitt, Texas 76643
(Location) (sitio)

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 25, 2016 and ending on April 29, 2016; and between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 2, 2016 and ending on May 3, 2016. (entre las 8:00 a.m. a 5:00 p.m. empezando el 25 de abril de 2016 y terminando el 29 de abril de 2016; y entre las 7:00 a.m. a 7:00 p.m. empezando el 2 de mayo de 2016 y terminando el 3 de mayo de 2016.)

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: April 26, 2016.(Las solicitudes Para boletas que se votaran en ausencia por eorreo deberan recibirse para elfin de las horas de negocio el): 26 de abril de 2016.

Issued this the 1st day of February 2016.
(Emitada este dia 1de febero de 2016.

Ed Passalugo, Mayor



COUNCIL AGENDA ITEM FORM

MEETING DATE: February 1, 2016

AGENDA ITEM #: 8

SUBMITTED BY: Adam Miles, City Manager

ITEM DESCRIPTION:

Consider a resolution ordering a Special Election in the City of Hewitt on Saturday, May 7, 2016; 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 7 de mayo del 2016; 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:

At direction from the Mayor and City Council, city staff developed a proposed Charter Amendment whereby term limits for City Council members could be enacted by the voters in Hewitt. Approval of this item would call for a Charter Amendment election to be held on May 7, 2016. As proposed, City Council terms would be extended from a two (2) year term to a three (3) year term and a three consecutive term limit would be enacted. In this manner an elected council member could serve up to nine (9) consecutive years.

The proposed language would have the At-Large member, the Ward 1, Place 1 member, the Ward 2, Place 1 member, and the Ward 3, Place 1 member up for election in 2017 and serving a 3 year term. Then, the following year, 2018, the Ward 1, Place 2 member, the Ward 2, Place 2 member, and the Ward 3, Place 2 member would be up for election and serving a 3 year term. Under this scenario there would be no election in 2019 unless an election was called to fill a vacancy during an unexpired term. The backup material includes a copy of the current Charter Language from Section 2.2 of the Charter as well as proposed language for a Charter Amendment relating to Section 2.2.

If approved, city staff would follow State notice requirements concerning elections and include the proposed Charter Amendment on the May 7 ballot.

ATTACHMENTS:

Resolution

RESOLUTION NO. 2016-02-01-3
RESOLUCIÓN NO. 2016-02-01-3

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF HEWITT, TEXAS, ORDERING A SPECIAL ELECTION IN THE CITY OF HEWITT ON SATURDAY, MAY 7, 2016 TO SUBMIT A PROPOSED AMENDMENT TO THE CITY CHARTER; 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, 7 DE MAYO DE 2016 PARA PRESENTAR UNA PROPUESTA DE ENMIENDA A LA CARTA DE LA CUIDAD; 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 special election will be held in and throughout the City of Hewitt, Texas, on Saturday, May 7, 2016.

Que se emita esta notificación con respecto a que se llevarán a cabo eleccion especial en la Ciudad de Hewitt, Texas, el sábado, 7 de mayo de 2016.

(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 esta.

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 governing body of the City shall consist of a Council of seven (7) members elected at large by the qualified voters of the City. They shall run for office by place and be elected for a term of three (3) years, or until their successors are duly elected and qualified, except as herein provided.

El órgano de gobierno de la Ciudad estará compuesto por un Consejo de siete (7) miembros elegidos en grande por los votantes calificados de la Ciudad. Ellos deberán postularse para un cargo por el lugar y ser elegidos por un término de tres (3) años, o hasta que sus sucesores sean debidamente elegidos y calificados, con excepción de lo aquí dispuesto.

The candidates elected in the May 2017 election for the At Large position, the Ward One, Place One position, the Ward Two, Place One position, and the Ward Three, Place One position, shall serve a three (3) year term. The candidates elected in the May 2018 election for the Ward One, Place Two position, Ward Two, Place Two position, and the Ward Three, Place Two position shall serve a three (3) year term. The 2017 regular election and all subsequent regular elections shall be for a term of office of three (3) years. Starting with the regular election in 2017, no person may serve on the City Council for more than three (3) consecutive full terms. Terms served pursuant to elections conducted before the 2017 regular election shall not count towards the three consecutive term limitation.

Los candidatos elegidos en las elecciones de mayo de 2017 respecto de la posición de Gran Al, la Sala Uno, coloque una posición, el Distrito Dos, coloque una posición y el Barrio Tres, coloque una posición, deberá servir a un (3) período de tres años. Los candidatos electos en las elecciones de mayo 2018 para el Distrito Uno, Coloque dos posiciones, la sala dos, Coloque dos posiciones, y el Barrio Tres, Coloque dos posiciones servirá un (3) período de tres años. El 2017 elección regular y todas las elecciones regulares posteriores serán por un mandato de tres (3) años. A partir de la elección regular en 2017, ninguna persona puede servir en el Consejo de la Ciudad por más de tres (3) períodos completos consecutivos. Términos servido en virtud de las elecciones llevadas a cabo antes de la elección regular 2017 no podrá contar para los tres limitación consecutiva plazo.

The Council members shall draw no compensation as such for their duties, but may be reimbursed for any expenditure made in behalf of the City or expenses incurred in the performance of their duties when approved by the Council.

Los miembros del Consejo elaborará ninguna compensación como tal por sus funciones, pero pueden ser reembolsados por los gastos realizados en nombre de la ciudad o de los gastos incurridos en el ejercicio de sus funciones cuando sea aprobado por el Consejo.

_____ 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, 200 Patriot Court, 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 7, 2016.

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 200 Patriot Court, 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, 7 de mayo de 2016.

That early voting by personal appearance shall be conducted on weekdays at Hewitt City Hall, 200 Patriot Court, Hewitt, Texas, from Monday, April 25, 2016, to Tuesday, May 3, 2016; 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 200 Patriot Court, Hewitt, Texas, desde el lunes, 25 de abril de 2016 hasta el martes, 3 de mayo de 2016, 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 7, 2016, 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, 7 de mayo de 2016, 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 Secretaria de Estado.

That the City of Hewitt will share polling locations with the Midway Independent School District effective with the May 7, 2016, election.

Que la Ciudad de Hewitt compartirá lugares de votación con el Distrito Escolar Independiente de Midway durante las elecciones del 7 de mayo de 2016.

That January 1, 2016, shall be the first day to accept an application for a voting by mail ballot; that April 22, 2016, 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 April 26, 2016, shall be the last day to receive an application by mail for a ballot to be voted by mail.

Que el 1 de enero de 2016 será el primer día para aceptar las solicitudes para depositar una boleta

de voto por correo; que el 22 de abril de 2016, 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 26 de abril de 2016 será el último día en el que se recibirán las solicitudes por correo para una votación por correo.

That April 25, 2016, is the first day for a new illness or disability allowing late application for late (emergency) early voting; and that May 2, 2016, is the first day for a death in the immediate family to qualify for late (emergency) early voting.

Que el 25 de abril de 2016 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 2 de mayo de 2016 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 4, 2016, through May 6, 2016, shall be the period to apply for late (emergency) early voting because of a death in the immediate family on May 4, 2016, or later; and that May 4, 2016, through May 7, 2016, shall be the period to apply for late (emergency) early voting because of an illness or disability originating on or after April 25, 2016.

Que del 4 al 6 de mayo de 2016 serán las fechas de solicitud para una votación anticipada tardía (por emergencias) debido a un fallecimiento en la familia inmediata el 4 de mayo de 2016 o con posterioridad a esa fecha, y que del 4 al 7 de mayo de 2016 serán las fechas para de solicitud para una votación anticipada tardía (por emergencias) debido a una enfermedad o discapacidad que se haya originado el 25 de abril de 2016 o con posterioridad a esa fecha.

That Billie Black, Court 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 de la corte 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 1st day of February 2016.

APROBADO Y RATIFICADO el 1de febrero de 2016.

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

Ed Passalugo, Mayor/Alcalde

RESOLUTION/RESOLUCIÓN 2016-02-01-3
Page/Página 5

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 7, 2016 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 7 de mayo de 2016 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, 200 Patriot Court, Hewitt, Texas
(Location) (*sitio*)

Between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 25, 2016 and ending on April 29, 2016.
entre las 8:00 a.m. a 5:00 p.m. empezando el 25 de abril de 2016 y terminando el 29 de abril de 2016.

Between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 2, 2016 and ending on May 3, 2016.
entre las 7:00 a.m. a 7:00 p.m. empezando el 2 de mayo de 2016 y terminando el 3 de mayo de 2016.

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:
April 26, 2016.

Las solicitudes para boletas que se votaran en ausencia por correo deberan recibirse para el fin de las horas de negocio el 26 de abril de 2016.

Issued this 2nd day of February, 2016
Emitida este dia 2 de febrero, 2016.

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 7, 2016 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 7 de Mayo de 2016 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, 200 Patriot Court, 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, 200 Patriot Court, Hewitt, Texas 76643
(Location) (sitio)

between the hours of 8:00 a.m. and 5:00 p.m. beginning on April 25, 2016 and ending on April 29, 2016; and between the hours of 7:00 a.m. and 7:00 p.m. beginning on May 2, 2016 and ending on May 3, 2016. *(entre las 8:00 a.m. a 5:00 p.m. empezando el 25 de abril de 2016 y terminando el 29 de abril de 2016; y entre las 7:00 a.m. a 7:00 p.m. empezando el 2 de mayo de 2016 y terminando el 3 de mayo de 2016.)*

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: April 26, 2016. *(Las solicitudes p ara boletas que se votaran en ausencia por eorreio deberan recibirse para elfin de las horas de negocio el): 26 de abril de 2016.*

Issued this the 1st day of February 2016.
(Emitada este dia 1 de febero de 2016.)

Ed Passalugo, Mayor